



NEWSLETTER

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EDITORIAL

Dear Members

A word of gratitude to the members who have been very supportive during this challenging time we have to all endure.

It is extremely important, now more so than ever, that we work in partnership to make OSALL a success.

2021 is our elective year and we will be voting in a new committee, please take this as a call from the existing committee to kindly make yourself available or nominate a colleague to serve on the committee. It is an exciting task (take it from me).

We are planning to have a virtual AGM and like all the virtual events we've had so far, this too will be a "not to miss".

For those unable to attend; or who would like to watch again, here is a link to the Sabinet Networking session. <https://vimeo.com/531316905/cb3ef82fec>

Keep warm and happy reading!!

Stay in touch with me on chair@osall.org.za

Karabo Moleya
OSALL Chair

Zoom Meeting

Audio only

With video



[Source](#)

News

THE DAY HELL CONSUMED A LIBRARY IN THE SHADOWS OF DEVIL'S PEAK*Lydia Craemer, Johannesburg Bar Library*

I was asked to write a tribute to the Jagger Library at UCT. How does one begin to put into words what the destruction of the library means? I watched the horror unfolding on social media: the fire in the Table Mountain National Park, which suddenly razed the Rhodes Memorial tearoom and then spewed over UCT as if an invisible dragon was driving the flames. At first I was speechless as I viewed the photos coming from UCT, the Jagger Library burning before our eyes.

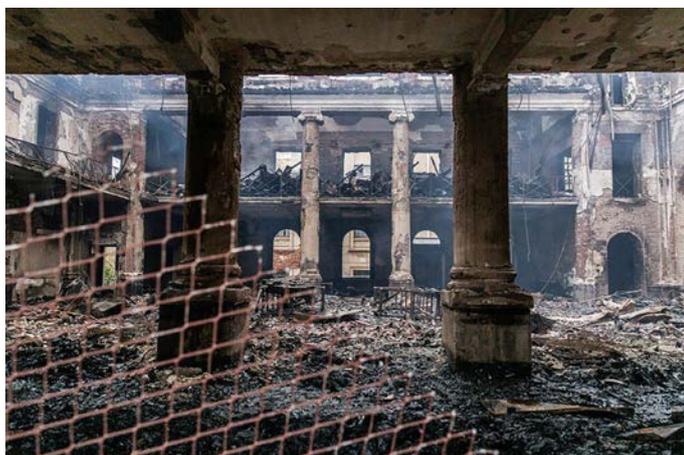


Photo credit: Ashraf Hendricks

The history of the Library gives some perspective on the loss:

“The J.W. Jagger Library (now the Jagger Reading Room) was named after a major benefactor of UCT Libraries in the early twentieth century. The building was constructed in the 1930s, and served originally as the main library, then as a short loans centre, and most recently, from 2000 to 2011 as the reading room of the African Studies Library.

In 2011, the university began a restoration programme to restore the main hall of Jagger Library to its original condition. The slide show below shows pictures from the two phases of the project - first, the stripping away of walkways and balconies added in the 1960s and 1970s, and second, the painting, furnishing and restoration of original features.”

<http://www.specialcollections.uct.ac.za/jagger-reading-room>

I shared my initial reaction on social media with the words “This saddens me in so many ways. I am a librarian with a background in academic librarianship and law. I know how valuable and extensive a collection like this can be. I was devastated when the Univ of KZN Library was affected by fire. I feel the same now. I spent my first year of university at UCT and used the university library for assignments. It's part of my personal history. My thoughts are with the UCT community on this horrific day.”

I decided to track developments on social media, by monitoring the UCT Libraries Facebook page. The shock and devastation felt by the librarians was there for all to see. After the fire was quenched, apart from the shock of losing valuable library materials in the flames, came the dawning realisation of the water damage to follow. I watched Ujala Satgoor, Executive Director of UCT libraries being interviewed by Newzroom Afrika, seeing how tired she looked but her pragmatism and determination to find some positives in all the chaos shining through.



South Africans came out in droves to help the librarians work around the clock to clear the library of all library materials. The camaraderie was heart-warming.

The UCT libraries created a special webpage Jagger Library Recovery (<http://www.lib.uct.ac.za/jagger-recovery>) to allow anyone and everyone to assist in whatever way they felt they could. Little victories merged as various collections were found to have survived intact against the odds. Loving care has been lavished on water-damaged materials in a triage area, the library equivalent of a medical rescue tent.



will be rebuilt through the generosity of academics and researchers who hold the library dear to their hearts. Libraries and librarians globally will come together to help in whatever way they can. The words of a well-known song come to mind:

When you walk through a storm
Hold your head up high
And don't be afraid of the dark

At the end of a storm
There's a golden sky
And the sweet silver song of a lark

Walk on through the wind
Walk on through the rain
Though your dreams be tossed and blown

Walk on, walk on
With hope in your heart
And you'll never walk alone

FUTURE PERFECT

Gail Dendy, White & Case

In late 2019, the world did not end, but it changed dramatically. Here in South Africa, most people (yes, that includes me) thought that a virus in a Chinese city they'd never heard of would have little or no impact on our lives. After all, there'd been other dreadful diseases closer to home, such as Ebola, which thankfully didn't impact upon the general population here. The world's first case of Covid was detected on 17 November 2019. By 5 March 2020, South Africa was announcing its first case, with a hard lockdown ensuing on 27 March. Ergo – the widespread work-from-home (WFH) phenomenon was born. As with any innovation, there are always two sides to the coin although, admittedly, coins are becoming more and more scarce as we migrate to online shopping or transact with a friendly delivery person wielding a speedpoint machine in much the same way as standard-bearers waved their army's heraldic colours in days of old.

And so I, too, became part of the WFH contingency. It was a revelation of sorts. No annoying commute to the office, dodging the taxis which believed they were actually in America and hence entitled to drive in the right-hand lane down Bompas Road in the face of oncoming traffic. No dressing up, but also definitely no working in pyjamas, although sheepskin slippers in winter were a must-have in my sub-zero temperature south-facing study. Being able to work with a kitty on my lap, and the concomitant badge of honour in the form of cat-scratched jeans. Oh, and that glorious enamel-blue sky, and the somewhat eerie stillness of the suburb during the first few months in which one could clearly hear the bird calls and, perhaps if you listened hard enough, the grass growing.



Photo credit Michal Singer

Like a phoenix rising from the ashes, the library will be brought back to life. Where possible, valuable collections

The other side of the story is the isolation which people faced, particularly those living alone; the sense of dislocation as one was separated from one's colleagues and library users, not to mention the physical book stock. Our vocabulary shifted, too. One wonders what Shakespeare would have made of words such as *Webex* and *Zoom* – not the easiest words for rhyming iambic pentameter. The best I can come up with is:

Whereas the hare, the hawk, the lark, the loon
can't participate on a laptop's Zoom,
librarians are made of sterner stuff –
they're smart and savvy and robust and tough
and might meet at morn or noon on Webex
to make known the modern form of codex.

Is the hybrid workplace here to stay?

A year down the line, and I'm sure many of us have become used to the hybrid form of work: part office, part home. Overseas, where commuting times can take three or more hours a day, employees have found WFH to be a boon: cost-effective, safe, and no way of taking a wrong detour on the way to the office.

In July last year, a [Gartner survey](#) of 127 company leaders, including Legal and Compliance, revealed that '82% of respondents intend to permit remote working some of the time as employees return to the workplace'. A Newsweek report of 19 January 2021 elucidates [14 Top Workplace Trends to Anticipate in 2021](#), which include creative marketing and engagement with clients, a greater emphasis on skills development (bear in mind that '[a]ccording to Willis Towers Watson, [more than 60 percent](#) of children attending school today will work in a career that does not currently exist'), more camera-ready home offices, and greater autonomy and flexibility. Crucially, personal mental health and wellbeing is also something for which the modern workplace is increasingly catering. After all, who wants an axe-wielding foaming-at-the mouth and about-to-be ex-colleague bearing down on one?

Yet WFH can become claustrophobic, and those juggling child-rearing duties and household chores in addition to their job are suffering burn-out. Even so, productivity in many companies has *increased* during Covid (presumably, no more lengthy chats at the coffee machine, or nipping out for a smoke break). Last September, several US law firms dished out [bonuses to their London lawyers](#) in recognition of their dedication and hard work. Various international firms have subsequently given [bonuses to staff worldwide](#).

Where we work is also set to be overhauled. A [February 2021 news report](#) indicates that Australia's capital cities have been losing people in record numbers during COVID. The reason? Online working meant that, younger people in particular, could relocate out of the cities to more affordable areas and a subsequent better lifestyle.

Whatever your views on WFH, it is undoubtedly here to stay. Around the world, the percentage of people working permanently from home is expected to double in 2021, [according to a survey from Enterprise Technology Research](#). [Big Tech companies are paving the way](#). Twitter, based in San Francisco, informed employees last May that they could work from home indefinitely. Whether this is an 'aha!' moment, or an 'oi vey' moment depends on your perspective.

And so, to end at the beginning, the world has changed, work has changed and, for better or for worse, we have changed. As Margo Channing said (played by the redoubtable Bette Davis in *All About Eve*): ['Fasten your seat belts, it's going to be a bumpy night!'](#)

SOUTH AFRICAL LIBRARY WEEK 2021

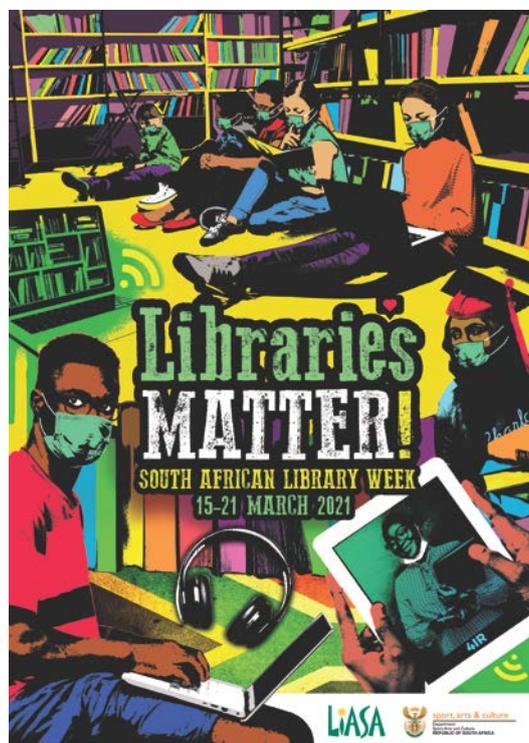
Nohra Moerat PL(SA)

LIASA Public Relations Officer

The Library and Information Association of South Africa (LIASA), in partnership with the Department of Sport, Arts and Culture, is celebrating South African Library Week (SALW) from 15 - 21 March 2021 with the theme

Libraries Matter!

The National Launch will be held on Monday 15 March 2020 from 10:00am to 12:00pm on the Zoom platform.



The programme will feature celebrity guest speaker **Lebo Mashile**; young published poet **Imaan Suliman (15)**, author of two poetry anthologies - *The Fire Inside Me* and

other poems and *A Warrior's Heart*; renowned writer **William Gumede** reading one of his children's stories; **Lorato Trok**, author of the recently published *The forgotten scientist: the story of Saul Sithole* and writer, performance poet and cultural worker, **Natalia Molebatsi**

THEME

The past year has seen the whole world disrupted in ways that were unimaginable in March 2020 when LIASA presented the annual SALW celebration of all types of libraries and the services they offer to all communities across South Africa. The global pandemic has disrupted life as we know it and libraries are no exception.

Despite this upheaval, many libraries have managed to operate in novel ways in order to remain present and relevant in the lives of their user communities. From online storytelling to remote access to databases, from kerbside pickups to online programming, libraries have managed to continue providing a service to their communities.

However, we cannot ignore the fact that to a large extent access to information and resources has been severely curtailed in all types of libraries, whether school, academic, public or special libraries. Restriction on the number of onsite users and rising data costs have impacted severely on our most disadvantaged members of society, rendering libraries almost invisible and vulnerable to further cost-cutting measures.

South Africa has the largest and most well-developed LIS sector in Africa and we need to remind our entire society that **Libraries Matter!**

PUBLICITY CAMPAIGN

The pandemic has also impacted on how LIASA celebrates the Week. A virtual Launch event has replaced the traditional onsite occasion; promotional material is available to download and print from the LIASA website. In the past, marketing collateral such as posters, bookmarks, t-shirts etc. would have been distributed to all types of libraries across the country. This year it has been replaced by a media and advocacy campaign where opinionistas, thought leaders and social commentators have been invited to write articles, post to Facebook and Tweet on why libraries matter. So far, the response has been quite positive. A media release is also being distributed to all print, radio and broadcast media in the hope that there will be a popular focus on libraries and why they matter during the Week, 15 to 21 March.

ABOUT SOUTH AFRICAN LIBRARY WEEK

LIASA initiated SALW in 2001 as a commemorative period when all types of libraries across the country use it as an opportunity to market their services and create awareness of the important role that libraries play in a democracy, advancing literacy, making the basic human right of freedom of access to information a reality, and to promote tolerance and respect in society.

The choice of the date commemorates the establishment by proclamation of the first public library, the South

African Public Library, now the National Library of South Africa (Cape Town Campus), on **20 March 1818**. Furthermore, on **21 March** we celebrate **Human Rights Day** and our Bill of Rights recognises the **freedom of access to information as a basic human right**. An important historical event is thus linked with a crucial date in our democracy.

SALW was officially celebrated for the first time in 2002. The Week is a flagship LIASA project and is celebrated by all types of libraries across the country through programmes and activities.

ABOUT LIASA

LIASA is the SAQA recognised Professional Body for the Library and Information Services sector according to the NQF Act 67 of 2008 and a voluntary association which represents persons engaged or interested in library and information service (LIS) and millions of users and potential users of libraries in South Africa. LIASA aims to unite, develop and empower all people in the library and information field. It represents the interests of and promotes the development and image of library and information services in South Africa. More information can be found at: <https://www.liasa.org.za/> and about SALW at <https://www.liasa.org.za/page/salw> and <https://www.liasa.org.za/page/2021salw>.

“SHOULD BOOKS BE SHELVED ? THE ROLE OF LIBRARIES IN THE INTERNET AGE”

Karabo Moleya, Fasken

On the 18th September 2019, I was invited to participate in a Cloudebate which was hosted by The University of Johannesburg. The Panel consisted of Prof Maria Frahm-Arp, Dr Abejide Ade-Ibijola and myself. Those that participated in the debate via various platforms will recall my argument “Law libraries are not ready to shelve the books and that we are embracing the 4th Industrial Revolution at a pace suitable for us and our clients”. This was backed up by processes and procedures that I acquired over many years as a Law Librarian. The Panellists and the audience agreed with me that a lot has to happen in the library space, especially with the introduction of the 4th Industrial Revolution in various sectors.

The debate was followed by a discussion on Stephen Grootes' show on SAFM the next morning, where I once again stood my ground that we are not ready to shelve the books, and this was supported with relevant facts. Stephen words were “If there are 2 things that are inseparable it is a book and a Librarian” – Very true indeed.

In March 2020 we were hit with a pandemic, Covid-19 landed in South Africa, hard lockdown was imposed by government. And guess what? We shelved the books for almost a year; some are still shelved, most law librarians

are still working remotely while our books are gathering dust and are merely a display of a Law Firm Library.

A lot has been learned from the pandemic and many libraries were forced to re-evaluate their acquisition policies to replace hard copies with eBooks. As sad as it is, I think we were forcefully removed from our comfort zones and had to apply Robotics in our daily tasks. Change is very scary but in most cases it is needed.

Research and enquiries are now attended to virtually and I know we are still doing our best to remain the custodians of information that we are – Aluta to us! One day when the dust has settled we will have a conversation on new SOP's for our libraries until then leave the books on the shelf.

Not only libraries/librarians are affected by this change, below is a view from a colleague on how rapid change affected daily routine for a Dispute Resolution Lawyer.

“LITIGATING IN THE 4TH INDUSTRIAL REVOLUTION AND THE COVID-19 PANDEMIC

Abigail Butcher (Fasken)

Any litigator who started as a Candidate Attorney and climbed the ranks of the profession recalls with a measure of disbelief and humour their time spent in the halls of the Johannesburg and Pretoria High Courts. Who, after all, could forget the 10th floor archives and the chaos of Room 008 right before 12:00.

However, with the Covid-19 pandemic ushering us all rapidly into the 4th Industrial Revolution (which perhaps some of us litigators denied would ever apply to us, as we are typically fond of printing our affidavits and reading our hard-copy books), so dawned the age of Caselines. This virtual platform suddenly took all the physical activities of serving and filing at the court and made them electronic, which all-in-all, has proved to be a successful experience. While much could be said of the trickier transition phases where the courts worked over electronic mail only, and the issues with regard to turn-around times on date applications, requests for court orders and the like – litigating in the new age appears to have the potential to fulfil with greater efficiency and transparency, access to justice for represented litigants.

The same may not however be true of unrepresented litigants, whose access to these databases may be limited, and who have previously relied on in-person consultations with court officials to navigate tricky court processes. This difficulty will be the next challenge for the courts and attorneys alike to start navigating as we delve deeper into the electronic age.

Despite the positive change, I do however cling rather steadfastly to my hard-copy books – which in my mind, will never lose value no matter how technologically advanced we may become.”

Herewith the link to the debate for those that might have missed it!

https://youtu.be/Qwt1CZHY_8

A REFLECTION ON THE PROGRESS OF BILLS PASSED BY THE DEMOCRATIC PARLIAMENT SINCE 1994

Izette Knoetze-le Roux, Legal Aid South Africa

INTRODUCTION

Parliament is the national legislature of SA. As such, one of its major functions is to pass new laws, to amend existing laws and to repeal or abolish old laws. This function is guided by the Constitution of South Africa. There are four main types of Bills (draft versions of law) that come before Parliament. They are:

- i). ordinary Bills that do not affect the provinces (section 75 of the Constitution);
- ii). ordinary Bills that affect the provinces (section 76 of the Constitution);
- iii). Money Bills (section 77 of the Constitution) and
- iv). Bills amending the Constitution (section 74 of the Constitution).

This Newsletter, being the first of the 2021/2022 Financial Year, reflects on the Bills passed by the democratic Parliament since May 1994. It contains a list of Bills passed by Parliament over a period of 27 years.

A breakdown of the number of Bills in second languages other than Afrikaans is also provided as well as a breakdown of the progress on Bills per year. Progress on Bills refer to the process from the time the Bill is introduced in parliament, passed by the houses of parliament and the ultimate assent by the President of the country. Most Bills tabled in Parliament are introduced by the Executive and are either ordinary Bills that do not affect the provinces (section 75 Bills); or ordinary Bills that affect the provinces (section 76 Bills).

BILLS PASSED PER PARLIAMENT FROM 1994 - CURRENT

The table below shows the total number of Bills passed since 1994. In the First and Second Parliaments, the legislative program in the main focused on the repeal of discriminatory legislation and on legislation giving effect to constitutional imperatives.

Table 1: Bills passed per parliament from 1994 – current

BILLS PASSED PER PARLIAMENT		
Parliament	Year	Total number of Bills passed
1 st Parliament	1994 -	531
2 nd Parliament	1999 -	311
3 rd Parliament	2004 -	234

BILLS PASSED PER PARLIAMENT		
Parliament	Year	Total number of Bills passed
4 th Parliament	2009 -	167
5 th Parliament	2014 -	119
6 th Parliament	2019 -	41

On 10 May 1994, President Nelson Mandela was inaugurated as president of South Africa. During his presidency, indicated as the 1st parliament in table 1, a total of 531 Bills were passed. This is the highest number of Bills passed from 1994 to date (see table 1 above).

OFFICIAL LANGUAGES USED IN BILLS FROM 1998 – CURRENT

A breakdown of the number of Bills in second languages other than Afrikaans is provided in Table 2 below

Table 2: Official second language texts of Bills from 1998 - current

LANGUAGE	TOTAL	PERCENTAGE
isiZulu	74	26%
Setswana	43	16%
isiXhosa	42	15%
Sepedi	35	13%
Sesotho	29	11%
Tshivenda	22	8%
Siswati	13	5%
Xitsonga	15	5%
IsiNdebele	4	1%

Table 2 shows that out of the 1038 Bills that have been passed since 1998, a total of 276 or 27% had an official second language text in the Bill. The Employment Equity Act, 55 of 1998 was the first Act with an official second language (Tsonga) than Afrikaans.

Most of the Bills passed since 1998 included isiZulu as the official second language text in the Bills, with a total of 26%. This is followed by Setswana (16%), isiXhosa (15%), Sepedi (13%) and Sesotho (11%).

Less than 10% of the Bills passed since 1998 include Tshivenda (8%), Siswati (5%), Xitsonga (5%) and IsiNdebele (1%) as the official second language text.

PROGRESS ON BILLS

The number of Bills that were introduced in parliament from 1994 – current are mentioned below.

Table 3: Progress on Bills from 1994 – current

PROGRESS ON BILLS 1994 – CURRENT			
YEAR	INTRO-DUCED	PASSED	ASSENTED TO
1994	57	52	52
1995	108	89	89
1996	108	108	108
1997	116	108	108
1998	142	137	134
1999	48	60	60
2000	70	70	70
2001	85	69	69
2002	70	75	75
2003	74	61	61
2004	25	40	40
2005	42	39	39
2006	35	28	28
2007	51	44	44
2008	82	80	77
2009	15	24	24
2010	41	26	26
2011	26	28	27
2012	44	25	25
2013	56	48	47
2014	18	44	42
2015	40	25	25
2016	24	18	17
2017	37	18	18
2018	47	23	21
2019	22	35	33
2020	34	24	22
2021	7*	5*	0*
TOTAL	1523	1399	1383

Table 3 shows that out of the 1523 Bills that were introduced in parliament from 1994 - current, a total of 1383 (91%) was assented to by the President.

All the Bills that were introduced in parliament in 1996 (108 in total) were passed and assented to by the President during the same year.

The highest total number of Bills introduced in parliament occurred in 1998 when a total of 142 Bills were introduced. The President assented to 134 of these Bills.

The lowest number of Bills introduced in parliament occurred in 2009, when only 15 Bills were introduced

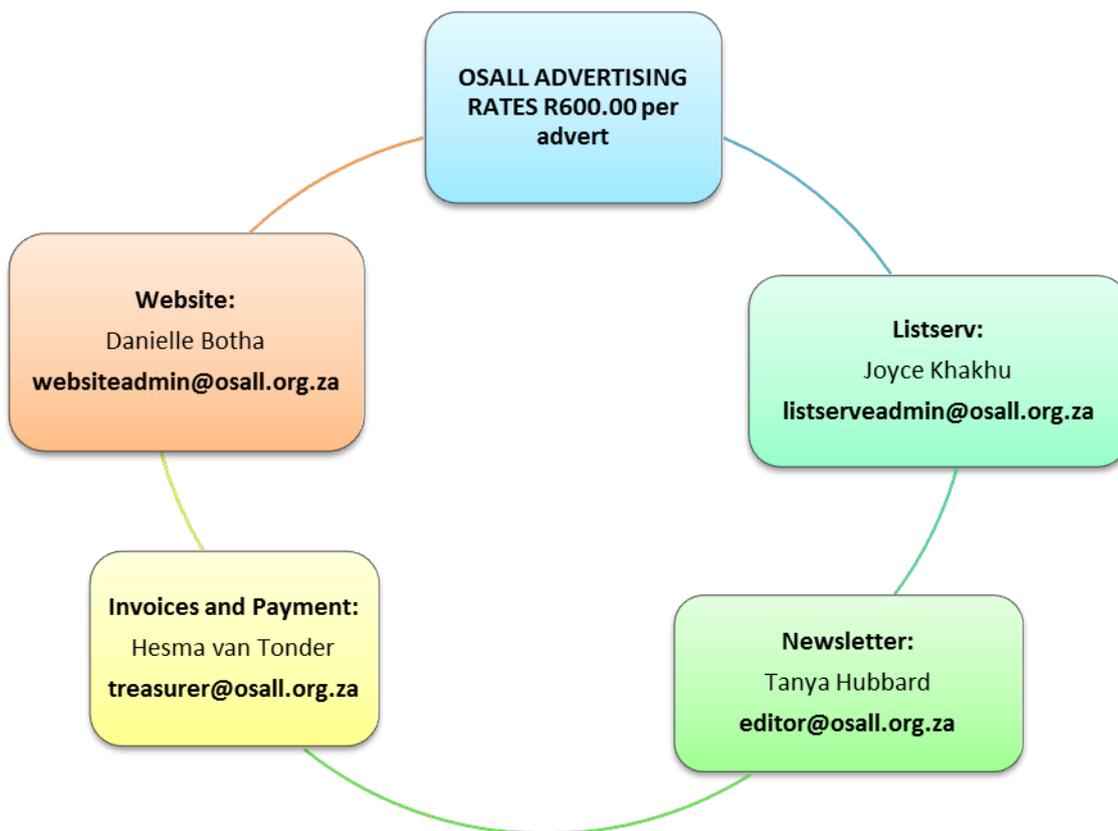
CONCLUSION

Researchers regularly track new legislative developments, inform our citizens of these developments and call upon legal practitioners to provide input on Bills once they are introduced in Parliament. This assist us to comment on laws that impact on legal firms and our clients. We therefore encourage legal practitioners to heed the call when requesting comments on proposed legislation that impact ourselves and our clients.

When you finish a good
book and kinda just sit
there like this for a while



[Source](#)



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