



NEWSLETTER

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OSALL

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Editorial

Dear OSALLites

This is our Election year and after 6 years of serving this wonderful association and the professional I will be stepping down in August. We have few portfolios that will be vacant and I would like to make **a call and invite YOU to come and serve in the committee.**

Call for nominations will be going out soon and I am looking forward to receiving them.

My Journey

Well, it all started with my PR and Events portfolio, as I am a socialite and a great organiser and hostess. It was a fun and easy task, and I enjoyed it so much. The most exciting thing was going out and viewing possible venues for events. Building a relationship with our sponsors was amazing, not knowing that it will come in handy one day when I took the Chair Portfolio. The most exciting thing about the PR portfolio was that one get to meet and know the members, their preferences, and most importantly, building genuine friendships.

Six years went very quickly because it was exciting, then BOOM I was nominated to the Chair Portfolio. I accepted the nomination but I was scared because the shoes were very BIG for me to fill. OSALL was started before I was born and the past Chairpersons has made the association what it currently is – a Unique Professional body. Then suddenly a girl from the dusty street of Atteridgeville in Pretoria West has to carry the baton and uphold the mission statement of the Association.

If our paths ever crossed, you would know I am not scared of challenges. I thought this was the time to make the best of it. For two terms I had the most amazing EXCO and the support from our sponsors has been wonderful.

During the two terms as Chairperson, I was able to complete the process of amending our constitution and registering OSALL as an NPO and I can give assurance to the next Chair that they will be responsible for an Association that is compliant with an excellent report from our auditors and yes I will stick around as a mentor until they kick me out.

Through OSALL, I was able to visit Bournemouth, London in 2019 for the BIALL conference and that was the great experience ever, we had many nights of partying. The International colleagues made sure that I felt welcome and included in every activity. Friendships were formed and I am forever indebted to OSALL for the opportunity.

Being on the OSALL has contributed immensely in building the "Karabo" brand and it can do the same for YOU.

See you all in August.

News

BRIEF MEMOIR OF A LAW LIBRARIAN BY TERESA WEINFAS

My career as a law librarian started in the early eighties.

The firm was Hayman Godfrey, and the library had been started by Lynette Davis. I have previously worked in the raffish environment of a newspaper library, I was transported into a new dynamic. It was the world of the law. Lawyers, garbed in smart suits attended to matters in court. My world was now amid a backdrop of law reports: South African Law Reports, All England Law Reports, and the magnificent volumes of Halsbury's Laws of England and the Digest of Empire Law. On the eve of a revolutionary electronic world.

Librarians still catalogued materials manually. Most law libraries contained endless amounts of drawers filled with catalogue cards bearing the necessary bibliographic details. The annotations to law reports were done by hand, or had printed strips with details to be pasted in.

And then, waiting in the winds, were innovative computer packages such as Jutastat, which heralded the new dawn of law librarianship.

But the libraries reflected a world in transition. The bibles of every law firm were still in book format. For example, the Superior Court Practice by Erasmus, Jones and Buckle on the Magistrates Court Act, and Henochsberg on the Companies Act. These perennial constants were in the form of a book or looseleaf publication.

When I joined the law firm, Bowens Attorneys at the end of the eighties, the winds of change were not only stirring in the world of library technology, but in the outer, political world of South Africa.

As I journeyed one morning by bus, to Bowens, we heard the chanting of a Zulu Inkatha faction, on its way to confront a contingent of ANC members. The bus I was traveling in was caught in the crossfire of a hail of bullets, and laid flat on the floor while the bullets flew above us. Finally, we did reach our destination unharmed, but it had been a nerve-wracking experience.

There were still light-hearted moments to be had in the library. I remember two mischievous candidate attorneys, now sober respectable advocates, had without my knowledge, strategically placed some Playboy Magazines amid some ponderous volumes. Imagine my discomfort, while helping serious visitors and

patrons, when some lurid copies of "Playboy" popped into our line of vision!

Law librarians working in the seventies and eighties will remember the printing and housing of the Wiehahn Commission, which transformed the labour dispensation in South Africa. Strikes were now a reality, and many librarians will remember hearing the melodious and haunting chants of striking workers taking to the streets. The turbulent eighties saw the upsurge of sanctions and violence. Many unwilling candidate attorneys were called up for service to cope with unrest.

The culmination was a new democracy and a new Constitution. Every law library now had a pocketbook edition of the Constitution. Many libraries now housed books containing constitutions of other countries which served as source material for the analysis and formulation of a new South African Constitution.

The electronic revolution in libraries grew apace. It was now commonplace to view the law reports were now in electronic format. The law libraries today have access Juta Evolve, My LexisNexis, Sabinet, Westlaw, the ubiquitous Google, and many more, indispensable online packages. Such online resources have strengthened and deepened the capacity of law librarians to research and make information available.

Today's world of law libraries is a transitional mixture of electronic and hard copy book materials. Both still seem to be indispensable.

So stands the readership and scholarship of today's legal world. Law librarians still form an important interface between the old and new order of legal scholarship and knowledge resources.

It has been a privilege to work with the law librarians (or knowledge managers) whom all participate in the umbrella institution of OSALL. They are all a special brand of professional and I feel honored to be one of them.

OSALL, (Organisation of South African Law Librarians), in particular, embodies a solid forum for keeping both law practitioners and librarians appraised of important trends and challenges. We must continue to promote a culture of relevance and optimum servicing of expanding legal needs.

News

JUDGES MARK THEIR JUDGMENTS “REPORTABLE” OR “NOT REPORTABLE” AND “OF INTEREST TO OTHER JUDGES”. HOW DO THEY DECIDE THIS AND WHAT IS THE PURPOSE?

by Louis Podbielski

This is a tradition that has carried over from the age of print law reports and it needs to be revised in this digital age. The Judges indicate to the law reports editors at the publishers that the judgment should be “reported” in their law reports series. Once a case is reported in the “official” print law reports then it becomes a “reported case” and gets a law reports citation which pleases the Judge and the counsel who appeared, who can then list their “reported” cases.

There are two main problems with this system in modern and electronic times:

1. THE EDITORS DON'T ALWAYS FOLLOW THE RECOMMENDATION

Acting Judges who are keen to be appointed to permanent positions tend to mark their judgments “Reportable” because they want to add reported cases to their resume when they later apply. But when the editors read this “Reportable” judgment, there is no new law, only the extensive quoting, and application of existing case law. A case has to make new law or settle a contentious point of law or usefully interpret a piece of legislation for it to be reportable. It has to add something to the body of existing case law. Setting out *Natal Joint Municipal Pension Fund v Endumeni* (or other classics) yet again, no matter how eloquently, does not make your judgment reportable.

And there are some cases marked “Not reportable” which actually have very useful guidance in them and some which actually do make new points and take the law further. These need to be reported. It is sometimes perplexing why Judges and Acting Judges mark these cases “Not reportable.”

And some “reportable” cases, even from the Supreme Court of Appeal, are on some unusual point, e.g. on tax law, that does indeed take the law forward (on that sub-paragraph of a section buried in a tax Act). But that will be of interest only to tax practitioners who have very wealthy clients with holding companies overseas. So very few general practitioners will find it useful and even tax lawyers will rarely have a client get into the same situation. So why report that case and let it take up space in

the law reports? That lengthy case will push out very useful High Court cases on eviction or on the Uniform Rules and execution against a primary residence.

2. THERE ARE TOO MANY INTERESTING CASES

The official law reports are limited as to how many cases they can publish each month, due to printing and editorial staff costs and capacity. That means they have to carefully select how many cases they report in their series, so the bulk of the cases are left unreported. Around 4,500 judgments are distributed by the courts each year.

The precedential significance of a case is not dependent on it being chosen for reporting by the publishers. And these days all the cases are accessible for free on SAFLII. To address this in our case law service we summarize, package, and deliver FOURTEEN recent cases EVERY DAY to our subscribers. See what we offer here <https://www.louiscaselaw.com/>

THE SOLUTION

Reportable/Not Reportable is too blunt an instrument and does not take into account the topic of the case. We suggest that the Judges indicate the topic of the case and rank their case from 0 to 5 in reportability on that topic.

Zero being completely of no interest and 5 being of very high importance and bringing an important change to the law. E.g. Tax (5) and Labour (3).

A business rescue case, no matter how “reportable” won’t be interesting to a medical negligence specialist. A lot of practitioners now specialise in areas such as labour or family law and the “reportability” of the case to them depends on what topic it is on.

People on the Move

AYANDA MDLETSHI - Ayanda joined the Office of the Chief Justice as a librarian at the Supreme Court of Appeal in July 2015. He was promoted to Assistant Director in July 2019 there. In 2023, Ayanda was appointed as a Deputy Director: Library Services in March 2023 at the Division of the High Court, Johannesburg before taking the post as the Deputy Director: Library Services at the Constitutional Court. A Ph.D. candidate in Information Studies at UKZN and a member of the Legal Deposit Committee in terms of the Legal Deposit Act 54 of 1997. Ayanda is looking forward to taking the library services of the Office of the Chief Justice and Constitutional Court to

great heights through advocacy and policy orientation. **MAROPENE RAMABINA** – has been appointed as the Manager: Information Services at North-West University, Vanderbiljpark, Campus. Maropene started in his new role on 1 March 2023. Maropene previously worked as an Information Librarian: at the University of Venda in Thohoyandou, Limpopo. Maropene holds a Honours: Information Science, from the University of UKZN and is currently completing research on the awareness of copyright laws

RUTH WARD – After 10 years at Webber Wentzel, Ruth will be moved to a Knowledge Manager role, at Webber Wentzel, starting in January 2023. Ruth is looking forward to new challenges and more focus.

MICHEALA WHEELER - Micheala completed her Bachelor in Information Science at UNISA. She will be joining Lawtons Africa, participating in the YES program initiative, starting on the 1st of June 2023.

Congratulations to all. Wishing you all the best in your new journey.

Please submit your people on the move announcement. A new hire, promotion, accolade, and showcase of your people.

Email: editor@osall.org.za

Copyright Reform of Reframe?

COPYRIGHT REFORM IN SOUTH AFRICA

Chapter 22: Copyright exceptions: Libraries, archives, museums, and galleries at the University of Venda library, which is part of his master's thesis.
[A copy of this book is available online](#)

Event – Cape Town

BOWMAN'S LIBRARIAN'S BREAKFAST HOSTED BY DIANA RILEY

An informal breakfast meeting was hosted by Bowmans on the 16th of March 2023. It was lovely to socialise and have a networking opportunity filled with amazing conversation.



Back Row: Erna Pienaar (Werksmans), Daphne Burger (Lexinfo), Najwa Hendrickse (National Library of South Africa), Tanya Hubbard (Norton Rose Fulbright), Ilze Burger (Fairbridges Wertheim Becker), Annalise De Wet (Bowmans), Danelle du Toit (Webber Wentzel)

Front Row: Chelsea O'Regan (National of South Africa), Mymoena Londt (Library of Parliament), Diana Riley (Bowmans), Anthea Paulsen (UCT Law Library)

Event – Cape Town

STELLENBOSCH UNIVERSITY LIBRARY AND INFORMATION SERVICE:

YOUR LIBRARY YOUR FUTURE STARTS HERE.

The 2023 SU Library and Information Service hosted the Newcomers orientation program. It was incorporated into the University's official welcoming program. It was the first time since before the Covid 19 Lockdown that all students were allowed back to campus, therefore the library orientation was conducted in person.



Just under 3000 newcomer students visited the library during the dates. Newcomers were introduced to their

faculty librarians and the various online and physical services and information offered to students. A further highlight of the tour was a visit and introduction to the library's maker space. This is a collaborative research work area enabling students to create new digital artifacts and materials, adopt new digital tools, processes, and methods, and participate in innovative projects, communities, and discussions.

All LLB newcomer students were also introduced to their librarians. The Law Librarians demonstrated the law library guide to students and displayed printed copies of textbooks and other law texts of interest. This orientation session was just a prelude to the official Legal Skills 1st year training that concludes with an online test, written assignment, and video presentation.



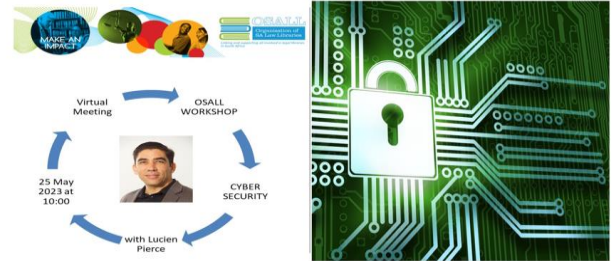
OSALL 2023 – Save these dates



Events – OSALL WORKSHOP

OSALL WORKSHOP ON CYBERSECURITY

SPEAKER -LUCIEN PIERCE



Lucien who is a director at PPM Attorney in Johannesburg, spoke to us about what this is, how we can avoid being a victim, and current threats and crimes that are taking place in the cyber world. Lucien also discussed the current South African case law. It was fascinating and highly informative.

If you miss out, please contact Yani Gaba to access the recording. It is a riveting watch.

Know My Name, Know Me

MAROPENE RAMABINA

Maropene's current work information is published under the *People on the Move* column, above. Let's get to know him personally

Maropene worked as a Serials Librarian at the Constitutional Court library in Braamfontein, Johannesburg. He was also part of the launch team which started the eNews Channel 403, where he worked as an Audio-visual Archivist when it was launched in June 2008. Recently, he was working as a Law Librarian at the University of Venda in Limpopo province.

Maropene served as LIASA Limpopo branch Chairperson, PRO, and as an additional member and was voted LIASA Limpopo Librarian of the Year in 2016 and was awarded the Univen Vice Chancellor Excellence award on Community Engagement in 2017. His research interests are copyright, cloud computing / online storage, information literacy, and customer care. Currently, Maropene also serves on the OSALL committee, helping us to promote the profession and keeping us together.

Personality: down to earth
Things I like to do: go-karting, soccer, watching movies, and traveling
Recommended movies: Jason Bourne series

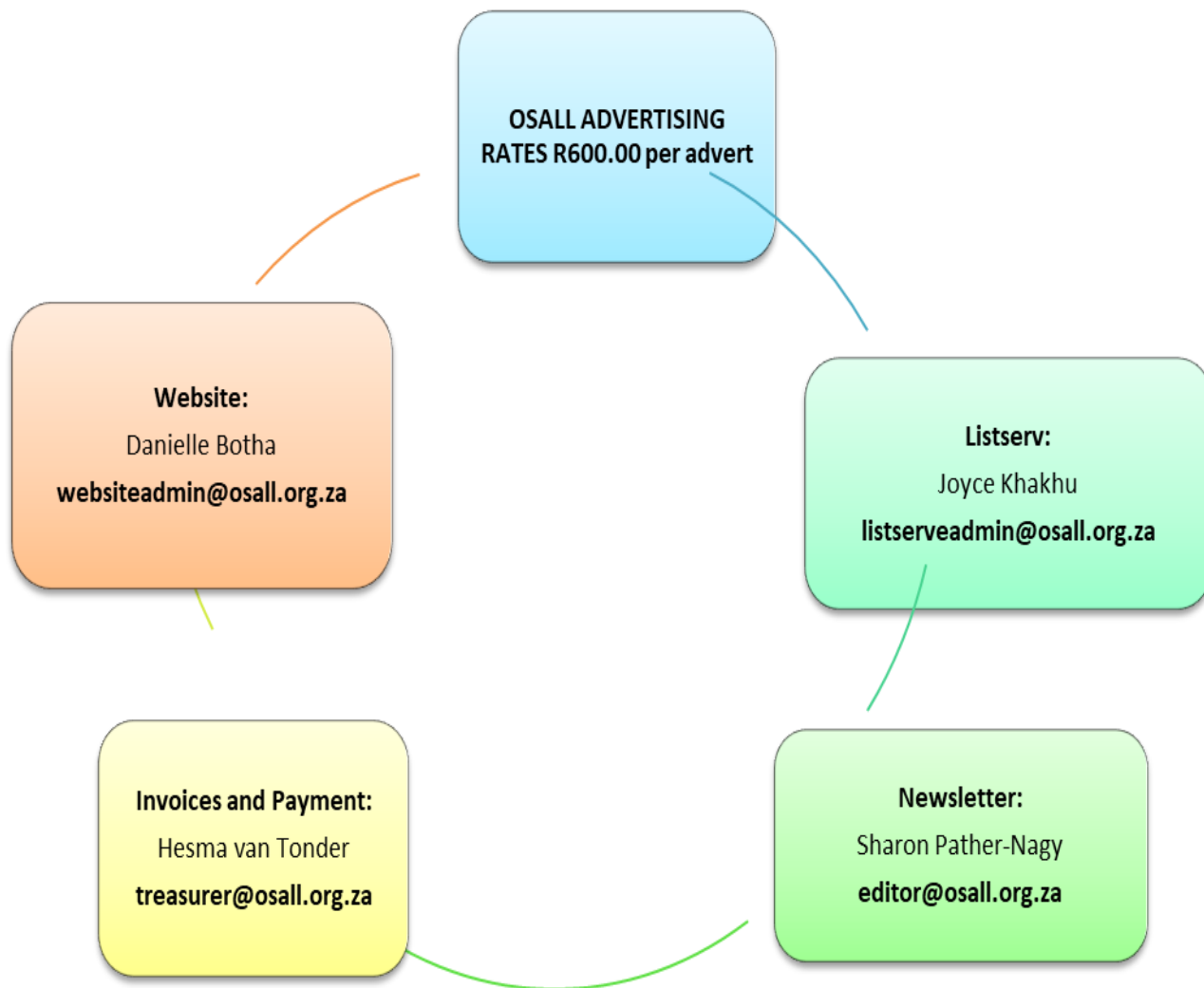
Recommend book: The musical journey of Huge Masekela

Mr. Maropene Tommy Ramabina has been appointed as Manager: Information Services at Northwest University, Vaal campus from 1 March 2023. He will be responsible for providing service to the users at the Faculty of Law and Education.

Maropene holds a BA Law and a Postgraduate Diploma in Library Science from UCT; Honours

in Information Science from UKZN and currently completing his master's on the awareness of copyright laws in academic libraries from UKZN. His area of research interest is copyright, cloud computing / online storage, information literacy, and customer care.

Thanks so much, Maropene, for sharing your story with us. All the best in Vaal.



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Adverts must be submitted in JPEG format

Sabinet and Afriwise provide African legislative knowledge that helps you comply with African laws and regulations



The LegalTech company Afriwise and Sabinet, one of South Africa's leading legal information providers, entered a channel partnership. By working together, Sabinet and Afriwise aim to make compliance easier and more accessible for companies operating across Africa. The collaboration will help businesses stay up to date with legal and regulatory requirements. "It will help minimise the risks and implications of non-compliance, a growing concern of corporate leaders."

Global leaders struggle with Africa's compliance landscape.

Countries across Africa are introducing legislation at the speed of light. Recent legal developments include anti-money laundering, bribery and corruption, antitrust regulations, trade and export controls, environmental, employment and human rights laws, and cybersecurity and data protection laws.

This finding is underscored by a recent Baker McKenzie report amongst global leaders and legal advisors. It showed that, of all the regions in which to do business, 48% thought Africa was the most challenging. The rapidly evolving legal and regulatory landscape is making it hard for business to stay compliant and avoid risks.

The cost of non-compliance is steep.

Steven De Backer, founder and CEO of Afriwise, noted that the changing landscape has brought about a greater need for legal and regulatory sourcing solutions:

"Staying up to date with legal and regulatory requirements is becoming increasingly complex. The risks have heightened significantly in recent years, and the implications and costs of non-compliance are steep."

An integrated view on regulatory frameworks.

Having the full view on regulatory requirements is key for any compliance programme. Sabinet further notes how the cooperation of Sabinet and Afriwise will benefit legal and compliance executives:

“Sabinet’s in-depth South African legislative, judicial and legal research collection complements Afriwise’s offering focusing on the rest of Africa. Combining these resources will provide a unique and valuable offering to our clients” Rosalind Hattingh, MD: Sabinet

A 360° view on compliance.

Sabinet’s in-depth legal resources and news for South Africa, dating back 112 years, will complement Afriwise’s growing content portfolio. In addition, Sabinet will be able to offer its clients access to Africa’s largest cross-border legal and regulatory database operated and maintained by Afriwise. This cooperation will act as the definitive one-stop shop for legal and compliance professionals and offer them a 360° view of what is required for their business to stay compliant across Africa.

About Afriwise

Legal-tech company Afriwise was founded in 2018 with a firm belief that companies doing business in Africa deserve easy access to accurate legal intelligence.

Afriwise enables businesses to break free of the chaos of finding and complying with African laws and regulations. At the heart of Afriwise is top-notch legal information on all areas of business law. Working together with the best African in-country law firms ensures that information is reliable, trustworthy and up to date.

The platform’s AI-powered user interface makes it easy for legal and compliance teams to find, monitor and understand all the legal requirements their business faces across the continent. Using Afriwise, busy corporate counsel are relieved from tediously gathering and double-checking legal intelligence and have time to spend on those high-value tasks that really make a difference to their business.

Afriwise currently has 30+ team members and is active in 25 African jurisdictions, covering more than 80% of the African economy. Afriwise is trusted by and relied on by top companies such as Coca-Cola, MTN, ExxonMobil and Standard Bank. Afriwise has repeatedly been awarded the Innovation Award at the Africa Legal Awards and included in Stanford’s Code X and Deloitte’s RegTech universes.

About Sabinet

Our roots are in resource sharing.

Sabinet provides central platforms for collaboration and resource sharing. Collaborative and effective resource sharing is the way of the future. Our commitment to facilitating access to information has seen us flourish from providing library support services to offering customised information-centric services for libraries, corporates, small businesses, students, the media and researchers.

This has prepared us well for today’s business world which demands ongoing innovation, system enhancements and new digital solutions to ensure growth, relevance, efficiency and sustainability. As such, we invested in and launched our new delivery and discovery platform Sabinet Discover. This next-generation, cloud-based open platform delivers authoritative news, research and legal content from a single, scalable interface. For our stakeholders, Sabinet Discover represents expanded technological and operational capabilities.

Our relevance is as important as our success and we continue to view the future as an opportunity where we can play an important role in the building of our country.

A 360° view on Compliance

Sabinet, in collaboration with Afriwise, now provides access to a **comprehensive, cross-border** legal and regulatory database, a **one-stop platform** that offers legal and compliance professionals a complete view of **African compliance requirements**.

Never miss a beat on Africa's legal and regulatory landscape with Sabinet and Afriwise.

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