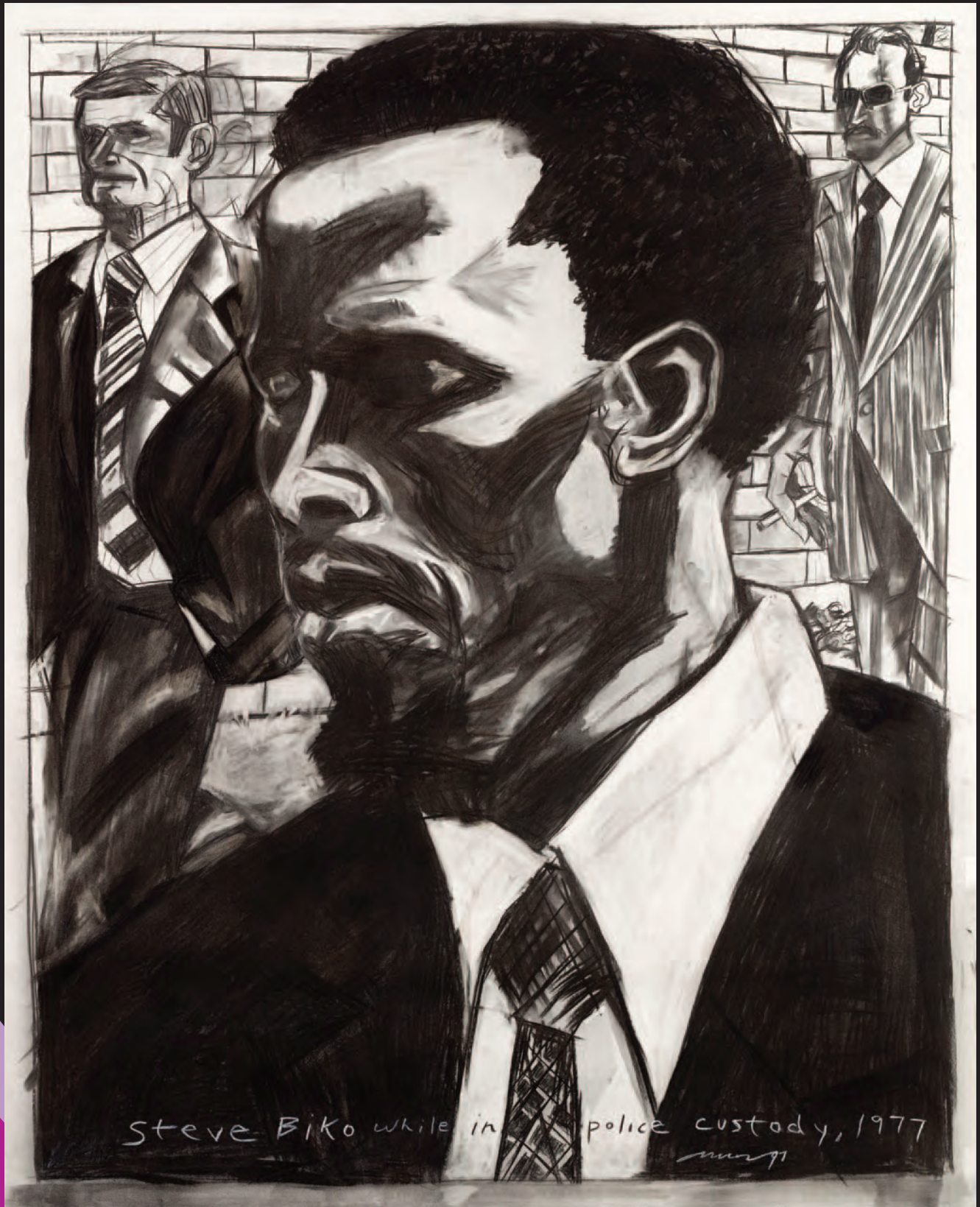


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SPOTLIGHT ON  
INSURANCE  
LAW

## Cover

29 | Constitutional Court Art Collection/Cover  
**Steve Biko while in police custody**  
THE CONSTITUTIONAL COURT TRUST

30 | A win for Comair  
**Comair Ltd (Comair) against Kulula Holdings (Pty) Ltd – 31 March 2022**  
KOKETSO MOLOPE – BEECH VELTMAN

31 | Top 5 IP challenges faced by new businesses  
**The dangers of failing to recognise the importance of IP**  
DINA BIAGIO – SPOOR & FISHER

## The Law

32 | Fiduciary-related court case summaries  
**Smit v Master of the High Court, Western Cape and Others [2022] ZAWCHC 56 and MFC (A Division of Nedbank Limited) v Mkhwanazi and Others [2022] ZAGPJHC 203**  
LOUIS VAN VUREN - FIDUCIARY INSTITUTE OF SOUTHERN AFRICA (FISA)

## International

34 | Tales from the US of A  
**Legal happenings in the US**  
PATRICK BRACHER – NORTON ROSE FULBRIGHT (SOUTH AFRICA)

36 | The World  
**Global Vignettes**  
MYRLE VANDERSTRAETEN

## National news

38 | Legal firm news

## Opinion

42 | Why the South African government should react more strongly to Russia's invasion of Ukraine  
**An unconstitutional stance – we expect more from our leaders**  
BOUWER VAN NIEKERK – SMIT SEWGOOLAM

## POPIA-Constitutional Law

43 | Social media: when can the right to freedom of expression be limited by the right to privacy?  
**Smuts and Another vs Botha (887/2020) [2022] ZASCA 3 (10 January 2022)**  
NICOLE DEMBITZER - MACROBERT

## Property Law

45 | Sheriff's auctions: Bargain or blunder?  
**Buyers beware – there are hidden dangers**  
NICHOLAS DE DECKER – LAWTONS AFRICA

## Tax

47 | Rescinding tax judgments - the obstacles and limitations  
**Barnard Labuschagne Incorporated v South African Revenue Service and Another (CCT 60/21) [2022] ZACC 8 (11 March 2022)**  
GRAEME PALMER - GARLICHE & BOUSFIELD

## Spotlight on Insurance Law

48 | The snail in a bottle  
**Product liability insurance**  
MARIA PHILIPPIDES AND HAYLEY WARRING – WEBBER WENTZEL

51 | 2021 insurance judgments  
**A mixed bag of results for insurers**  
DONALD DINNIE – NORTON ROSE FULBRIGHT (SOUTH AFRICA)

51 | A practical rundown of why terms and conditions in insurance policies matter.  
**Understanding policies is essential**  
JEAN-PAUL RUDD – ADAMS & ADAMS

52 | The 'i' word  
**A safeguard**  
FAIZ NACERODIEN – PG (SOUTH AFRICA)

## Appointments Services Courses

54 | Exciting career opportunities

Top Student Feature  
Top Students of 2021

Cover: Artwork: Artwork: Amos Miller, *Steve Biko while in police custody*, 1977, 1997, charcoal on paper, 1500 x 1220 mm. Donated to the Constitutional Court Art Collection (CCAC) by the artist in 2021. Courtesy of the Constitutional Court Trust. For more information, visit [ccac.concourtrust.org.za](https://ccac.concourtrust.org.za) or follow [@concourt\\_art](https://www.instagram.com/concourt_art) on Instagram and Twitter.

Photograph by Thys Dullaart © Constitutional Court Trust.

## Constitutional Court Art Collection / cover

## Steve Biko while in police custody

## THE CONSTITUTIONAL COURT TRUST

The portrait titled *Steve Biko while in police custody, 1977* (1997) by Amos Miller, which forms part of the Constitutional Court Art Collection (CCAC) and reproduced on the cover of this issue of **without prejudice**, is based on two photographs from an article in the *New York Times* in 1997 that were taken during Bantu Stephen Biko's arrest by apartheid police in 1977.

On Workers' Day (observed), the 2nd of May 2022, the Constitutional Court Art Collection curatorial team and artists opened a new exhibition which features artworks that broadly relate to workers' rights, incarceration and xenophobia. Miller's portrait of Steve Biko was exhibited alongside Khela Chepape Makgato's *Marikana Memoria* (2015), (Mikhael Subotzky's *Cell 508; A Section; Pollsmoor Maximum Security Prison* (2004) and David Goldblatt's panorama *Twenty-six punishment cells and lavatory, Number Four* (1999). To learn more about the exhibition and the event, visit: <https://ccac.concourt-trust.org.za/news/2022/workers-day-walkabout> ♦

Biko later died in detention due to sustained head injuries. The drawing was produced in the USA in 1997, following the publicised Truth and Reconciliation Commission testimony regarding Biko's assassination. The article, titled 'In South Africa, Confessions to Dark Era's Crimes' by Suzanne Daley (1997), featured a small photograph of Biko alongside a photograph of two police officers who had, according to the article, acknowledged their involvement in other anti-apartheid activist killings. The juxtaposition of the two photographs hauntingly told the story of a continual struggle for truth and the tremendous power of the images inspired the artist to render a powerful portrait in high contrast charcoal lines.

Amos Miller is an American artist based in Miami, Florida, whose relationship with the CCAC started in the mid-1990s when Justice Albie Sachs asked him to donate a painting of former President Nelson Mandela to the growing art collection. The painting, titled *Nelson Mandela in New York* (1990), demonstrated the interconnected relationships between Western and African countries, for example, through Mandela's trademark raised fist, a gesture of solidarity which the Statue of Liberty appears to mimic in the background. The portrait of Biko forms part of a series of works based on national events in the US and around the world as portrayed by the media during the 1990s and 2000s, where current news was reported over the radio and in newspapers, delivered days later.

