

IN THE HIGH COURT OF SOUTH AFRICA
KWAZULU – NATAL DIVISION, PIETERMARITZBURG

U/A

CASE No.: 029382/2026

In the matter between:

ALS PARAMEDICS (PROPRIETARY) LTD

Applicant

and

**SIBONISO ARMSTRONG DUMA in his capacity
as MEC FOR DEPARTMENT OF TRANSPORT
AND HUMAN SETTLEMENTS: KWAZULU-NATAL**

Respondent

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Applicant

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**SIBONISO ARMSTRONG DUMA in his capacity as
MEC FOR THE DEPARTMENT OF TRANSPORT
AND HUMAN SETTLEMENTS: KWAZULU NATAL**

Respondent

CERTIFICATE OF URGENCY

I, the undersigned, CAMISH GAJOO, an adult female, practising advocate of the High Court of South Africa, do hereby certify that I have read the Notice of Motion and Founding Affidavit in this matter and that I am of the view that the matter is of sufficient urgency to justify the rules relating to the notice and set down being dispensed with and that the matter be dealt with on short notice to the Respondent and to set down for hearing on 19 February 2026.

DATED AT DURBAN ON THIS THE 9TH DAY OF FEBRUARY 2026

Camish Gajoo
C GAJOO

IN THE HIGH COURT OF SOUTH AFRICA
KWAZULU-NATAL DIVISION, PIETERMARITZBURG

Case No.: 029382/2026

In the matter between:

ALS PARAMEDICS (PROPRIETARY) LIMITED Applicant

and

SIBONISO ARMSTRONG DUMA in his capacity as
MEC FOR THE DEPARTMENT OF TRANSPORT
AND HUMAN SETTLEMENTS: KWAZULU NATAL Respondent

NOTICE OF MOTION

TAKE NOTICE THAT application will be made on behalf of the abovenamed Applicants on the 19th day of February 2026 at 9:30 am or so soon thereafter as Counsel may be heard, for an Order in the following terms:

1. That the application be heard on an urgent basis in terms of Rule 6(12) and that the necessary condonation be granted to the Applicants in respect of the non-compliance with the prescribed time limits, forms and service;

2. That a *rule nisi* do hereby issue calling upon the first respondent to show cause, if any, on or before the day of 2026 why an Order should not be granted in the following terms :

2.1. That the Respondent is interdicted and restrained from making written or verbal defamatory statements concerning the Applicant, including by stating or implying the following:

2.1.1. That the applicant “bulldozes” at the scene of motor vehicle collisions that the Applicant is insensitive;

2.1.2. That RTI, SAPS and Metro were complaining about the Applicant;

2.1.3. That the applicant misreports the numbers of injured and deceased persons affected by motor vehicle collisions,

2.1.4. That the Applicant fails to provide services to members of the public without medical aid,

2.1.5. That the applicant manages its operations in a manner that is not befitting of human life

- 2.2. That the Respondent is directed to pay the costs of this application on the attorney and client scale, such costs to include counsel's costs on Scale B.
3. The First Respondent is directed to publish a formal retraction of the statements made by him on 29 January 2026 about the Applicant to be issued to all media houses that interviewed him on 29 January 2026 as well as on all public platforms via his spokesperson;
4. That the provisions of paragraph 2.1 above shall operate as an interim interdict pending the final determination of the application.

TAKE FURTHER NOTICE THAT the affidavit of **GARRITH JAMIESON** and **WESLEY ROGERS**, will be used in support of this application.

AND TAKE FURTHER NOTICE THAT the Applicant has appointed its Attorney's address, as set out hereunder, as the address at which it will accept service of all notices and processes in these proceedings.

TAKE NOTICE FURTHER THAT if you intend to oppose this application, you are required:-

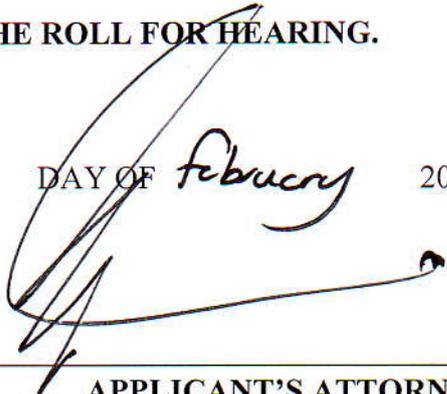
- (a) to notify the Applicant's attorneys in writing within **three (3)** court days of the service of this application upon you, of your intention so to

oppose, and furthermore, you are required to set out in your written notice of opposition an address referred to in Uniform Rule 6(5)(b) at which you will accept notice and service of all documents in these proceedings; and

(b) On or before 16th February 2026 you are required to file your answering affidavits, if any.

KINDLY PLACE THE MATTER ON THE ROLL FOR HEARING.

DATED AT Durban ON THIS 9th DAY OF February 2026.



**APPLICANT'S ATTORNEY
WJ ROGERS & ASSOCIATES**

Portview Chambers,
183 Cowey Road,
Morningside

DURBAN

Ref: WJR/ALS/MEC

Tel: 031813 5896

Email: director@durbanlegal.co.za

C/O: PRANESH INDRAJITH ATTORNEYS

41 Lahore Road

Pietermaritzburg

Tel: 033 387 1410

**TO: THE REGISTRAR OF THE HIGH COURT
PIETERMARITZBURG**

**AND TO: S A DUMA
MEMBER OF THE EXECUTIVE COUNCIL FOR THE
DEPARTMENT OF TRANSPORT AND HUMAN
SETTLEMENTS, KWAZULU NATAL**

RESPONDENT

203 Church Street,

Pietermaritzburg,

KwaZulu-Natal

and

Inkosi Mhlabunzima Maphumulo House,

4th Floor,

Executive Building,

172 Burger Street,

Pietermaritzburg

IN THE HIGH COURT OF SOUTH AFRICA
KWAZULU-NATAL DIVISION, PIETERMARITZBURG

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ALS PARAMEDICS (PROPRIETARY) LIMITED Applicant

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SIBONISO ARMSTRONG DUMA in his capacity as
MEC FOR THE DEPARTMENT OF TRANSPORT
AND HUMAN SETTLEMENTS: KWAZULU NATAL Respondent

FOUNDING AFFIDAVIT

I, the undersigned, **GARRITH JAMIESON**, do hereby make oath and say:

1.

I am:

1.1. an adult male;

1.2. the director of ALS Paramedics (Proprietary) Limited, which has its registered address at 31 Philamere Avenue, Glenwood, Durban, and its

ALS
GJ

principal place of business situated at 56 Hannah Road, Umbilo, Durban, KwaZulu Natal; and

- 1.3. I am duly authorised to depose to this affidavit on behalf of the Applicant. I annex hereto the resolution adopted evidencing such authorisation, marked annexure "A".

2.

The facts contained within this affidavit are within my personal knowledge and belief, save where indicated to the contrary by the context in which the event occurs, and I believe such allegations to be true. Where I make submissions of a legal nature, I confirm that I have been duly advised by the Applicant's legal representatives.

[A] **PARTIES**

3.

The **APPLICANT** is **ALS PARAMEDIC (PROPRIETARY) LIMITED**, a company duly registered and incorporated in terms of the Companies Act of South Africa with registration number: 2020/888726/07, with registered address at 31 Philamere Avenue, Glenwood, Durban, and its principal place of business situated at 56 Hannah Road, Umbilo, Durban, KwaZulu Natal.

4.

The **RESPONDENT** is **SIBONISO ARMSTRONG DUMA**, cited in his capacity as the Member of the Executive Council for Transport and Human Settlements for the province of KwaZulu-Natal, who is an adult male and who has offices situated at 203 Church Street, Pietermaritzburg, KwaZulu-Natal and Inkosi Mhlabunzima Maphumulo House, 172 Burger Street, Executive Building, 4th Floor, Pietermaritzburg.

[B] APPLICATION

5.

This application arises from defamatory statements made by the Respondent about the Applicant as a consequence of which the Applicant seeks an order interdicting and restraining the Respondent from making any further defamatory statements and from retracting the statements made about the Applicant on 29 January 2026.

[C] BACKGROUND

6.

The Applicant is a private emergency ambulance service. It has been operating under my management since inception in 2020. We pride ourselves in providing a high quality of patient care.

7.

The applicant, as a private ambulance facility, operates in accordance with Section 27 of the Constitution, which provides that all persons are entitled to emergency healthcare services. Operating under these provisions guides us to care for all persons who require assistance, regardless of whether they have the financial means to reimburse us for the services we render.

8.

On **29 January 2026**, a serious motor-vehicle accident occurred between a minibus taxi and a truck on the R102 past the Lotus Park off-ramp near Isipingo. We were called by another ambulance company to provide assistance to those who had been involved in the collision. We received reports that multiple persons were critically injured or deceased. I arrived at the scene around **8h30**.

9.

The Applicant was alerted to the accident in question as a general call for assistance was put out on emergency response WhatsApp Groups. We immediately mobilised two Advanced Life Support Ambulances and four Response cars.

10.

Upon our arrival, we had a joint discussion with SAPS, the Fire Department, Metro Police and RTI in order to deal with scene management. In an accident like this, the Fire Department is usually given priority and is in charge of the scene because there were trapped victims who need to be freed from the vehicle wreckage. The Fire Department's attention was on freeing passengers, whilst the rest of the emergency personnel were liaising with each other, tracking victim numbers, triaging victims and providing emergency care. Four private ambulance companies were on scene at that time, namely, ALS Paramedics, Fastcare, Netcare 911 and Trauma 911

11.

Our ambulances treated a victim, and intubated him as he required emergency breathing assistance via a ventilator. We also assisted with an entrapped passenger, who, once freed, was loaded into our ambulance for treatment.

12.

Other paramedics assisted with patients still entrapped, which at that stage were the taxi driver and a passenger. The passenger was in critical condition once freed, the paramedics started treatment immediately. He unfortunately succumbed to his injuries on the scene. The driver was handed over to the KwaZulu-Natal Department of Health Emergency Medical and Rescue Service (EMRS) ambulance upon their arrival. The two victims that had been assisted and loaded into our

ambulances were then transported to Inkosi Albert Luthuli Provincial Hospital, which I had personally arranged with the Hospital. Neither of these two patients had medical aid.

13.

The taxi driver was freed around **10h30** and received treatment from Trauma911 Ambulance Services. After the driver was stabilised he was left for the **KwaZulu-Natal Department of Health's Emergency Medical and Rescue Services (EMRS)** to transport him to the appropriate hospital. At the time, EMRS had not yet arrived at the scene of the collision.

14.

At approximately **11h00** the **Respondent** arrived at the scene. He walked around, accompanied by a group of people, assessing the scene and being documented by a number of cameras. He greeted me, shook my hand, and said, "*Compliments of the season to you*".

15.

The **EMRS** ambulances arrived a short time before the Respondent. They were accompanied by multiple ambulances and rapid-response vehicles staffed with advanced-life-support paramedics. Their operations manager, **Mr Shozi**,

approached **Mr Mark Thomas**, our General Manager, and me to request assistance, including pain medication for the taxi driver and heart monitors for the injured.

16.

I was still on scene, and I received a report from another paramedic organisation, **Voluntary Emergency Medical Assistance (VEMA)**, which was also on scene that day. They advised me that another patient had passed away at Albert Luthuli Hospital. I approached the Respondent to relay this information to him and his team. They were flustered by the news. I made further enquiries while with the Respondent and found that the information relayed was incorrect. It had been a miscommunication, and it was a patient who was meant to go to Albert Luthuli Hospital who had passed away at the scene. I rectified this information immediately with the Respondent and his team, as I was with them when I received this information.

17.

A large number of media outlets were present at the scene. The **Respondent** held a press conference with multiple news agencies, including ENCA, SABC 1, 2 and 3, Newzroom Afrika, The Post Newspaper, IOL and East Coast Radio. During the press conference, the Respondent spoke at length about what had occurred that morning. I did not watch the press conference as it occurred live.

18.

After the press conference, an ENCA reporter approached me and told me that the Respondent had called the Applicant out on national TV, slandering us, saying we bulldozed our way into the scene. He said he would get the recording for me, but it will be on all platforms, as it was live on multiple channels. I was aghast by this information.

19.

The Respondent then had an interview with the SABC. Again, I did not hear what he said to the reporter. I waited until he finished before I approached him to ask whether he had an issue with the Applicant. He replied, "*Yes. His RTI team informed him that we don't work with them and that we give incorrect numbers.*" He said, Like today, we said there were 12 deceased when there were only 11. I explained to him that it was an error in communication, but we were together at the time, and it was rectified immediately.

20.

The Respondent stated that he has informed the Minister for Health and that there will be an official meeting at which they will present their concerns. I did not know what he meant by "concerns". I asked what he meant by the Applicant "bulldozing onto the scene." He said all will be discussed in the meeting. I was very surprised by the attitude of the Respondent and did not believe it was warranted after the

Applicant once again provided support to the public services. I then got into my vehicle and left the scene. I digress to note that as at the time of deposing to this affidavit, the Applicant has not been called to any such meeting as suggested by the Respondent.

21.

Thereafter, multiple people began messaging me about the videos they had seen online and sharing them with me. There were two videos of the Respondent from that day, one from his initial press statement and a second from his interview with SABC. I was upset to hear that while discussing the cause of the accident that day and the people affected, the Respondent went on a tirade about the Applicant, completely unprompted.

22.

During the initial press conference, after speaking about the accident, the Respondent then stated as follows:

The number we are currently dealing with is eleven that has been satisfied. There is a hyper that has been done by ALS service. It is something that I must talk categorical that when they enter the scene they tend to bulldoze. I am sure you know by now they are also insensitive in some instances. If you don't have the medical aid they are not going to assist you. If it means you are dying, if it means that

they could still save you. It is something that is which is why I would prefer that we deal with the Department of Health. I have already all the time mentioned that the MEC of Health is always dispatching a qualified team and a stronger team on the scene that they are not saying that they are going to be excluded. That you are going to not be given a priority. So, it is something we are dealing with it and at this point in time it remains safe that we are dealing with the families.(sic)”(my emphasis)

23.

And he reiterated these sentiments in his interview with SABC. He was not specifically asked about the Applicant, but stated as follows:

*“...Unfortunately, there is another thing that took place. **Both RTI, Metro and the SAPS are complaining about ALS ambulance services. They are saying that they bully on the scene and in some instances they fluctuate numbers. Like for instance, they told that there were 12 people who have died which is not true. And two weeks ago during that accident that took place they say that 11 people were affected or were injured which was a fallacy. There were only three school going children in the school and all of them were not even injured.** So it's something that they must desist from doing because it is not right and we are saying that scenes like these are so sensitive. You cannot even just overlay and check that you don't have the medical aid that are not going to assist you. Which is why we prefer our system that has been dispatched by MS Simelan that they take everyone up until the process has been stabilised. Then they could just check whether you go to the private hospital or to the public hospital.*

So we just have to manage those matters in a manner that is befitting of the human life at this point in time.(sic)”(my emphasis)

[D] PUBLICATION

24.

These statements were reported by various news and media outlets and have been broadcast on television and circulated online. Currently, the video on the SABC YouTube Channel¹ has been viewed over 12,000 times, and on The Post Newspaper TikTok² channel there have been over 109,000 in views. The same videos have also been shared to a number of other public platforms³. I annex hereto marked “B” and “C” screenshots of these posts which were taken at the time that this affidavit was deposited to.

25.

These videos will be provided to the court on a USB drive, including the full versions as they appear online.

¹ <https://www.youtube.com/watch?v=sslv4v0o714>

² https://www.tiktok.com/@post.newspaper/video/7600729042886724884?is_from_webapp=1&sender_device=pc&web_id=7602991570380572177

³ <https://youtu.be/yHI7zLW-BbY?si=rSU2Md4jI1MjDBpi>
<https://youtu.be/2q5HHbaEp9I?si=GG85Q19LtVhkhQHf>
<https://vt.tiktok.com/ZSa7MUn2q/>
<https://vt.tiktok.com/ZSa758drm/>
<https://vt.tiktok.com/ZSa756rmT/>
<https://vt.tiktok.com/ZSa7PoLrF/>
<https://vt.tiktok.com/ZSa7PE4XC/>

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[E] DEFAMATION

26.

The applicant's primary complaint is that the statements made by the Respondent are entirely defamatory and untrue. The applicant is an organisation of hard-working and passionate paramedics who go out of their way every day to help all people in need. The applicant has, since inception, provided emergency medical care to all patients in need, irrespective of their socio-economic status, and whether they have medical aid cover, to imply that we would go so far as to refuse emergency care to a person in need could not be further from the truth.

27.

I am advised that in establishing whether the statements made by the Respondent were defamatory, one must establish the meaning of the words used, and they ask if that meaning was defamatory in that it was likely to injure the good esteem of the Applicant, or which is a statement held by the reasonable or average person. This is an objective assessment of what the reasonable person would understand from the words used by the Respondent.

28.

All the statements made by the Respondent about the Applicant are clearly defamatory. The meaning of the words is obvious from his statements, and he meant as follows:

- 28.1. That the applicant bulldozes onto the scene of an accident;
- 28.2. That the Applicant is insensitive;
- 28.3. That RTI, SAPS and Metro have complaints about the Applicant;
- 28.4. That the Applicant incorrectly reports on the numbers of injured and/or deceased persons at the scene;
- 28.5. That if a person does not have medical aid, the applicant will leave them unattended, even if the person is dying; and
- 28.6. That the applicant does not manage matters in a manner befitting human life.

29.

The Respondent is clear in his meaning by premising these statements by saying that they are made "*categorically*". By saying this, he expressed that these statements are not merely his feelings or impression but that they are factually correct.

30.

The statements made by the Respondent were made with the intention to impair the reputation and good standing of the Applicant and they have achieved their intended consequence.

[F] WRONGFULNESS AND INTENTION

31.

Once the publication of defamatory matter has been proved, it is presumed that the publication was wrongful and intentional. It is clear that the Respondent's intention was to publish this information with the intention to harm.

32.

I am advised that the Respondent would be entitled to raise that the statements were true and in the public interest or that they were a fair comment on the conduct of the Applicant.

33.

No part of the statements made by the Respondent is based on truth. These statements are completely false. These statements were not made in the public interest and are not in any way fair comment on the Applicant's business.

34.

The Respondent was acting in his capacity as the MEC of Transportation and Human Settlements at the time that these statements were made. His position and authority lend credence to the statements made to members of the public. His position elevated the statements beyond mere meaningless discussions to the

serious sharing of information with the public, which may be perceived as being in the public interest.

35.

The conduct of the Respondent amounts to a failure of his fiduciary duties as follows:

- 35.1. As a public official he owes a duty of care to the public to ensure that any statements made are based on facts, particularly when those statement can cause commercial ruin to a private entity; and
- 35.2. By utilising his public platform to disseminate unverified and unsubstantiated allegations about the applicant he has abused his executive privilege, interfered with contractual relations of the Applicant by discouraging the public from using the applicant's services based on false pretences.
- 35.3. The Respondent has exceeded his executive oversight bounds and thus his conduct is *ultra vires*. In this regard, I reiterate that the Respondent's portfolio is for transport and human settlements, not health. For him to make false public comment, which are suggestive of final oversight findings, he has breached his strictly defined boundaries of his office.

- 35.4. The Respondent's conduct constitutes a gross exercise of executive over-reach. By utilizing the prestige and communicative machinery of the Provincial Ministry of Transportation to disseminate demonstrably false allegations, the Respondent has acted ultra vires his constitutional mandate. This abuse of the "bully pulpit" of executive office serves no legitimate governmental purpose and is inherently inimical to the public interest.
- 35.5. Where an executive official employs the weight of the State to bypass administrative fairness and instead resorts to public character assassination of a private entity, such conduct precludes any reliance on the defenses of truth or public interest. There can be no public interest in state-sponsored misinformation that actively endangers the lives of citizens by discouraging them from seeking immediate medical intervention from the Applicant.
- 35.6. Consequently, the Respondent's status as an executive official does not shield him; rather, it aggravates the wrongfulness of the defamation by transforming a potentially private dispute into an institutional abuse of power.

36.

As previously stated, in the event of an accident, multiple emergency services coordinate to manage the scene and the persons involved. A breakdown of trust

between these services will prevent the applicant from carrying out its purpose, *inter alia*, of helping those who require immediate medical attention.

37.

A reduction in the public opinion of the Applicant will go further to directly impact the commercial viability of the applicant. If the general public cannot trust the applicant then they will not call on it to provide services. The applicant will seek to secure a claim for damages against the Respondent however, the applicant will institute those proceedings in the form of action proceedings to not curtail these proceedings.

38.

I turn to address each of the statements made by the Respondent.

[F1] **Bulldoze the Scene, insensitive and Complaints from RTI, SAPS and Metro**

39.

Regarding the statements of bulldozing, allegations that we act without sensitivity to the circumstances and alleged complaints from RTI, SAPS and Metro these statements are made without the applicable context and understanding for the work that the Applicant does. Where there is a large-scale emergency that requires our

attention and intervention, those persons who are first on the scene must take control and manage what is happening and what is going to happen. There is also an appropriate hierarchy in respect of emergency health care providers, an advanced life support paramedic takes precedent over intermediate and basic life support paramedics.

40.

In handling a scene of this nature, the impression may be to an outsider that we come across as insensitive or uncaring, but the opposite is in fact true. We manage these scenes regularly and understand what is required to ensure the greatest success for all involved. The Respondent, given his position and his experience, should be the first person to appreciate and understand this. Unfortunately, his statements indicate the opposite.

41.

What further complicates matters is that, regularly, the EMRS are unable to attend to scenes until well after the private emergency services have done so (if they arrive at all). This results in us having to take control and manage the scene before they are available to do so. We have always had a good working relationship with RTI, SAPS and Metro as we work with them daily and are in regular contact with them to provide assistance wherever we can. The insinuation otherwise is unfounded.

[F2] Insensitive and failing to provide proper care

42.

The implication that we do not manage matters in a manner befitting human life shows only that the Respondent made those statements out of pure malice and without at all understanding our business practices and ethos.

43.

These statements are not made in the public interest. In fact, they have the opposite effect in that they would encourage the public to turn away our assistance should we arrive to assist them when in an emergency. This could result in their further harm or even death.

44.

There is no reasonable reason or explanation for why the Respondent should have made these statements at all, and especially in the manner they were made. It cannot be said that these comments are fair comments on the Applicant and its business, in this regard I record as follows:

45.1. I am advised that the Respondent may attempt to rely on the defence of fair comment. Such a defence is legally untenable in these circumstances. Firstly, the Respondent's statements were not presented as mere opinions but as authoritative factual findings issued from his executive office.

Secondly, the defence of fair comment requires that the comment be based on facts that are substantially true.

- 45.2 As demonstrated above, the Respondent's assertions are entirely devoid of truth, rendering any "*comment*" thereon inherently unfair and legally indefensible. The Respondent's conduct was motivated by an improper purpose—namely, the use of state authority to unlawfully undermine a private service provider—which vitiates any claim to the protection of fair comment. The Respondent did not seek to contribute to a public debate; he sought to terminate the Applicant's operations through the weight of a false executive decree.

[G] **URGENCY**

45.

This application has been brought on an urgent basis as a result of the following:

- 45.1. The severity of the statements being made by the Respondent;
- 45.2. The fact that he has made these statements on two occasions and threatened to hold a meeting with the MEC for Health to reiterate the false statements;
and

45.3. The risk which he is placing the employees of the Applicant under given the nature of the statements made.

46.

The Respondent's statements are such that they have already resulted in damage to the applicant's reputation in the public sphere. We have received several inquiries from existing clients who are concerned that the statements of the Respondent are true or that it may result in an interference on our ability to provide services. I annex hereto marked "D" and "E" letters of inquiry received from clients of the Applicant. Members of the public may hear these statements and believe what is being said by the Respondent given his position of authority and act upon this.

47.

It is well documented that during the course of 2024 there was a significant increase in violence faced by emergency personnel and in particular paramedics who were subject to verbal abuse and threatened with violence when they attended to patients or call outs. I annex hereto marked "F" and "G" articles from IOL online, written in 2024 and 2000 where violent attacks were made on paramedics when they were out in the field. This expresses the vulnerability of paramedics whilst they are working. The Applicant's ambulances and employees are clearly marked with the name of the company and should the public be lead to believe the statements of the Respondent it could easily result in them being vulnerable to similar attacks.

48.

If the Respondent is allowed to continue to disseminate these false statements about the Applicant to the public at large, it will serve to further impair the Applicant's reputation and risk the Applicant's ability to seek a renewal of its licence with the Department of Health.

[H] DEMAND

49.

On **30 January 2026**, a letter was sent to the Respondent asking that he retract his statements, apologise for his statements, issue the same in a public forum and cease from any further conduct which can be construed as defamatory. A copy of this letter is annexed hereto marked "**H**". This letter was sent by my attorney, whose confirmatory affidavit is annexed hereto marked "**I**".

50.

The Respondent has not responded to this letter formally. Instead, the spokesperson for the Respondent, Mr Ndabezinhle Sibiyi, has chosen to respond in the public sphere by responding to various journalists who have asked him to comment on the repercussions from the Respondent's statement.

51.

On **1 February 2026**, on the East Coast Radio website, in an article headed “Deadline looms for KZN transport MEC to retract ALS claims”, the Department of Transport spokesperson, Ndabezinhle Sibiya, was approached for a statement following the letter of demand which was issued to the Respondent. Sibiya’s response was as follows:

“This letter, which has just been sent to the media, is very laughable to say the least, and the MEC won’t be retracting any statement”

52.

A copy of this article is annexed hereto marked “J”.

53.

On **4 February 2026**, in an article on the IOL website headed “Debate ignites over KwaZulu-Natal EMS following tragic R102 accident”, a member of the DA was asked to comment on the statements by the Respondent. Again, Mr Sibiya responded to a request to comment by stating that the Respondent would not retract his statements. A copy of this article is annexed hereto marked “K”.

[I] **INTERDICTIONARY RELIEF**

54.

As a consequence, the Applicant has had no option but to pursue these legal proceedings.

55.

The applicant has the clear right to not be defamed by the Respondent. The Respondent has breached that right by his statements and his refusal to address those statements when asked to do so.

56.

The applicant has already suffered harm in the form of irreparable harm to its reputation and public perception as a consequence of the Respondent's statements. This is not harm which can be easily remedied or fully repaired, even with a court order.

[II] **MEC for Health**

57.

Further, during my discussions with the Respondent, he threatened to further disseminate this information to the MEC of Health. If the Respondent is allowed to persist with these statements, especially if he shares the same with the MEC for

Health, it could affect the applicant's ability to continue to operate as an ambulance facility.

58.

We are required to register with the provincial Department of Health for a licence to operate. Without a licence to operate, we will not be able to claim reimbursements from medical aids, the Road Accident Fund or Workman's Compensation. These licences are only held for one year and are subject to annual review to ensure continued compliance.

59.

The utterances by the Respondent will have dire consequences should they be allowed to continue to stand. It is clear that the Respondent made these statements with the intention of having a direct impact on the Applicant's commercial interests, but also on its relationships and good standing within the emergency services sphere.

60.

The balance of convenience favours the applicant as the Respondent will suffer no prejudice should the interdict be granted. There is no need for him to continue to make these statements about the applicant.

ABS

61.

In respect of the interdictory relief pertaining to the further dissemination of defamatory statements about the applicant in a public or private forum there are no other alternative remedies which would achieve the same purpose. The statements by the Respondent are patently untrue, and he must immediately cease from continuing to make them.

62.

As it pertains to the retraction of the statements made on 29 January 2026, the Applicant has no alternative remedy in this regard. The applicant has a right not to have the statements by the Respondent stand unchallenged for an indefinite period of time. The applicant's services may be turned away, further harming any persons they are seeking to assist; their services may be refused by paying clients, resulting in serious financial consequences to the applicant, and the applicant's personnel may face violent attacks or public outrage while they are just trying to do their work.

[J] COSTS

63.

The Applicant will be seeking a punitive costs order against the respondent. The application arises from the Respondent's actions, and these actions were aggravated by the conduct of the Respondent's spokesperson. Instead of engaging with the

Applicant in the legal forum and addressing the letter of demand sent to him, Mr Sibiya chose instead to express his intentions in a public forum.

64.

The Applicant has therefore found that it has been compelled to pursue these proceedings by the actions of the Respondent.

65.

I accordingly and respectfully submit that it would be proper for this Honourable Court to grant the relief sought in the notice of motion prefixed hereto.



DEPONENT

I HEREBY CERTIFY that the Deponent has acknowledged that he knows and understands the contents of this Affidavit which was signed and sworn to before me at Durban on this 9th day of February 2026 after the provisions of the regulation contained in Government Notice No. 1258 published in the Government Gazette No.R.3619 dated 21st July 1972 had been duly complied with.



COMMISSIONER OF OATHS

APHIWE BS NYASHENG
 HLELA ATTORNEYS INC
 COMMISSIONER OF OATHS
 PRACTISING ATTORNEY
 241 PROBLEM MKHIZE RD,
 ESSENWOOD, DURBAN 4001
 031 285 0948

ALS PARAMEDICS (PTY) LTD
2020 / 888726 / 07

56 Hannah Road
Umbilo
Durban
4001

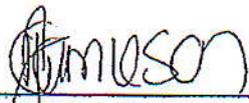
DIRECTORS RESOLUTION 1 / 2026

At a duly constituted meeting of the directors of the company on 30 January 2026, it was resolved as follows:

1. The Company will proceed with legal action against Mr S Duma, MEC for transport and human settlements, KZN.
2. That Director, Garrith Jamieson, is duly authorized to represent the company and do whatever is required, including but not limited to signing any documents required to pursue such litigation.
3. That WJ Rogers & Associates be instructed to proceed with such litigation with the power to brief counsel by agreement.

Dated at 56 Hannah Road, Umbilo, on 30 January 2026

Signed:


GARRITH JAMIESON
DIRECTOR

Signed:


SIDNEY FINE
DIRECTOR

GJ
ABS

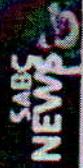
19:30 CAT

BREAKING NEWS

Four suspects killed in a shootout in KwaMakhutha, KZN

Durban police say the suspects were wanted for a series of serious and violent crimes.

POLICE LINE DO NOT CROSS



SABCnews

KZN authorities investigate horrific Isipingo crash

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Authorities in KwaZulu Natal are investigating cases of culpable homicide after 11 people were killed in a crash in Isipingo south of Durban.



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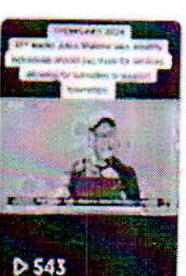
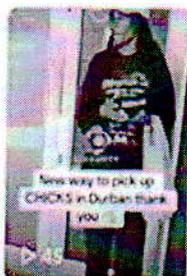
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05 February 2026

TO: GARRITH JAMIESON/ ALS PARAMEDICS

RE: ALLEGATIONS BY MEC DUMA

Ensure Security as a national security service provider, pride ourselves on operating with integrity and forming synergy with like minded brands. As you are aware, we have utilized ALS Paramedics on several occasions, however we are gravely concerned with allegations made last week 29 January 2026 by the MEC of Transport Mr Siboniso Duma. Among other things, the MEC categorically stated that ALS Paramedics will leave you to die if you have no medical aid.
This was on multiple news channels.

As Ensure Security, our clients nor stakeholders have experienced this with your organization. Be that as it may, this has created great concern for us.

I hereby request formal clarification from your directors and or legal team regarding this matter and your stance with regards to the allegations made. As a community driven national organization, we simply cannot allow our brand to be aligned with an organization that "lets patients die" as the MEC suggests.

I expect a formal response within seven (7) days, failing which we will terminate all service level agreements with ALS Paramedics.

Kyle van Reenen, MBA
General Manager



GJ ABS

Jaidh Ellis

From: Marco Accolla <fmdbn@nazarethcare.co.za>
Sent: Thursday, 05 February 2026 07:37
To: Garrith Jamieson
Subject: Durban Nazareth House and ALS services

Dear Mr. Garrith Jamieson,
 ALS Paramedics

Durban Nazareth House and ALS services

Re: Clarification of Allegations made by MEC Mr Duma

I am writing to clear up a statement made by Mr Duma the MEC for Transport on TV on the 29 January 2029, where the Minister said and I quote "**ALS is guilty of abandoning emergency patients without medical aid.**"

As you are aware, we have committed to ALS services and signed an exclusivity agreement (SLA), for ALS Paramedics to be our preferred company choice when it comes to emergency services. I would like clarity as some of our residents are not on medical aid, and I would hate this to happen to them. Also, since the televised viewing, some of our residents have become concerned and hesitant about securing and supporting ALS services moving forward, so your urgent response is most important and imperative for the continuation of your SLA.

Please could you clarify these allegations as a matter of urgency.

Thank you,

Mr. Marco Accolla

Nazareth House Durban : Facility Manager

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MERCURY NEWS

KZN health department condemns attack on paramedics

Mercury Reporter | Published 6 years ago

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FRIDAY, FEBRUARY 6, 2026



NEWS ▾ MATRIC POLITICS ▾ OPINION ▾ BUSINESS ▾ ENTERTAINMENT ▾ LIFESTYLE ▾ TRAVEL ▾ TECH ▾ SPORT ▾
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Durban - The KwaZulu-Natal Department of Health has condemned those responsible for an attack on paramedics at Durban's Ntuzuma E section on Monday.

According to Craig Grindell Netcare 911's managing director as the Netcare 911 emergency medical services practitioners were loading the patient into the ambulance, they were approached by two people who demanded that they hand over their possessions, and then fled the scene.

"One of the robbers sprayed a liquid, believed to be petrol or brake fluid, into the eyes of the ambulance emergency assistant and he was temporarily blinded. Another Netcare 911 response vehicle rushed to the scene and both the patient and the ambulance crew member were transported to hospital for further treatment," he said.

In a statement, the department said although they were unable to comment regarding the details of the attack, and the matter concerns a private ambulance service, they nevertheless condemned the attack in the strongest possible terms.

"The department remains concerned about attacks on paramedics broadly, and has formed a task team that is seized with the responsibility of formulating a strategy on how to improve the security of its EMS personnel. Regrettably, the Department is unable to divulge details of these security measures at this stage. The Department wishes to reiterate, however, that co-operation between the public and the law enforcement authorities remains the most effective and practical approach to win the fight against this and other forms of crime. We therefore urge the public to come forward with any information about actual incidents or any plans by unscrupulous individuals to launch any attack on members of EMS," the department said.

"The time has come for society to take a firm stand against the victimisation of EMS personnel and realise that any member of the public can need an ambulance at any given time. And that any interference with paramedics' ability to discharge their duties freely and safely is an affront not only to the State, but also to the public at large," the department said.

The Mercury

South African prison deaths: Urgent call for reform after surge in incidents

<https://iol.co.za/mercury/news/2020-01-06-kzn-health-department-condemns-attack-on-paramedics/>

Violence against ambulance services: a growing crisis in KZN

Zainul Dawood | Published 1 year ago



KwaZulu-Natal's emergency services face increasing danger, as an ambulance is stoned in eShowe. Private ambulance services report escalating threats and violence against paramedics, raising concerns about the safety of those dedicated to saving lives.

Durban — Two private ambulance services in Durban claim that paramedics often come under verbal abuse and are threatened with violence when they attend to patients at collisions or call outs.

KwaZulu-Natal MEC for Health Nomagugu Simelane condemned an incident in which one of the department's Emergency Medical Services (EMS) vehicles was stoned by community members

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in eShowe on Sunday.

The ambulance was pelted with stones. Simelane said EMS paramedics were responding to a motor vehicle accident (MVA) involving a motorbike at Obanjani Reserve when they came under attack by members of the public.

It is alleged that while the EMS team was stabilising the biker, a commotion broke out between bystanders and the biker's friends. Simelane said that tensions escalated, and members of the community began pelting the biker's friends with stones. Simelane said in an effort to avoid harm, the EMS personnel grabbed their medical tools and fled as the crowd began throwing stones at the ambulance. The windshield was damaged.

"What happened in eShowe is disturbing and deeply regrettable. We condemn it in the strongest possible terms. Damaging state property is a crime, and it's even worse when our EMS crews get attacked while trying to help people who are distressed and desperate for help," said Simelane.

She added that the department needed all EMS vehicles on the road, serving the people of KZN. She said the damage to this ambulance will inevitably cause downtime, as repairs must be made to ensure its safety and roadworthiness.

A case of damage to property has been registered with eShowe SAPS.

Two privately owned ambulance companies shared their concerns about safety.

Prem Balram, spokesperson for Reaction Unit South Africa (RUSA) Ambulance service said they send out a security team with paramedics when they attend to patients in high-risk areas, especially where incidents of mob justice and kangaroo courts occur. Balram said certain communities become volatile when medical assistance is given to a person who is suspected of committing a crime.

"Often our security officers are sent to the scene first to assess the situation and then paramedics are called in. In one unique incident during a protest, we had to use a helicopter to transport paramedics into an area because the road was blocked. Criminals are lurking everywhere and see paramedics as soft targets," Balram said.

Gareth Naidoo, spokesperson for KZN VIP Security and ambulance said paramedics in Phoenix experience similar incidents of violence against them. Naidoo said in the most recent case along Ridgecroft and Phoenix highway, there was a motor vehicle collision.

Naidoo added that paramedics also had incidents where bikers did not allow medics to work and became violent.

"We have had incidents in the townships where paramedics were threatened to be killed if they did not attend to every patient even if it was just one ambulance on the scene. In these types of situations unfortunately, where the lives of medics have been threatened they are to do whatever they need to, in order to get to safety," Naidoo said.

In other reported incidents by IO:

- In July 2023, a Midlands EMS ambulance was hijacked at gunpoint by a suspect who had just been involved in an accident on the N3 near Lions River.

- In July 2021, private ambulances were prevented from attending to emergencies in Verulam. KZN VIP Medical said they were unable to reach a critically sick patient after people pelted a response vehicle with rocks and stones.
- In December 2020, paramedics employed at St Michael's private ambulance service and EMS came under attack from an angry mob who threw rocks at the ambulances and began to physically hit the vehicle in an attempt to gain entry into the ambulance near Lions River in the Midlands.
- In October 2016, paramedics were robbed of cash and cellphones at Howick Falls while on standby for call-outs when they were accosted by a knife-wielding man.

WhatsApp your views on [this story](#) to 071 485 7995.

Daily News

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SUNDAY TRIBUNE

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WJ Rogers & Associates

Admitted Attorney of the High Court of South Africa
Admitted Counsel of the International Criminal Court
Notary & Conveyancer

Portview Chambers, 183 Cowey Road, Morningside, Durban
Suite 6392, 182-184 High Street North, Northam, London

(RSA) +27 31 813 5896
(UK) +44 742 6128262
www.durbanlegal.co.za

30th January 2026

For att: Mr S Duma
Member of the Executive Committee
Transport and Human Settlements, KZN
Inkosi Mhlabunzima Maphumulo House
172 Burger Street, Executive Building, 4th Floor,
Pietermaritzburg

By Sheriff: Pietermaritzburg Central

By email: dumas@kznleg.gov.za
zama.masondo@kzntransport.gov.za (Private Secretary)
Tenise.Ferreira@kznworks.gov.za (Personal Assistant)

By WhatsApp: C/O: Mr Sibiya
Spokesman for the MEC
+27 82 375 4742

URGENT / WITH PREJUDICE

RE: OUR CLIENT: ALS PARAMEDICS (PTY) LTD
REGARDING YOUR FALSE AND UNLAWFUL UTTERANCES IN RESPECT OF OUR CLIENT ON
LIVE TELEVISION AND SOCIAL MEDIA – 29 JANUARY 2029
DEMAND FOR FULL RETRACTION AND APPOLOGY

(AND NOTICE IN TERMS OF SECTION 3 OF ACT 40 OF 2002)

WESLEY J. ROGERS. MBA (SBS) LLB (UKZN) PgC Hons International Criminal Law (Leiden University) MCLA. OSTG (UK)
ANDREA S. COOPASAMY LLB (UKZN) Notary Public, Conveyancer
Admitted Attorney of the High Court of South Africa, commissioner of oaths *ex officio* (KZN LPC Pr No. 4676)
Member of the Commonwealth Lawyers Association (Membership No 001266) Member of the International Criminal Court Bar Association

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Sir,

We refer to the above matter and advise as follows:

1. We are instructed on behalf of ALS Paramedics (Pty) Ltd herein.
2. Our client is a reputable private ambulance service which operates in KwaZulu-Natal.
3. Our clients paramedics attended to an accident scene at Isipingo on 29 January 2026, involving a Minibus Taxi and a Truck. The accident in question resulted in the order of 11 deaths and was highly publicised.
4. You were interviewed by, *inter alia*; The SABC; ENCA and NewsRoom Afrika. Your interview (s) have been republished on a number of social media sites, which has attracted the following viewing numbers, *inter alia*;
 - a. SABC YouTube Channel – 15 670 views to date;
 - b. The Post TikTok Channel – 96 000 views to date;
5. During the course of the one on one interview with the SABC you made the following remarks about our client:
 - a. "...RTI; Metro and SAPS are complaining about ALS ambulance services, they are saying they bully on scene and in some instances they fluctuate numbers. Like for instance, they told that there were 12 people who have died, which is not true. And two weeks ago during that accident that took place they say that 11 people were affected or were injured, which is a fallacy. There were only 3 school going children in the school and all of them were not even injured. So it's something that they must desist from doing because it's not right, and we are saying that scenes like these are so sensitive, you cannot even just overlay and check that you don't have the medical aid they are not going to assist you. Which is why we

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prefer our system that has been dispatched by MEC Simelane, that they just take everyone up until the process has been stabilised and check whether you want to go to a private hospital or public hospital..." (SIC)

6. In addition you undertook a joint interview with the SABC, Newsroom Afrika and ENCA where you made the following comments about our client:

a. *"...When they (ALS) enter the scene they tend to bulldoze, I'm sure you know by now that they are also insensitive in some instances, if you don't have a medical aid they are not going to assist you, if it means you are dying, if it means they could still save you, it is something why we prefer you deal with the department of health, I've already all the time mentioned that the MEC of health is always dispatching a qualified and stronger team on the scene, they are not saying you are going to be excluded..." (SIC)*

7. In respect of your abovementioned utterances we record on behalf of our client as follows:

- a. Your statements are false, vexatious, malicious and defamatory of our clients professional reputation;
- b. At the scene in question, our client in fact transported two patients without medical aid to public hospitals (Albert Luthuli Hospital), and it does so on an ongoing basis where required;
- c. Our client assisted 4 patients on scene, and transported two to hospital (the two non-medical aid patients already mentioned);
- d. In light of your utterance that EMRS (the provincial ambulance service) provides a "stronger" service than our client, we record ironically, that all the EMRS medical response vehicles which attended the scene in question were all **non-compliant** with the National Health Act 61 of 2003 and the Emergency Medical Services Regulations 2017, which dictate that no person may provide an emergency medical service without being licenced by the relevant

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provincial head of health (See Regulation 14(1) and (2)) and display on a permanent place on the vehicle the disk in question. In this regard we record as follows:

- i. VW ambulance with registration No. DV 518 – ZN had a disk last valid until 03 / 2022.(expired and thus operating unlawfully).
 - ii. VW Rapid Response Vehicle with Registration No. GDV 854 – ZN had no valid disk on affixed to it's windscreen.
 - iii. Toyota Corrolla – GDV 703 – ZN had no valid disk affixed to it's windscreen.
 - iv. Toyota Corrolla – GDV 353 – ZN had no valid disk affixed to it's windscreen.
 - v. Iveco Ambulance with registration No. GDV 430 – ZN had no valid disk affixed to it's windscreen.
- e. The EMRS ambulance vehicles which attended the scene were thus operating unlawfully at the time and potentially committing a criminal offence in terms of Section 90 of the National Health Act 61 of 2003.
- f. In addition, the EMRS paramedics that attended the scene in question lacked even basic pain-medication and an ECG monitor and had requested same from our client. By suggesting this service is stronger than our clients service is thus harmful to the public who may follow your misguided opinion and thus risk their own lives by relying on an emergency medical service which lacks the most basic of equipment and medication.
- g. EMRS arrived an hour after our client was at the scene.
- h. In respect of the incident two weeks prior, which you suggest our clients public statements are a fallacy, our client has recorded proof in the form of EPRF forms for 9 school-aged children which they assisted at Underwood road, Pinetown. Our client reported 9 children being assisted not 12 or 11. Your suggestion that our client has inflated its role at this scene is thus additionally false and calls in to question whether you had done any due diligence prior to making the comments in question.

- i. Our client has never bulldozed any person at a scene and works closely with Metro and SAPS on an ongoing basis. Your suggestion otherwise is once again false.
 - j. The only issue our client is aware of is with Inspector Clinton Peters of RTI, which was in fact reported to your office more than a year ago and which to date we have had no response. Our clients rights are accordingly now reserved on this issue.
 - k. RTI contacted our client today, requesting the registration number of the Taxi involved in the accident in question. The inference is that RTI had failed to retain basic details of a serious collision, another demonstrable failing of a department under your supervision.
8. In addition your conduct are *ultra vires* and amount executive overreach, and we record as follows:
- a. You have made comments about the quality and operational structure of our client's services, a health care service, in circumstances which fall outside of your constitutionally mandated portfolio. Your authority is strictly confined to transport and human settlements.
 - b. Your conduct breaches the principle of legality, a subset of the rule of law, which requires that public servants act within the powers conferred upon them by law. (See *Fedsure Life Assurance Ltd v Johannesburg City Council 1999 (1) SA 374 CC*).
 - c. By commenting on the clinical conduct and billing practices of our client, you have purported to exercise oversight over a sector governed by the Health Professions Act and the Provincial Department of Health.
 - d. When you make definitive claims that a service will not assist a patient if you are dying, you are making a public finding on a contravention of Section 27(3) of the Constitution of South Africa (which prohibits the refusal of emergency medical treatment). Such a finding is a legal and clinical determination that you have no statutory authority to make.
9. Your conduct additionally amounts to a failure of your fiduciary duty of care for the following reasons:

WESLEY J. ROGERS. MBA (SBS) LLB (UKZN) PgC Hons International Criminal Law (Leiden University) MCLA. OStG (UK)
 ANDREA S. COOPASAMY LLB (UKZN) Notary Public, Conveyancer
 Admitted Attorney of the High Court of South Africa, commissioner of oaths *ex officio* (KZN LPC Pr No. 4676)
 Member of the Commonwealth Lawyers Association (Membership No. 001266) Member of the International Criminal Court Bar Association

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- a. Public officials owe a duty to the public to ensure that their statements are based on facts, particularly when those statements can cause commercial ruin to a private entity. See *Democratic Alliance v African National Congress 2015 (2) SA 232 CC*.
- b. By using your platform at an accident scene to disseminate unverified and unsubstantiated allegations regarding our client, you have:
- i. Abused Executive Privilege;
 - ii. Interfered with contractual relations by discouraging the public from using our client's services based on false pretences;
 - iii. Exceeded oversight bounds.
10. Your public statements at the scene indicated that the drivers in question had no valid PDP's and that truck tires were worn. This indicates a severe lack over enforcement by your own department, which has now resulted in the loss of lives. Your focus and subsequent tirade in respect of our client indicates a profound lack of understanding of your role and possible dysfunction of your department(s) for which you are the person ultimately responsible, and which has now demonstrably resulted in the loss of life.
11. Your conduct is defamatory and damaging to our client's professional reputation and in the circumstances, our client instructs us to demand as follows:
- a. A full retraction and apology to the satisfaction of our client, to be issued to all media houses that interviewed you as well as sent out on all public platforms via your communications office;
 - b. That you cease and desist from any further conduct which could reasonably be construed as defamatory of our client.
12. That you comply with our demands by no later than 13h00 on Monday 2 February 2026 failing

which we will proceed with legal action to compel you to comply to which all costs associated thereto shall be claimed against your offices / yourself.

13. Our clients rights to claim patrimonial damages in respect of your conduct, as well as exercise any other right of recourse available to it in law, in your official capacity and in your personal capacity, are reserved and will be the subject of further correspondence.

Be advised accordingly,



Wesley J. Rogers

Admitted Attorney of the High Court of South Africa

Counsel of the International Criminal Court at the Hague

Per: director@durbanlegal.co.za

W: 031 813 5896. / 076 455 2295

View my Ph.D research on my SSRN Author page:

<https://ssrn.com/author=7659639>

WESLEY J. ROGERS. MBA (SBS) LLB (UKZN) PgC Hons International Criminal Law (Leiden University) MCLA. OSIG (UK)
ANDREA S. COOPASAMY LLB (UKZN) Notary Public, Conveyancer
Admitted Attorney of the High Court of South Africa, commissioner of oaths *ex officio* (KZN LPC Pr No. 4876)
Member of the Commonwealth Lawyers Association (Membership No. 001266) Member of the International Criminal Court Bar Association

IN THE HIGH COURT OF SOUTH AFRICA KWAZULU-NATAL DIVISION, PIETERMARITZBURG
 Republic of South Africa

In the matter between:
 ALS PARAMEDICS (PTY) LTD
 and:
 MR S DUMA

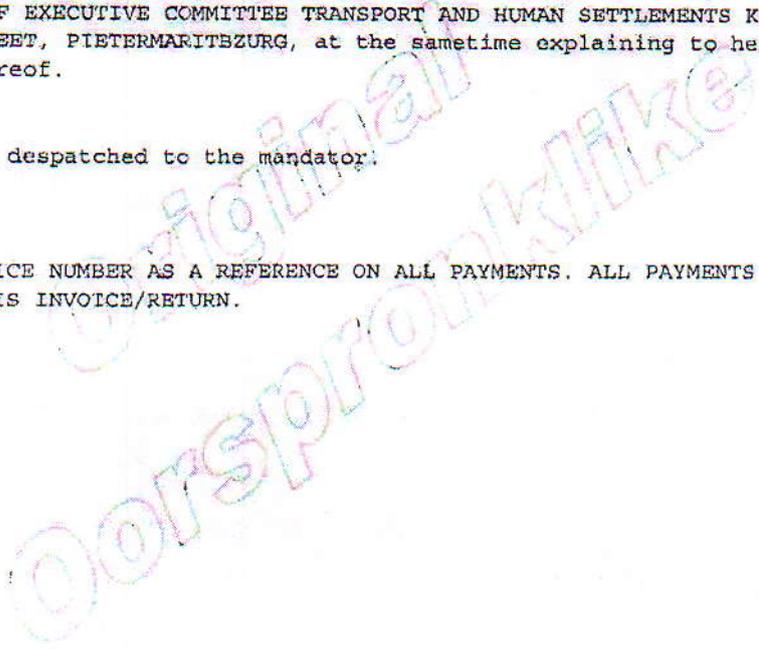
Case No - Saak No LETTER

Return in accordance with the provisions of the Supreme Court Act 59 of 1959, as amended

On the 30th day of January 2026 at 14:38 I duly served a copy of the attached LETTER OF DEMAND AND NOTICE IN TERMS OF SECTION 3 OF ACT 40 OF 2002 upon MS PHILILE SITHOLE, a person apparently over the age of 16 years and apparently incharge of the premises for the withinname MEMBER OF EXECUTIVE COMMITTEE TRANSPORT AND HUMAN SETTLEMENTS KZN, at its offices, 172 BURGER STREET, PIETERMARITZBURG, at the sametime explaining to her the nature and contents thereof.

The original return is despatched to the mandator.

NB. PLEASE USE OUR INVOICE NUMBER AS A REFERENCE ON ALL PAYMENTS. ALL PAYMENTS ARE TO BE MADE UPON RECEIPT OF THIS INVOICE/RETURN.



Sheriff Bas Balayele	Date Datum	02.02.2026	Tax Invoice Number Belastingfaktuur Nr.	I 189069				
DESCRIPTION	Qty	Vat	Amount	Description	Qty	Vat	Amount	LUNGISO MCHUNU Deputy Sheriff
Registration	1	2.55	17.00	VAT / BTW 15%			155.33	A M MZIMELA Sheriff Pietermaritzburg High Court Tel: 033 394 5207 / 08 Fax: 033 394 5206 PO Box 548 Pietermaritzburg 3200 Docex 86 Pietermaritzburg Bank Detail: Bank: FNB Beach Branch BrCd: 220126 Name: A M MZIMELA AccNo: 62463338684 Email: sheriffmzimela@sai.co.za
Station	1	9.60	64.00					
Services	1	15.75	108.00					
TRAVELLING PER KM	8	9.60	64.00					
SITHOLE (OFFICE)	1	0.00	14.50					
HANDLING OF DOCUMENTS	1	2.18	14.50					
TAX INVOICE	1	0.75	5.00					
SCALE COPY	1	0.75	5.00					
Small page 1	1	4.35	29.00					
Small attachment	12	19.80	132.00					
URGENT FEE	1	90.00	600.00					
VAT Reg. No. BTW Reg. Nr.	4260281060	You may require this account to be taxed and vouched before payment U kan vereis dat hierdie rekening getakseer en gestaaf word voor betaling		Total Totaal	1205.33	14291	VatReg	CHANTREL BADENHORST
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Demand for retraction and apology / ALS v MEC for Transport KZN / With Prejudice

From admin@durbanlegal.co.za <admin@durbanlegal.co.za>
Date Fri 30 Jan 2026 11:42
To dumas@kznleg.gov.za <DUMAS@kznleg.gov.za>; zama.masondo@kzntransport.gov.za <zama.masondo@kzntransport.gov.za>; tenise.ferreira@kznworks.gov.za <tenise.ferreira@kznworks.gov.za>
Bcc gj@alsparamedics.co.za <gj@alsparamedics.co.za>; 'Director' <director@durbanlegal.co.za>

1 attachment (179 KB)
LOD1 ALS v MEC TRANSPORT.pdf;

"With Prejudice - URGENT"

For Att: Mr S Duma
MEC For transport KZN

Sir,

Please see attached our urgent and with prejudice correspondence for your attention.

Yours Sincerely,

CHANTILL BADENHORST

Personal Assistant
Administration & Accounts



Online Card Payment Gateway: <https://ps.payco.co.za/wjr>

WJ ROGERS & ASSOCIATES
Portview Chambers
183 Cowey Road, Morningside, Durban, South Africa

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United Kingdom (For ECJ Matters only)

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 Outlook

Read: Demand for retraction and apology / ALS v MEC for Transport KZN / With Prejudice

From SIHLE DUMA <DUMAS@kznleg.gov.za>

Date Fri 30 Jan 2026 12:25

To admin@durbanlegal.co.za <admin@durbanlegal.co.za>

Your message

To:

Subject: Demand for retraction and apology / ALS v MEC for Transport KZN / With Prejudice

Sent: Friday, 30 January 2026 10:25:48 UTC

was read on Friday, 30 January 2026 10:25:34 UTC.

ABS
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I
54

IN THE HIGH COURT OF SOUTH AFRICA
KWAZULU-NATAL DIVISION, PIETERMARITZBURG

Case No.:

In the matter between:

ALS PARAMEDICS (PROPRIETARY) LIMITED

Applicant

and

**SIBONISO ARMSTRONG DUMA in his capacity as
MEC FOR THE DEPARTMENT OF TRANSPORT
AND HUMAN SETTLEMENTS: KWAZULU NATAL**

Respondent

CONFIRMATORY AFFIDAVIT

I, the undersigned, **WESLEY J ROGER**, do hereby make oath and say:

1.

I am:

- 1.1. an adult male; and
- 1.2. an attorney, practicing under the name and style of W J Rogers & Associates, at Portview Chambers, 183 Cowey Road, Morningside, Durban.

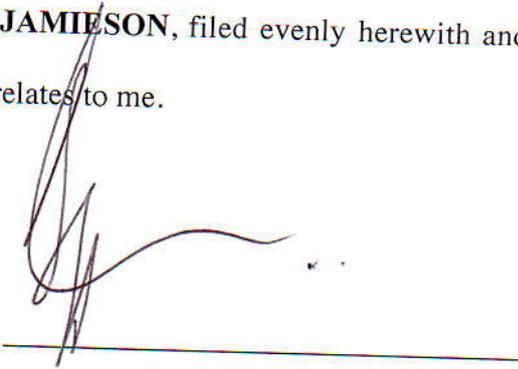
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2.

The facts herein contained are within my own personal knowledge and are both true and correct.

3.

I have read the affidavit of **GARRITH JAMIESON**, filed evenly herewith and confirm the contents thereof insofar as it relates to me.

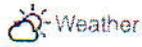


DEPONENT

I HEREBY CERTIFY that the Deponent has acknowledged that he knows and understands the contents of this Affidavit which was signed and sworn to before me at Durban on this 9th day of February 2026 after the provisions of the regulation contained in Government Notice No. 1258 published in the Government Gazette No.R.3619 dated 21st July 1972 had been duly complied with.


COMMISSIONER OF OATHS

APHIWE B. NYASHENG
HLELA ATTORNEYS INC
COMMISSIONER OF OATHS
PRACTISING ATTORNEY
241 PROBLEM MKHIZE RD,
ESSENWOOD, DURBAN 4001
031 285 0948



Deadline looms for KZN Transport MEC to retract ALS claims

Updated Feb. 1, 2026, 11:49 a.m. | By Kubobonke Luthuli

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Transport MEC Siboniso Duma is standing by his criticism of a KZN-based private ambulance service and says he won't be apologising.



Transport KZN



During a live interview, the MEC accused medics of refusing to treat patients who were not on medical aid.

He further claimed that they were insensitive at crash scenes, among other things.

ALS has since issued a legal demand, describing the statements as false and defamatory.

The ambulance service says it did treat and transport uninsured patients to a public hospital.

Transport spokesperson Ndabezihle Sibiyi says the MEC has no intention of retracting his statements.

"This letter, which has just been sent to the media, is very laughable to say the least, and the MEC won't be retracting any statement."

ALS has given the MEC until Monday to apologise publicly, failing which it says it will take legal action.

Find us on social media

Follow the ECR Newswatch WhatsApp channel here

We are also on Facebook and X (formerly Twitter)

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www.fastcompany.co.za

DAILY NEWS NEWS

Debate ignites over KwaZulu-Natal EMS following tragic R102 accident

Sipho Jack | Published 22 hours ago

1min



Videos in Daily News

"CHIEFS CAN WIN THE ..."

Featured in: Betway Premiership halfway review: Orlando Pirates lead as Big 3 title race heats up

"CHIEFS CAN WIN THE LEAGUE" -- Stellies coach Gavin Hunt

Kaizer Chiefs coach Kaze on revenge on Stellenbosch

GJ

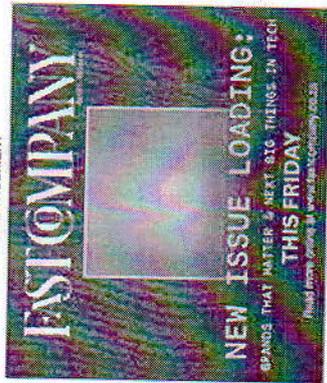
ABS

K 58

Following a tragic accident on the R102 that claimed eleven lives, a heated debate has emerged regarding the state of Emergency Medical Services in KwaZulu-Natal.

Image: Supplied

ADVERTISEMENT



The ongoing fallout from a tragic accident on the R102 near Isipingo, Durban, which claimed the lives of eleven individuals, has ignited a fierce debate about the state of Emergency Medical Services (EMS) in KwaZulu-Natal.

Dr Imran Keeka, a member of the Democratic Alliance (DA) and their health spokesperson, has attacked KZN's Transport MEC Siboniso Duma's comments about private emergency service providers overlooking casualties without medical aid cover at accident scenes, during a recent media interview.

Duma claimed that private ambulance services only attend to patients with medical aid, suggesting that ordinary members of the public would have to rely solely on state ambulances.

According to Keeka, this reflected a significant misunderstanding of the realities of EMS in the province.

"What is conspicuously absent from this narrative, is that MEC Duma could well have arrived on the scene before state ambulances."

Keeka said that provincial emergency medical services often lagged considerably behind private providers when responding to emergencies.

"In many rural areas, response times stretch from seven to ten hours, if they arrive at all."

Keeka said Duma's remarks were untrue, as private EMS were helping everyone upon arriving on the scene.

He pointed out that when private providers step in to transport patients whether or not they have medical aid, this assistance should be regarded as a positive act, especially given the unreliable state of KZN's EMS.

GJ ABS

Responding to the DA's criticism, departmental spokesperson Ndabezinhle Sibiya stood by MEC Duma, asserting that the minister would not retract his statements.

Sibiya expressed disappointment with what he described as the DA's "unbelievable insensitivity and disrespect to the deceased," and urged that the party's focus should remain on supporting the families of the victims rather than engaging in what he deemed as attention seeking behaviour.

"By and large, the DA is showing the most unbelievable insensitivity and disrespect to the deceased," Sibiya articulated.

"They do that during the period in which the people of KwaZulu-Natal are in mourning." He concluded that the families left behind should be the priority, and called for compassion over political point-scoring.

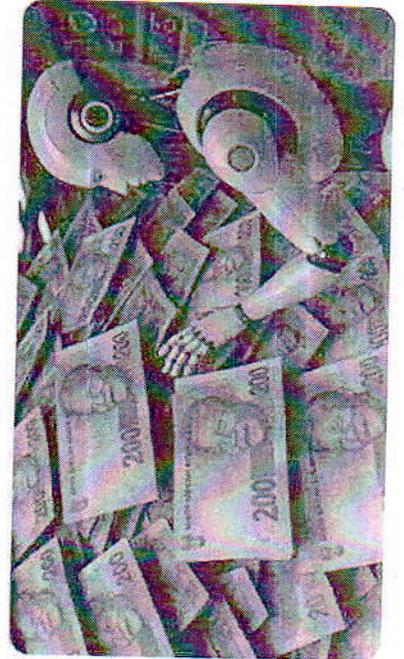
DAILY NEWS

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AMBULANCE SERVICES DR IMRAN KEEKA MEC SIBONISO DUMA DA



WATCH: looting after major cash-in-transit heist on N2



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IN THE HIGH COURT OF SOUTH AFRICA KWAZULU-NATAL DIVISION, PIETERMARITZBURG
 Republic of South Africa

In the matter between:

Case No – Saak No 029382/2026

ALS PARAMEDICS (PTY) LTD

Plaintiff

and:

SIBONISO ARMSTRONG DUMA N.O IN HIS CAPACITY FOR THE DEPARTMENT OF TRANSPORT AND HUMAN SETTLEMENTS:KWAZULU-NATAL

Respondent

Return in accordance with the provisions of the Supreme Court Act 59 of 1959, as amended

On the 11th day of February 2026 at 14:02 I duly served a copy of the attached CERTIFICATE OF URGENCY, NOTICE OF MOTION, FOUNDING AFFIDAVIT BY G JAMIESON & ANNEXURE'S ("A-K") upon MS SILINDILE NZAMA (PERSONAL ASSISTANT), a person apparently over the age of 16 years and apparently incharge of the premises for withinnamed RESPONDENT, SIBONISO ARMSTRONG DUMA N.O IN HIS CAPACITY FOR THE DEPARTMENT OF TRANSPORT AND HUMAN SETTLEMENTS:KWAZULU-NATAL, at his LEGAL SERVICES DIRECTORATE, ROOM A310, 3RD FLOOR, 172 BURGER STREET, PIETERMARITZBURG at the sametime explaining to her the nature and contents thereof.

NB: The MEC is not always in the office therefore personal service was not possible.

Appearance Date : 19 FEBRUARY 2026.

The original return is despatched to the mandator.

NB. PLEASE USE OUR INVOICE NUMBER AS A REFERENCE ON ALL PAYMENTS. ALL PAYMENTS ARE TO BE MADE UPON RECEIPT OF THIS INVOICE/RETURN.

Sheriff Fees Baljuggelde	Date Datum	12.02.2026	Tax Invoice Number Belastingfaktuur Nr.	I 189239	
Description.....	Qty	Vat	Amount	Description..... Qty Vat Amount	
Registration	1	2.55	17.00	VAT / BTW 15%	200.18
Return	1	9.60	64.00		
Service	1	15.75	105.00		
Traveling per km	8	9.60	64.00		
PIGEONHOLE (OFFICE)	1	0.00	14.50		
URGENT FEE	1	37.50	250.00		
HANDLING OF DOCUMENTS	1	2.18	14.50		
TAX INVOICE	1	0.75	5.00		
FILE COPY	1	0.75	5.00		
Email page 1	1	4.35	29.00		
Email attachment	71	117.15	781.00		
VAT Reg No. BTW Reg Nr.	4260281060	You may require this account to be taxed and vouched before payment. U kan vereis dat hierdie rekening getakseer en gestaaf word voor betaling		Total Totaal	1549.18
WJ ROGERS & ASSOCIATES 183 COWEY ROAD, MORNINGSIDE DURBAN admin@durbanlegal.co.za andrea@durbanlegal.co.za			Account No. ♦ Rekening Nr. Your Reference ♦ U Verwysing My Reference ♦ My Verwysing Ret: 291629/Jaraida/2	14291 VatReg WJR/ALS/MEC	
Registrar: Republic of South Africa					

LUNGELO MCHUNU
Deputy Sheriff

A M MZIMELA
Sheriff
Pietermaritzburg
High Court
Tel: 033 394 5207 / 08
Fax: 033 394 5206
PO Box 548
Pietermaritzburg
3200
Docex 86 Pietermaritzburg

Bank Detail:
Bank: **FNB Beach Branch**
BrCd: **220126**
Name: **A M MZIMELA**
AccNo: **62463338684**
Email: **sheriffmzimela@sai.co.za**

IN THE HIGH COURT OF SOUTH AFRICA KWAZULU-NATAL DIVISION, PIETERMARITZBURG
 Republic of South Africa

In the matter between: Case No – Saak No 029382/2026
 ALS PARAMEDICS (PTY) LTD Plaintiff
 and:
 SIBONISO ARMSTRONG DUMA N.O IN HIS CAPACITY FOR THE DEPARTMENT OF TRANSPORT AND HUMAN SETTLEMENTS:KWAZULU-NATAL Respondent

Return in accordance with the provisions of the Supreme Court Act 59 of 1959, as amended

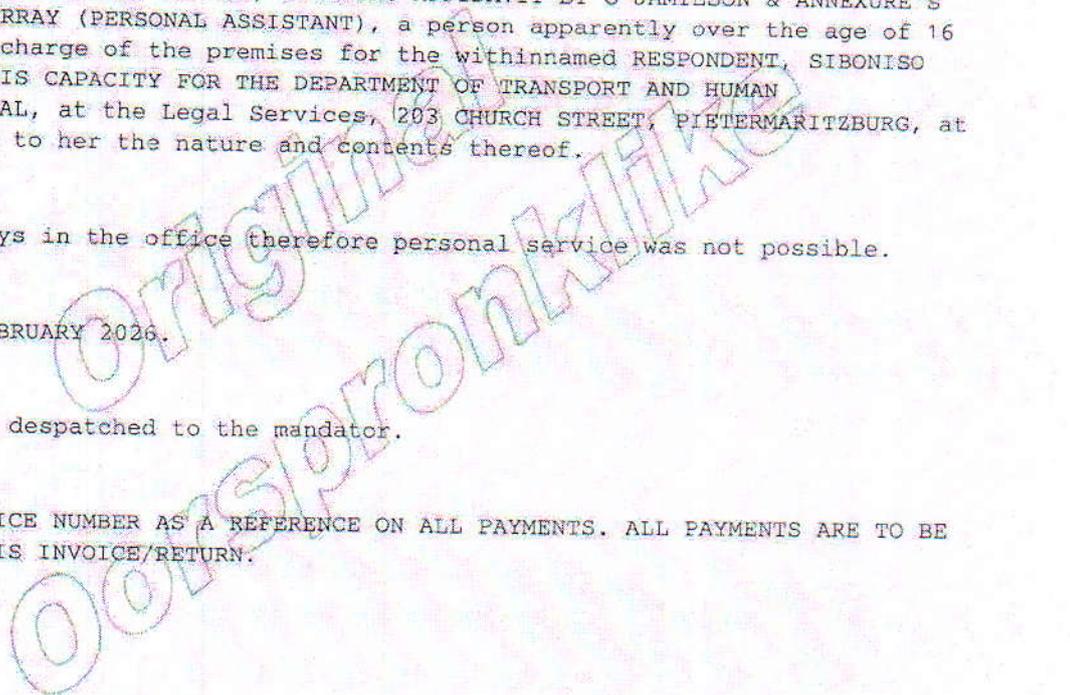
On the 12th day of February 2026 at 09:03 I duly served a copy of the attached CERTIFICATE OF URGENCY, NOTICE OF MOTION, FOUNDING AFFIDAVIT BY G JAMIESON & ANNEXURE'S ("A-K") upon MS C.P. MURRAY (PERSONAL ASSISTANT), a person apparently over the age of 16 years and apparently incharge of the premises for the withinnamed RESPONDENT, SIBONISO ARMSTRONG DUMA N.O IN HIS CAPACITY FOR THE DEPARTMENT OF TRANSPORT AND HUMAN SETTLEMENTS:KWAZULU-NATAL, at the Legal Services, 203 CHURCH STREET, PIETERMARITZBURG, at the sametime explaining to her the nature and contents thereof.

NB: The MEC is not always in the office therefore personal service was not possible.

Appearance Date: 19 FEBRUARY 2026.

The original return is despatched to the mandator.

NB. PLEASE USE OUR INVOICE NUMBER AS A REFERENCE ON ALL PAYMENTS. ALL PAYMENTS ARE TO BE MADE UPON RECEIPT OF THIS INVOICE/RETURN.



Sheriff Fees Baljuggelde	Date Datum	12.02.2026	Tax Invoice Number Belastingfaktuur Nr.	I 189240	
			Description..... Qty	Vat	Amount
			Registration	1	2.55 17.00
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			Traveling per km	8	9.60 64.00
			URGENT FEE	1	37.50 250.00
			TAX INVOICE	1	0.75 5.00
			FILE COPY	1	0.75 5.00
			Email attachment	70	115.50 770.00
			VAT / BTW 15%		192.00
					S MSHALI Deputy Sheriff A M MZIMELA Sheriff Pietermaritzburg High Court Tel: 033 394 5207 / 08 Fax: 033 394 5206 PO Box 548 Pietermaritzburg 3200 Docex 86 Pietermaritzburg Bank Detail: Bank: FNB Beach Branch BrCd: 220126 Name: A M MZIMELA AccNo: 62463338684 Email: sherifmzimela@sai.co.za
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WJ ROGERS & ASSOCIATES 183 COWEY ROAD, MORNINGSIDE DURBAN admin@durbanlegal.co.za andrea@durbanlegal.co.za			Account No. ♦ Rekening Nr. Your Reference ♦ U Verwysing My Reference ♦ My Verwysing Ret: 291682/Jaraida/1		14291 VatReg WJR/ALS/MEC
Registrar: Republic of South Africa					