

## Nuwe sekretaris



**E**LIZE van den Heever is as sekretaris van die Algemene Balieraad aangestel met ingang 1 Februarie 1996.

Sy is in Kaapstad gebore en matrikuleer aan Tygerberg Hoër in 1971. Sy doen ondervinding op in die private sektor en sluit in 1985 by die ABR aan. Sy het van September 1992 tot Januarie 1993 en weer van Oktober

1995 tot Januarie 1996 as sekretaris waargeneem.

Elize studeer tans deelyds aan UNISA. Sy woon in Florida Glen en is die ma van drie dogters waarvan twee nog op hoërskool is. As sy nog tyd kry tussen al haar verpligtinge, speel sy graag muurbaal.

## Assistentredakteur

**L**INDA Pelsler, voorheen redaksionele assistent van *Consultus*, is met ingang 1 Januarie 1996 as assistent-redakteur aangestel.

Linda is 'n gebore en getoë Johannesburger wat haar graad aan die Universiteit van Pretoria behaal het. Na 'n aantal jare in die onderwys het sy haar op vertaal- en redigeerwerk begin toespits en onder meer by die VPO en die WNNR gewerk.

Sy is getroud en die ma van drie kinders, twee hoërskoolseuns en 'n dogter in die laerskool. Die gesin woon in Lynnwood.

Linda lees graag en doen wanneer sy enigsins die tyd daarvoor het, naaldwerk.



# Legal Forum on access to justice

by M D Southwood SC,  
Pietermaritzburg

**A** citizen's access to justice needs a quick and fair adjudication of his dispute. The application of substantive law in our legal system is an esoteric subject. The citizen therefore needs assistance to get his quick and fair adjudication. This assistance, because of the training required, costs money. The adjudication, to be fair, needs rules to ensure that the truth is not obscured and, in the adjudicator, knowledge of people and the law, analytical ability and a sense of what is fair.

These matters were discussed at a Legal Forum on Access to Justice convened by the Ministry of Justice, paid for by the Swedish Government, attended by approximately four hundred delegates from all over the country and held at the University of Durban-Westville on 17 to 19 November 1995. Although a late, forced, change of venue and the consequent need to transport a

large number of delegates disrupted the published schedule, the schedule was completed. The delegates were grouped into seven groups, called Commissions, each group under a chairperson. Each group discussed several related topics, attempted to reach conclusions and then reported back its conclusions to a gathering of all the delegates.

### Lay assessors

Commission No 1 reported that it had accepted the principle that lay assessors should be used in the lower courts and that there should be further discussion about their use in the supreme court. It was felt that there should be further discussion about lay assessors' qualifications, taking into account the value of the wisdom of community people who might be illiterate, against the need to be able to keep notes of evidence, and deal with documents and legal proce-

dures of a complicate, and sometimes protracted, nature. Discussions on these two topics should proceed together. The Commission had some comments on the draft act and regulations and the draft code of conduct for assessors. It said that there should be more consultation with magistrates "in the front line" in settling the act and regulations. More particularly, their views should be sought on whether assessors should be compulsory in all cases and whether they should be fact finders, or purely advisers.

### National Attorney-General and court hierarchy

Commission No 2 felt that there should be a national prosecutorial service with a national attorney-general, there should be a comprehensive national policy incorporating uniform prosecutorial standards, selection and appointment procedures for prosecutors, remuneration, marketing the profession and ra-

*Mike Southwood SC attended the Legal Forum on Access to Justice on behalf of the General Council of the Bar. The Forum took place at the University of Durban-Westville from 17 to 19 November 1995.*