

During the conference the GCB was invited to attend the founding meeting of an association of lawyers in the Southern African Development Community countries which is to be held in Maputo, Mozambique, on Saturday, 7 August 1999. At the GCB's executive committee meeting of 17 April it was decided that three GCB representatives be sent to such meeting. 

## International Bar Association

### *Destroying law and order in Sierra Leone*

**T**he political upheaval in Sierra Leone received little publicity in the South African media. A former president of the Sierra Leone Bar Association, Mr J B Jenkins-Johnston, issued a statement at the African Regional Conference of the International Bar Association which was held at Accra, Ghana, from 7 to April 1999. The statement highlighted the brutality unleashed on members of both the Bar and the Bench, state law officers and the police, in the anarchy that followed. The statement is a practical illustration of the consequences of a complete breakdown of the Rule of Law as appears from the following:

- The first act of the rebels on entering Freetown was to smash and shoot their way into the maximum security prisons, and to release all 'the treason convicts, as well as hundreds of other hardened and seasoned criminals, who then went about looking for the judges, law officers, lawyers and police officers, who as far as they were concerned were responsible in varying degrees for putting them behind bars "unjustly."
- The Solicitor-General, who had held that office for the past 20 years, was one of the first casualties of the invasion, having been attacked and brutally murdered in his home.
- The homes of two senior judges were burnt down completely, rendering both men and their families homeless.
- As for private practitioners, one of the

members was abducted by the rebels from his home in Freetown, and taken to the hills, but was later rescued unhurt by Civil Defence Forces after the wife of one of the rebel commanders pleaded on his behalf.

- But of all the law enforcement agencies and personnel, by far the worst treatment was reserved for the police force. Reportedly some 240 policemen and women were killed. 

## Family courts

### *Talib Mukadam of the Durban Bar gives an overview of the developments at the Durban Family Court pilot project*

**I**n line with the policy of the Department of Justice to have separate family courts, the Department had identified five regions where pilot projects will be established: the regions are Cape Town, Port Elizabeth, Johannesburg, Lebowakgomo and Durban.

In Durban the local magistrates' offices had been identified as the place where the divorce court pilot project will be established. This court will be attached to the North Eastern Divorce Court which is presently housed in the ICL House, Smith Street, Durban. This divorce court will provide the right of access to all sectors of the population. It will be presided over by a family magistrate who will deal with matters relating to divorce, custody and access to minor children, maintenance and other related issues.

In July 1997 a steering committee for the transformation of the magistrates' courts was formed with representatives from various stakeholders from within the public and private sector. A family court subcommittee was entrusted with the task of spearheading the divorce court pilot project.

The family court subcommittee envisaged a family court centre that would encompass all aspects of matters arising out of family disputes. The northern section of the magistrate's court was refurbished and repainted with colour

coded areas for the various sections of the family court centre, which now included the maintenance section, children's courts, adoptions and family violence interdicts as also the new divorce court.

A vital role in the establishment of this family court centre is being played by various non-governmental organisations as well as community based organisations and there are presently offices housing the following:

- (a) The Advice Desk for Abused Women;
- (b) Peacehaven Community Services;
- (c) The Domestic Violence Assistance Programme.

In refurbishing that area of the magistrates' courts particular attention was placed on:

- (a) The physical environment;
- (b) staff; and
- (c) representivity.

With regard to the physical environment the area was repainted and signage put into place that will make the area user friendly and less abusive to traumatised people. With regard to staff training the regional offices of the Department of Justice are offering courses in consultation with various NGOs to the staff manning these areas of the family court.

The success of this project is due to the fact that it is representative of all stakeholders from the public and private sector.

The divorce court in the family court centre became operational on 1 July 1998. However, a new presiding officer, Mrs FG Luvuno, was only appointed from 1 October 1998.

During the periods 1 July to 30 September 1998 before Mrs Luvuno's appointment, a total of 85 divorce cases were heard at the New Divorce Court. During the same period a total of 307 cases were heard at the North Eastern Divorce Court. The presiding officer of the North Eastern Divorce Court, Mr GJ Madern, presided over matters at the New Divorce Court. From Mrs Luvuno's appointment on 1 October 1998 a total number of 48 cases came before the court during the period 1 October to 15 December 1998. During the same period a total of 434 cases were heard

by Mr GJ Madern at ICL House in Smith Street.

The North Eastern Divorce Court still has jurisdiction to hear matters from all over Natal. The jurisdiction of the New Divorce Court is confined to matters emanating from the Durban Magisterial District at this stage.

An open day organised by the Family Court Project Committee headed by Mr DS Rothman, the Commissioner of Child Welfare in Durban, was held on 27 November 1998. The day was well supported by representatives from various NGOs who are on the Family Court pilot project committee and in order to accommodate the large number of Zulu speaking members of the public present an interpreter was used for a large portion on the programme. The regional office of the Department of Justice also made available TV and VCR sets which screened many interesting aspects of domestic violence and this was very well received by the public.

The development of the Family Court Centre at the Durban magistrate's court is an ongoing process and inasmuch as there have been many teething problems these are being ironed out and programmes are being established on an ongoing basis to ensure that the public has access to the services being provided by the Centre. 

## Advocacy training report

*Report by Lyn Ploos van Amstel, advocacy training co-ordinator, Durban*

**T**he advocacy training programme for pupils is ongoing at all Bars, with all the bigger Bars reporting an increase in pupils numbers in the first intake of 1999. This has caused something of a strain on resources, with all trainers being called on to take part in a greater number of exercises. A great debt of gratitude is owed to all those trainers at all the Bars who give up so much of their work and private time to assist in the training of pupils.

Many of the Bars continue to offer additional training exercises such the simulated motion court exercise, the trial exercise and the appellate advocacy exercises over and above the compulsory basic litigation skills workshop.

### The National Teacher Training Workshop

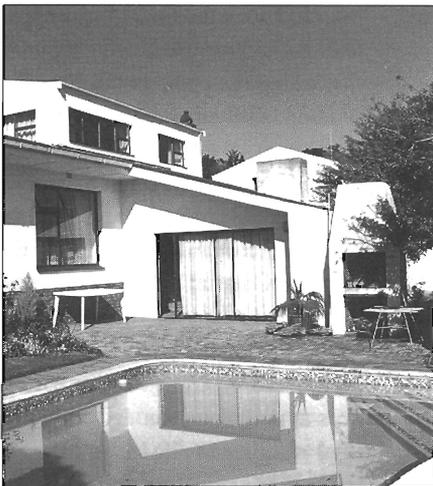
The GCB will once again be holding a national advocacy teacher training workshop during the July recess. The likely dates are 20 - 22 July and the workshop

will take place in Johannesburg or its near vicinity (the venue has not yet been finalised). At this workshop twenty-four new advocacy trainers from all the Bars will be trained in the training methods used in the GCB's advocacy training programme. Local advocacy training representatives will be looking for volunteers from their Bars to take part in the workshop and become involved in the pupil training programme at their Bars.

Anyone interested in taking part in this workshop should contact the advocacy training representative at their Bar or contact Lyn Ploos van Amstel directly on 031 306-1687 or 083-5004740.

### International Contacts

The National Advocacy Training Coordinating Committee continues to maintain contacts with equivalent bodies in other jurisdictions to ensure our trainers are kept up to date with the work that is being done in advocacy training circles in other countries. Four South African trainers have been invited to form part of the teaching panel at the Grays Inn New Practitioners Workshop on Appellate Advocacy and Ethics on 21 to 23 May this year. They are Guy Hoffman SC, Margie Victor (both from the Johannesburg Bar) and Spicko Dickson SC and Peter Olsen SC (from Pietermaritzburg and Durban respectively). 



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