

## Executive committee meeting

*Report by Halima Saldulkar, assistant honorary secretary, on the executive committee meeting held on 30 January 1999.*

The exco meeting of the GCB was held at the Cullinan Hotel, Sandton, on 30 January 1999. Delegates of all constituent Bars were present.

Even a cursory analysis of the agenda indicated that there are many challenges facing the Bar, for example topics such as the future of the legal profession, a single legal practitioners' Act, an investigation into the National Bar examinations, and the transformation of the legal profession. Strong opinions and considered viewpoints were expressed by delegates on these topics.

The chairman reported on a meeting he attended at the conference of the Society of University Teachers of Law in Bloemfontein at which the creation of a standards generating body for law was discussed. It was resolved that the GCB would nominate a member to represent the GCB on the steering committee of the body.

Problems experienced by the Bars regarding the payment of accounts by the Legal Aid Board were discussed and the chairman resolved to raise this issue with the chairman of the Legal Aid Board in order to facilitate payment to members.

It appears that the spirit of co-operation and enthusiasm that existed amongst the delegates of the GCB and Advocates for Transformation (National) ("AFT") on 25 July 1998 continues. Agreement between the GCB and AFT has been reached on all issues other than the binding nature of decisions.

The GCB also resolved that AFT would be invited to send participating observers to the next exco meeting in April 1999 and to meetings thereafter, including the annual general meeting of the GCB in July 1999.

Problems experienced at the Ciskei and

Transkei Bars were articulated and it was resolved that the Ciskei and Transkei pupils could elect to do their pupillage at the Natal and the Eastern Cape Bars respectively. In the interim, each Bar representative would arrange with the chairman of his pupillage committee to send lecture material to the secretariat from where it would be distributed to Bars who need it.

As an interim measure the GCB accepted unreservedly that a member from AFT may sit in as an observer during the oral examination at the discretion of the chairman of a particular Bar.

The North West Bar reported that the tariffs applicable in the High Court in Bophuthatswana were in accordance with the old tariffs and not with the tariff currently applicable in the rest of South Africa. It was resolved that this matter would be raised with the new chairman of the Rules Board, Justice Zandile Ngcobo.

Various applications for striking-off and disciplinary matters were discussed and the Bars were requested to keep the GCB informed of forthcoming developments.

It was generally agreed amongst the delegates that there was a need for an expansion of the GCB executive. Bars were requested to ensure that they had liaison committees to deal with GCB matters and the suggestion for the election of a second vice-chairman will be tabled at the Transformation Forum and submitted as a potential constitutional amendment for adoption at the GCB's July AGM.

With regard to the US/AID placement and subsidy scheme it was reported that it was well underway, but one of the problems experienced with regard to this aid was the insistence that the aid be provided to recent graduates only. The selection process as to which pupils would be provided with the funding had already taken place.

It was agreed that the chairman of the GCB attend the IBA council meeting in Boston on 31 May 1999.

The chairman reported that four issues of *Consultus* will be published during 1999, and the proposal for the upgrading of the

computer equipment at the *Consultus* office was accepted.

The Bars noted the recent developments in Zimbabwe which seriously imperils the traditional independence of the judiciary making it appropriate for the GCB to release a press statement in support of the judiciary in Zimbabwe.

The exco meeting concluded with the proposed dates for the next meetings of the GCB, i.e. an exco meeting in Johannesburg on 17 April 1999, and the AGM in Johannesburg on 23 and 24 July 1999. A vote of thanks was expressed to the GCB secretaries for providing unstinting support in the execution of the decisions taken at all GCB meetings. 

## The future of the legal profession

*Addressing the annual general meeting of the Law Society of the Cape of Good Hope in November 1999 the chairman of the GCB, Peter Hodes SC, commented on various views and proposals in the Justice Vision 2000 document of the Department of Justice and an issue paper published by the department's policy unit.\**

Stressing the fact that the views were his own and not that of the GCB Mr Hodes dealt, inter alia, with the following:

- ***On the creation of a single statutory body for the legal profession.***

We are told by the author of the Department of Justice's paper that transformation means change. It cannot be gainsaid that both branches of the legal profession are keenly aware of the need for transformation, but what is needed is not change for change's sake: indeed what is required is change for the better, in the interests of the search for justice, the very *raison d'être* of the legal profession. >

\* This was the first occasion on which the AGM of the Cape Law Society was opened by a chairman of the GCB.— Editor