

KwaZulu-Natal

Contributed by Wendalynn Bowler, Durban Bar

On women at the Bar

Upon reading some of the articles in 2004 August *Advocate*, I can surely identify with the writers of the some of the articles. I therefore take this opportunity to salute the women at the Bar.

I had the opportunity of attending a Total Women's Conference recently. It was very impressive. Women do (and can) make a difference.

New York exchange programme

The KwaZulu-Natal Bar congratulates Thandi Norman who was the successful recipient of a four-month exchange programme offered by the New York Maritime Lawyers' Association. I wish Thandi well and hope that she makes the most of a 'White Christmas'.

Bar activities

The KwaZulu-Natal AGM was held on 29 August 2004 at the KwaShukela Conference Centre. The members of the Bar Council are: Vahed SC (chair), Gajoo SC, Hollis SC, Hunt SC, Skinner, de Wet, Potgieter, Gani, Henriques, Combrinck and Jacobus.

Advocates for Transformation had their meeting on 21 August 2004. The chair is Joe Nxusani, and the vice-chair is Jacobus. The treasurer is Daisy Sridat, and the secretary is Fatima Dawood. The other executive members are Gajoo SC, Maharaj, Aboobaker SC, Henriques, Menon, Ameer, Giba, Khoza and Kuzwayo.

The chair of Advocates for Transformation indicated that they seek to concentrate on rejuvenating the transformation process within the judicial system.



Our cover: Design by Colette Alves. The artwork, 'Benefit of the doubt: 1, 2 and 3' by Marlene Dumas, part of the

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New silk

Mike Govindasamy SC



Mike Govindasamy was born on 15 July 1953. He matriculated at Westcliff High School, Chatsworth, and pursued his studies through Unisa whilst serving articles of clerkship in a law firm. He became partner and subsequently consultant in attorneys' firm Seedat, Pillay & Govindasamy. He joined the Bar in 1991 and took silk in April 2004. He has held two acting positions on the Bench. He is married to Sylvia and they have four children.

Pretoria

Bygedra deur Henk Havenga

Another hectic and successful year at the Pretoria Bar has gone by.

Earlier this year the Pretoria Bar honoured one of its most illustrious members, Justice Dikgang Moseneke. At a special function, perhaps the best attended for many years, the main arbitration facil-

ity at the Pretoria Bar was named after Justice Moseneke. Justice Moseneke was accompanied by his wife and children. In the main speech, the chair of the Pretoria Bar, Mabel Jansen SC, discussed the important role he played at the Pretoria Bar and related many, quite often amusing, stories from the 'good old days'. The Dikgang Moseneke Arbitration Facility is also the venue where the Bar Council holds its meetings. On the wall there is a photograph of Justice Moseneke dating back to the time when he was a member of the Pretoria Bar Council, a position he attained not through some quota system, but by popular vote. Justice Moseneke left the Pretoria Bar with the encouragement that it should take a leading role in the transformation of the legal profession, an issue which was taken seriously by the Bar.

Transformation at the Pretoria Bar

The Pretoria Bar has recently issued a press statement (see below), in which its commitment to and support for transformation of the Bar, the legal system and the judiciary is confirmed. The Transformation Committee at the Pretoria Bar is not only one of the largest (with no less than 17 members), but also one of the most active committees. The importance of this committee is borne out by the fact that both the present chair and vice-chair of the Pretoria Bar are members of the committee, assisted by other senior counsel such as DS Fourie SC, JG Bergenthuin SC, AMM Motimele SC, DA Nesor SC and MA Badenhorst SC. Of the ten junior members of the committee, seven are

The Dikgang Moseneke Arbitration Facility



Justice Dikgang Moseneke, Mrs Moseneke and Mabel Jansen SC, chair of the Pretoria Bar.

members of the AFT, of whom three – LM Molopa, SA Nthai and PM Leopeng – are also members of the Bar Council.

During the course of this year, a number of recommendations and resolutions of the Transformation Committee were adopted or approved by the Bar Council. This included the press statement below, the passing of resolutions that the Bar interrelate with the Department of Justice and the Justice College, offering its support and input in the training of judges, magistrates and prosecutors, and that the Training Committee's proposals regarding the policy on language in respect of pupil training programmes be accepted and implemented. Various other transformation issues such as sustaining and supporting black counsel at the Pretoria Bar, improvement of the pupillage system, and establishing models for equal representation on the Bar Council, were also debated.

Press statement

The full press statement reads as follows:

The Pretoria Bar supports transformation of the Bar and the legal system to ensure compliance with constitutional imperatives relating to the requirements of a democratic state founded on the values of the achievement of equality, and the advancements of human rights and freedoms, such as non-racialism, non-sexism and the advancement of the equal enjoyment of all rights and freedoms.

To this end it especially supports the advancements of junior colleagues through all possible practical channels, and especially those of the previously disadvantaged groups. It calls upon all relevant organs of government as well as the private sector in all spheres to identify opportunities in this regard and to assist it in achieving the desired result.

It also supports transformation of the judiciary to ensure that demographic realities are reflected in the appointments of judicial officers. In the interest of justice it supports the maintenance of high standards and judicial independence.

It tenders all its facilities, knowledge and experience to all relevant organs of State to assist in achieving this necessary result. It can assist in the training of all judicial officers and potential appointees, as well as prosecutors.

It confirms its commitment to achieve justice in all forums and realises that an independent Bar is essential to a democratic State.

It calls upon all colleagues, to assist it in achieving its stated duties.

Verwerwing van senior status

Erratum: George Alberts SC



In 2004 Augustus *Advocate* 15 het die Pretoria Balie berig oor nuwe aanstellings as senior advokate. Die verkeerde foto is by die berig oor George Alberts SC geplaas. Die korrekte foto word hierbo geplaas.

BP (Brenton) Geach SC



The photograph of Brenton kept its own time schedule (not unlike its master) and arrived too late for publication in the previous edition. Brenton was not keen on 'advertising' himself and little personal information about him is available. He needs no introduction however. Brenton is one of the last, and uncompromisingly so, original individuals, with a notorious sense of humour and a keen legal mind. He has reached the milestone, during 2004, of practising for 25 years at the Pretoria Bar.

25 jaar by die Balie

'n Verdere vyf lede van die Pretoria Balie het die mylpaal bereik om reeds 25 jaar hier te praktiseer. Twee van hulle, P Kemp SC en BP Geach SC, het pas senior status verwerf (sien vorige uitgawe en hierbo). Die ander lede is JPJ du Plessis SC, ESJ van Graan en TD Hopf. Veels geluk aan al hierdie lede. Ons is trots op julle.

During the past years we have regularly reported on colleagues who have practised for 25 years at the Pretoria Bar. However, some members who have been here for longer than 25 years at that time,

have been overlooked. There is still many an interesting tale to be told regarding those colleagues! One of them, Hans Fabricius SC, recently celebrated his 50th year in this country. He arrived in the Cape Town harbour on the Bloemfontein Castle on 27 December 1954. He was admitted as an advocate during March 1975 (and is therefore in his 30th year at the Bar). Judge George Maluleke was admitted as an attorney on the same day and in the same court. The two lawyers have kept contact, and Hans has over the years from time to time on the anniversary date of their admissions, reminded Maluleke J of that occasion, and commented on the changing times.

Waarnemende aanstellings

Die volgende lede het sedert die vorige uitgawe as regters waargeneem:

LJL Visser SC, CD de Jager SC, FJ Jooste SC, PC van der Byl SC, JCW van Rooyen SC en NA Cassim SC.

Cape

Contributed by Mark Greig

The Cape Bar recently welcomed the following new members into its ranks: Nono Goso, TS Madima and Siobhan Seth. Acting judges in the third term of 2004 are Geoffrey Budlender and, from the Bar, Renata Williams SC, Rudolph Hiemstra SC, Richard Goodman SC, Ashley Binns-Ward SC, Theoniel Potgieter SC and Ranjan Jaga.

On the political front, the proposed new motion of Advocates for Transformation (AFT) to amend the GCB's constitution to allow for co-governance on an AFT/non-AFT basis (rather than black/white) will be debated at the next general meeting of the Cape Bar on 6 November 2004. The chair of the Cape Bar, Owen Rogers SC, has acknowledged that the issue may become 'divisive' and appealed for members to 'consider the matter carefully, attend the meeting and be measured in debate'.

Other news at the Cape Bar is that Roelof van Riet SC recently finished 23rd in the gruelling Berg River Canoe Marathon. Tracy Dicker was blessed with a new baby son, Timothy, who was born on 29 May 2004. Hugo de Kock tied the knot with Christine Abraham on 12 June 2004. Emile Fourie (*aka* 'Mila') last month released a demo rock CD entitled 'Stallion', proving once again that the Cape Bar rocks.