GCB press statement

GCB submissions to Portfolio Committee

The General Council of the Bar of South Africa has presented detailed submissions to the Porfolio Committee on Justice on the Constitution Fourteenth Amendment Bill and the Superior Courts Bill. [See the summary of the submission on pages 25 to 32 of this issue.]

The two Bills comprise material amendments which have been proposed by the Department of Justice relating to the functioning of the judiciary.

In a statement, the GCB's chair, Norman Arendse SC, said: 'The GCB believes it is important for a rational and constructive public debate to take place regarding the proposed amendments. It has accordingly taken time to prepare a careful analysis of all the proposed amendments, and to consult widely within the Bar in this regard.

In the GCB's view, the proposed amendments contain a number of useful reforms which it supports. But in major respects it considers that the proposed amendments are either directly harmful, or require serious reconsideration. Certainly a proper analysis and debate is called for. The GCB would wish to make a useful contribution in that process.'

22 May 2006

New co-chair of Council for Barristers and Advocates

Jeremy Gauntlett SC was elected co-chair of the International Council for Barristers and Advocates at a meeting of the world Bars in London on 27 May 2006. The meeting of the council follows its third successful world conference, held in Hong Kong and Shanghai in April 2006. (One of the conferences was held in Durban.)

The council comprises the Bars of Australia, England and Wales, Hong Kong, Ireland, Namibia, New Zealand, Northern Ireland, South Africa and Zimbabwe. Their members are barristers (or advocates), practising only on instructions of solicitors (or attorneys).

Jeremy Gauntlett is a former president of the Cape Bar, chair of the General Council of the Bar of South Africa and council member of the IBA. He was a Beit Scholar at Stellenbosch and Rhodes Scholar at Oxford, and thereafter received a Harvard graduate fellowship. He has been a visiting scholar at Oxford and University College, London and an honorary professor at the University of Stellenbosch.

The 60th AGM Dinner

Contributed by Rashid Vahed SC

The 60th annual general meeting of the GCB was held in Durban on 21 and 22 July 2006. A dinner for all the delegates and other special guests was hosted by the Society of Advocates of KwaZulu-Natal. This was combined with the conferring of the Sydney and Felicia Kentridge Award upon Chief Justice Pius Langa, honouring his exceptional contribution to the development of the law in Southern Africa. The venue for the occasion was the Royal Grill at the Royal Hotel in Durban, which, for all who are familiar with its sense of history, was a fitting location for recognising the 60th anniversary of the GCB.

As the recipient of the award Chief Justice Langa was the guest of honour and he was proudly accompanied by his daughter. Other special guests included judges of the Supreme Court of Appeal and the Natal Provincial Division, and several honorary vice presidents and former chairmen of the GCB.

In his speech introducing the award, Norman Arendse SC, the outgoing chair of the GCB, noted that the evening celebrated the intersection of three momentous events: the tenth anniversary of the Constitution, the 60th anniversary of the GCB, and the recognition accorded to Chief Justice Langa. He traced the history of the GCB and also highlighted the remarkable achievements of the Chief Justice, pausing to emphasise a point that the Bar must continue to prove its relevance and value to the South African human experience and not entrench the detachment revealed in WH Auden's poem *Law like Love* where he said:

Law, says the judge as he looks down his nose,
Speaking clearly and most severely,
Law is as I've told you before,
Law is as you know I suppose,
Law is but let me explain it once more,
Law is the Law.

Judge President Tshabalala was called upon to present the award to the Chief Justice.

In his acceptance speech the Chief Justice, in a characteristic display of humility and emotion, thanked the GCB for the honour bestowed upon him. He also took the opportunity to thank the Bar for its support for the maintenance of the independence of the judiciary, referring to the role played by the GCB with regard to the recent debate on the 'Justice Bills.'

The evening was a resounding success and a splendid time was had by all.

At the GCB's 60th anniversary dinner - seated from left to right: Ms P Langa, Chief Justice Pius Langa, Ms Lindiwe Khuzwayo; standing from left to right: Jannie Eksteen SC, new GCB chair, Mrs Alna Eksteen, Judge President Vuka Tshabalala (NPD), and Norman Arendse SC, outgoing GCB chair.