

Future Leaders' Symposium

Report by Glenn Goosen SC, deputy chair of the Eastern Cape Bar, to the annual general meeting of the GCB on the Third Future Leaders' Symposium held at Port Elizabeth on 14-15 July 2006

The Third GCB Future Leaders' Symposium was hosted by the Eastern Cape Society of Advocates and held at Pine Lodge, Port Elizabeth, on 14-15 July 2006. Organisation of the Symposium was delegated by the Eastern Cape Bar Council to members of the Port Elizabeth Bar.

The Symposium was attended by 33 delegates from the constituent Bars. In addition, four members of the GCB executive committee attended.

The programme was designed to stimulate discussion of a number of key transformation related issues. The opening session, addressed by Jannie Eksteen SC (the then GCB deputy chair) and Judge J Froneman served to highlight a number of the major policy-related issues and transformation challenges that face the Bar and the Bench.

The balance of the programme addressed two broad themes, namely the internal programmes of the Bar focused on ensuring practical and effective transformation of the profession, and the broader regulatory environment within

which the Bar is now and will in the future be required to operate.

In addressing the former set of issues, delegates were treated to very informative, thought-provoking discussion papers on the challenges facing new entrants and junior entrants to the Bar; the need to develop strategies to deal with the particular position of women at the Bar; and the ongoing efforts being made by the pupillage committee and advocacy training in developing a systematic programme of skills transfer and development.

The discussion in regard to the regulatory framework focused on the current status of the Legal Practice Bill proposals and on the approach adopted in relation to the Draft Legal Services Sector Charter. Flowing from these discussions the need for careful consideration of the Clementi-based restructuring proposals was highlighted.

It should be apparent from the broad sweep of the policy issues covered, that delegates found the symposium very instructive and challenging. Certainly the feedback received from delegates suggested that the programme was very well received. In

our assessment the symposium achieved its overall purpose of exposing a layer of future potential leadership to the critical issues that face the Bar.

There is undoubtedly a need to continue to host such a symposium. Consideration should however be given to a slightly more focused approach.

Delegates to this symposium found the discussions on the challenges facing the junior Bar very stimulating and there was great deal of participation. Future symposia should try to make provision for discussion of practical strategies for transformation of the Bar. It would also assist if Bars could send larger delegations to attend the symposium, to broaden the base of leadership development at each Bar.

In organising the symposium, the Port Elizabeth Bar established a small committee consisting largely of junior members of the Bar. It is hoped that this committee will form the nucleus of a junior committee to be established in due course.

On behalf of the Eastern Cape Society of Advocates, I wish to express our appreciation to Mrs Elize van den Heever for the assistance received in organising the symposium. I also wish to thank each of the Bar chairs for facilitating the attendance of delegates and the members of the GCB exco for their support and attendance. 

GCB reports

The following are extracts from some GCB committee reports submitted at the annual general meeting of the GCB on 21-22 July 2006:

Road Accident Fund Subcommittee

The Department of Transport during the year introduced an Amendment Bill to the Road Accident Fund Act (the Bill). The Bill was objectionable in a number of respects. It would have the effect of dramatically reducing the compensation to which injured road accident collision victims are entitled, whilst at the same time doing away with their common law right to sue their wrongdoer for the balance of their damages. The subcommittee made submissions to the

Parliamentary Portfolio Committee on Transport which submissions, unfortunately, were not accepted and the amendments were passed by Parliament late in 2005.

The amendments have not yet taken effect. They will only do so on the promulgation of various regulations. Latest indications are that these regulations are likely to be promulgated in July, although it might be later. The later, the better.

The effect of the Bill both on the legal profession and the motoring public will

be dramatic. To our knowledge, steps are being taken to challenge the constitutionality of the taking away of the common law right. The outcome of such challenge is, however, uncertain.

Regulations regarding the method of assessing serious injury for have been promulgated and will be commented on.

Professional Ethics Committee

A proposal to introduce a rule which relaxes the requirement of attendance by the instructing attorney when counsel appears was considered by the committee. The matter still serves before the GCB.

The committee is in the throes of completing a draft response by the GCB to a proposal from the IBA that its International Code of Ethics be amended. This matter will serve before the GCB in due course. 