



Midmar speedsters:
From left to right (standing):
Reenen du Plessis, Magnus
de Wet, Alan Dodson,
André Gautschi SC, Alan
Laplough, Roelof du Plessis
SC, Judge Colin Lamont, Liz
Kriegler, Isabella Kriegler,
Martin Kriegler, Michael
Kriegler

From left to right (seated):
Amelia van der Merwe, Carel
van Heerden, Deanne Wood,
Joni Raff, Irene de Vos

In memoriam

The late Judge Mahomed Jajbhay

In his tribute to Judge Jajbhay in the South Gauteng High Court on 10 May 2010, the chairman of the Johannesburg Bar, Lötter Wepener, said inter alia:

'Judge Mahomed Jajbhay, who died at the age of 52, was a respected judge of the High Court in Johannesburg. He obtained the BA degree at the University of Durban-Westville and completed his LLB at the University of the Witwatersrand in 1983. He also obtained an LLM degree in 1996 and a Certificate in Banking Law. During his initial years of practice he became known for his assistance to those in need and he conducted numerous political trials and labour related cases. His career included that of an advocate and commissioner at the Commission for Conciliation, Mediation and Arbitration before gracing the

Bench in Johannesburg. He also served on the Electoral Commission, the CCMA, the Land Claims Court and as a judge in the Labour Court. He was granted silk in 2002 whereafter he was appointed as a High Court judge.

His love for cricket which was developed in his early schooling continued and he became the chairman of the Gauteng Cricket Board and served on the General Council of Cricket South Africa. He proudly served as a patron of the South African Sports Law Organisation.

Judge Jajbhay was responsible for a number of groundbreaking judgments in his all too short a career as a judge. In 2007 he ruled in favour of media freedom in a matter involving a minister of state when he found that there was a pressing need for the public to be informed about controversial information the newspaper had obtained. In *City of Johannesburg v Rand Properties (Pty) Ltd and others* 2007(1) SA 78 (W), he ruled that the City of Johannesburg was obliged to provide

alternative housing to persons being evicted from buildings in the city.

Mahomed Jajbhay remained active in his local community where he served a number of charitable organisations and he will be remembered as a man who has given unselfishly to others. In his application to become a judge he was asked: "What would you regard as the most significant contribution to the law and the pursuit of justice in South Africa?" His reply: "Trying to weave elements of equality, humanity and compassion within the fabric of our conduct and the formal structures of the law". He was indeed such a man and this ideal is reflected in paras 65-66 of his judgment in *The City of Johannesburg case* (supra).

The Bar, the attorneys' profession and the Directorate of Public Prosecutions mourn the loss of a distinguished judge and extend our condolences to Mrs Jajbhay, their children and family.'

The Johannesburg Bar: yesterdays and tomorrows

By Roland Sutherland SC and Desirée Lundström, members of the Johannesburg Bar

Opening of the Johannesburg Bar archives and moot court

In 2002, when the Johannesburg Bar marked its centenary, the Bar Council resolved that an archive be established to catalogue its history.

The publication of a commemorative book narrated some notable moments of the Bar's first century. However, this account was largely anecdotal. The inadequacies of the archival record of the Johannesburg Bar was exposed when evidence was assembled in the 1990s for submission to the Truth and Reconciliation Commission about the Bar's role in upholding the rule of law and resistance to apartheid. It was apparent that a comprehensive, systematic project was essential to

do justice to the Bar's history. The purpose of an archive would be to facilitate optimal preservation of, and easy access to, valuable documentation which related the history of the Bar, especially its role in South Africa's legal profession and the public issues of the day.

Dorothy Wheeler was appointed as Bar archivist in 2002 and tackled the mammoth task of cataloguing documents, minutes of Bar Council meetings, other records and photographs to create a comprehensive index spanning, initially, the period 1902-2004. That index, now annually updated, is the means of access to the historical collection. Records are now also being kept of the careers of members of the Johannesburg Bar from the time of their application for pupillage