

Kwazulu-Natal

By Kerusha Pillay and Andreas Coutsoudis

New members

The KwaZulu-Natal Bar has recently boasted a remarkable increase in membership, which has been accompanied by a boost to the transformation of the profession with several women joining us. Some of the new members are:

Pietermaritzburg

Greg Ender, previously an attorney for twelve years, four of which were at Lynn & Berrange Inc. He thereafter ventured into his own practice for the remaining eight years.

Christiaan Hattingh, previously a regional court prosecutor in Pietermaritzburg between 1997-2000. He subsequently practised as an attorney at Wessels & Hattingh Inc, his own firm, from 2001-2008.

Thiroshnee Manicum, who practised as an attorney for two years and worked as a Legal Officer at the Land Claims Commission in Pietermaritzburg for approximately ten years.

Indhera Rajah, previously employed at the office of the Master of the High Court, Pietermaritzburg, for approximately seventeen years. She worked as the Assistant Master and later joined LMD Africa.

Rocky Ramdass, who prior to joining the Bar, practised as a medical doctor for a period of twenty years and is a specialist in family medicine.

Sibusiso Zondi, who worked for a year at the Labour Appeal Court in Johannesburg as a judge's assistant.

Durban

Kelsey Allen practised as an attorney at Farrell & Associates in Durban from 2003-2006. She then worked at Edward Nathan Sonnenbergs in Johannesburg during 2008. Admitted as a solicitor in England & Wales.

Tertia Backman was admitted as an attorney in 2001. She practised at DM Kisch Inc in Sandton, specialising in trade mark law. She was a judge's clerk at the South Gauteng High Court from 2007-2009.

John-Paul Broster was as a candidate attorney at Cox Yeats from 2006-2007. He worked there as a professional assistant during 2008.

Belinda Hartwell, who worked as a candidate attorney at Beall, Chaplin & Hathorn in Hillcrest from 2007-2008.

Willem (Willie) Diederik Lombard was a public prosecutor for six years and was a magistrate for thirteen years.

Matthew Swain was admitted as an attorney and practised as an associate at Deneys Reitz Inc during 2008.

We welcome all of the new members to our Bar and wish them every success in their respective practices.

Several of the new members could not be contacted at the time this article was compiled and unfortunately their details have been omitted.

New chambers

The Pietermaritzburg Bar is rapidly expanding with eleven new members having commenced practice during the course of the past two years. Consequently, an additional set of chambers has been acquired; these are situated relatively close to the existing chambers. These chambers are occupied by the new members mentioned above. All the necessary renovations are now complete and the result is an elegant, modern set of offices. Members have settled in well and we wish them the best of luck at their new premises.

Pupils

The pupillage programme for 2009 was a resounding success. The Durban Bar had twelve pupils whilst the Pietermaritzburg Bar had six. Seventeen of the eighteen pupils successfully completed the intensive programme, a pass rate which is indeed impressive. We express our gratitude and appreciation to the pupillage coordinators, the advocacy trainers, the subject tutors, the mentors and all those who assisted.

Silks: 2009

Five members took silk during the course of last year. This is an important milestone in their careers and they are congratulated on their outstanding achievement, which doubtlessly involved a great deal of hard work, dedication and determination. They are indeed exemplary role models to the junior members of the profession. The newest members to attain senior status are:

Pietermaritzburg

Eddie Lotz SC

Piet Bezuidenhout SC

Rob Seggie SC

Christo Van Schalkwyk SC

Durban

Michael Smithers SC

Judiciary

By Laurence Broster SC, Andreas Coutsoudis, and Kerusha Pillay

The Bench

The KZN Bench has seen many judicial comings and goings in the last months. In particular, both the Judge President, Vuka Tshabalala, and Deputy Judge President, Phillip Levinsohn, retired after many years of service, and Judge Herbert Msimang has been appointed as the new Judge President. Two new judges have also been added to the ranks of the KwaZulu-Natal Bench; they are Graham Lopes SC, and Judge Dhayanithie Pillay who comes to the KZN Bench after retiring as a judge of the Labour Court. Also worthy of mention are the recent appointments of Judge Ndlovu and Judge Wallis to the Labour Appeal Court, and Rob Griffiths SC, who practised at the Pietermaritzburg Bar, to the Eastern Cape Bench. The following are biographies of the retiring Judge President and Deputy Judge President, together with a biography of the new Judge President and the two appointments to the Bench from the KZN Bar.

Retirement of Judge President Vuka Tshabalala

In December 2000 Vuka Eliakim Maswazi Tshabalala was appointed Judge President of KwaZulu-Natal High Court. After ten years at the helm of the judiciary in this province he retired in April 2010.

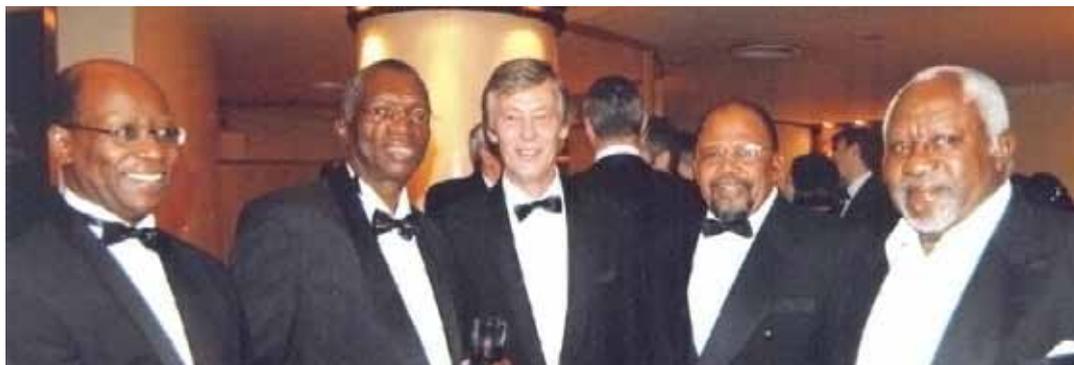
Judge Tshabalala was born on 23 March 1937 in Orlando East, Johannesburg. He attended the Universities of Fort Hare and Natal, where he obtained his BA and LLB degrees, respectively; the degree of LLD (*honoris causa*) was awarded to him by the University of Zululand in 1997.

Judge Tshabalala completed his articles of clerkship in 1966 and came to the then Natal Bar in 1969, obtaining senior counsel status in September 1994. He was appointed to the Bench of the Ciskei Provincial Division on 1 March 1995. From the Ciskei Bench he was appointed as Deputy Judge President of the Natal Provincial Division from 1 February 1999.

At the Bar dinner which was held on the occasion of his retirement (and that of Chief Justice Langa), the chairman of the Bar Council, Peter Olsen SC, had the following words to say:

'Fairness of mind, fairness of spirit and respect for the whole of the community of South Africans have characterised Judge Tshabalala's curatorship of our Province ... [Y]ou [Judge Tshabalala] have made a happy time of it for the Bar. You have respected every-

one, and done everything you could to help when it was needed. You have been accessible and given the Bench a more human face than it has ever had before ... We have been enriched by your warmth of spirit ...'



At the KZN Bar Dinner: Marumo Moerane SC, former Chief Justice Pius Langa, Chairman of the Bar Council Peter Olsen SC, President of the SCA Justice Lex Mpati and former Judge President Vuka Tshabalala.

Retirement of Deputy Judge President Phillip Levinsohn

Phillip Levinsohn studied at the University of Witwatersrand and then joined the Department of Justice. He was admitted as an advocate in Natal in 1971 and took silk in 1988. On 1 June 1990 he was appointed to the Natal Provincial Division Bench. He recently retired as Deputy Judge President of the Division after nearly 20 years service.

While at the Bar he served as a member of the GCB Board of Examiners and on the Bench he became the longest-serving judge moderator of the Board of Examiners. He is the only judge to have been invited to continue as the judge moderator after his retirement. This illustrates his abiding interest in the development of aspirant advocates.

New appointments



Judge President Herbert Qedusizi Msimang

Judge Msimang graduated with a BJuris from the University of Zululand, an LLM from the Tulane University of Louisiana (USA) and an LLB from the University of South Africa. After lecturing private law at the University of Zululand, he went on to practise as an advocate at the Maseru Bar and later as an attorney in Mpumalanga and KwaZulu-Natal. He was appointed as a judge of the

KZN Division at the beginning of 2002. His contribution to the legal profession as well as to the community is admirable. He has served as a member of the Law Society's Examinations Panel and has sat as a Commissioner of the Small Claims Court. He has served as a member of the Governing Council for the Indumiso Teachers' Training College, he was a non-executive director of the Ithala Development Finance Corporation and is presently a member of Grey's Hospital Board. He was elected chairman of the Board of Trustees for the Umgeni Aids Centre, a non-governmental organisation, and was appointed as a member of the Town Planning Appeals Board. Judge Msimang is married with four daughters.



Judge Robert Elliot Griffiths

Judge Griffiths, a former Hilton College pupil and alumnus of the University of KwaZulu-Natal, has been a member of the Pietermaritzburg Bar for 31 years, taking silk in 2007. Prior to this he worked briefly as a prosecutor, a magistrate, a state advocate and a legal advisor for Mutual and Federal. He has been a part-time lecturer at the University of KwaZulu-Natal, an external examiner for the

university and an oral examiner for the National Bar Examinations Board. At the time of his appointment he was the chairman of the Pietermaritzburg Bar Committee and has previously served as a member of the KwaZulu-Natal Bar Council. He has served as the Bar representative for the Pietermaritzburg Small Claims Court Committee and has sat as a commissioner of this court. He has assisted numerous indigent persons with their appeals and participated in the local initiative to clear the appeal backlog by assisting as an acting judge. He has acted as the local reporter for Juta & Co for the past eighteen years in respect of the South African Law Reports and the South African Criminal Law Reports. He is in a lifelong partnership with Advocate Igna Stretch and has two sons and a daughter.



Judge Graham Lopes

Judge Lopes graduated from the University of KwaZulu-Natal, Durban with a BComm, an LLB and a Postgraduate Diploma in Maritime Law. He began his career as a prosecutor at the Durban Magistrates' Court and was soon appointed as a prosecutor at the High Court in Pietermaritzburg. He joined the Durban Bar in 1982 and took silk in 2003. He has been actively involved in the pupillage programme, serving

as an examiner of the National Bar Examinations Board and was the convenor of the Durban Advocacy Training Programme between 2006 – 2009. Judge Lopes has been a member of the KwaZulu-Natal Bar Disciplinary Subcommittee and has sat as the chairman of the Income Tax Board since 2005. He is married and has two sons. 