

APPLICANT: ADVOCATE OLAV HARALD RONAANSEN SC

**COURT FOR WHICH CANDIDATE APPLIES: EASTERN CAPE
DIVISION OF THE HIGH COURT, GRAHAMSTOWN**

1. The candidate's appropriate qualifications

1.1. BA (University of Stellenbosch);

1.2. LLB (University of Stellenbosch).

2. Whether the candidate is a fit and proper person

2.1. The candidate is a fit and proper person to be appointed as a judge of the High Court.

3. Whether the candidate's appointment would help to reflect the racial and gender composition of South Africa

3.1. The candidate is a white man. Although the candidate's appointment would not help to reflect the racial and gender composition of South Africa, the candidate has significant experience which would contribute to the judiciary in circumstances where, on the Grahamstown Bench, there is only one white man permanently appointed.

4. The candidate's knowledge of the law, including constitutional law

4.1. The candidate has a broad knowledge of the law, particularly in civil litigation, and has experience as a prosecutor, attorney and has been practicing as an advocate at the Eastern Cape Society of Advocates from 1988 to 1992 and 1999 to the present.

5. The candidate's commitment to the values of the constitution

- 5.1. There is nothing to suggest that the candidate is not committed to the values of the Constitution which is reflected in his previous experience in the legal fraternity as well as in his judgments.

6. Whether any judgments have been overturned on appeal

- 6.1. Only one of the candidate's judgments has been taken on appeal however the appeal has not yet been heard or adjudicated.

7. The extent and breadth of the candidate's professional experience

- 7.1. The candidate has extensive professional experience and in particular as a prosecutor, attorney and practicing advocate and was given senior status in 2016. The candidate was also a commissioner of the Small Claims Court between 1999 and 2020.

8. The candidate's linguistic and communication skills

- 8.1. The candidate's linguistic and communication skills are excellent as appears from the judgments which he has authored.

9. The candidate's ability to produce judgments promptly

- 9.1. The candidate has the ability to produce judgments promptly as evidenced from his judgments which he has provided in his application with the longest having taken four months to deliver.

10. The candidate's fairness and impartiality

10.1. The candidate has evidenced fairness and impartiality in the hearings over which he has presided.

11. The candidate's independent mindedness

11.1. The candidate is independent minded.

12. The candidate's ability to conduct court proceedings

12.1. The candidate has an excellent ability to conduct court proceedings.

13. The candidate's administrative ability

13.1. The candidate's administrative ability is excellent as also apparent from his judgments and the generally timeous delivery thereof.

14. The candidate's reputation for integrity and ethical behaviour

14.1. The candidate's reputation for integrity and ethical behaviour is beyond reproach.

15. The candidate's judicial temperament

15.1. The candidate has an excellent judicial temperament and shows respect for all legal practitioners who appear before him while keeping control over court proceedings.

16. The candidate's commitment to human rights, and experience with regard to the values and needs of the community

16.1. As evidenced in his judgments the candidate is committed to human rights.

17. The candidate's potential

17.1. Although the candidate will be approximately 65 years of age if appointed by the Judicial Services Commission and accordingly be appointed for a maximum of 10 years, his experience will be invaluable to the Grahamstown Bench which has lost a significant amount of experience in the last 18 months due to retirement and/or elevation.

18. The message that the candidate's appointment would send to the community at large:

18.1. The message that the candidate's appointment would send is that the Grahamstown Bench would be reflective of the demographics of South Africa generally and acknowledge the need for experience on the Bench.

ANNEXURE: LIST OF JUDGMENTS CONSIDERED

Reported decisions

Borchards & Another vs Duxbury & Others 2021 (1) SA 410 (ECP)

Unreported Decision

The unreported decisions of the candidate which are attached to his application have been considered.

Judgments upheld on appeal:

Judgments overturned on appeal: