

# GCB has new Executive Officer: Lilané Hattingh

Jeremy Muller SC, GCB Chair



New GCB EO Lilané Hattingh

Elize van den Heever lost a long battle with illness in the course of last year, and the GCB lost a long-standing, and much loved, Executive Officer. The December 2015 edition of *Advocate* reproduced the eulogy delivered at her funeral on behalf of the GCB by the vice-chair, Craig Watt-Pringle SC. It included a selection of the tributes which had poured in from all quarters, including past chairs of the GCB and Judges of the High Court and the Supreme Court of Appeal, which aptly reflected the high regard in which Elize had been held by so many.

After a careful search, we have found a successor to Elize. Lilané Hattingh became the GCB's Executive Officer on 1 November 2015. Lilané is mother to three young children. Previous positions held by her include board secretary to a private company and personal assistant to the Chief Financial Officer of the National Energy Regulator of South Africa. She also has a background in marketing management and is close to completing her CIS qualification from the Institute of Chartered Secretaries of South Africa.

Lilané had to hit the ground running. Quite apart from her daily duties, after less than five months in the position she is already a veteran of two Exco meetings; the Wallenburg Advocacy Training week held at Stellenbosch in January; the National Bar Examinations held late last year; a special meeting of the NBEB called to hear representations on behalf of a number of pupils who had not passed the Bar examination at the first time of asking; and a meeting of the editorial board of *Advocate*.

Despite a background which did not include any prior connection with the Bars, in the short time that she has been with us Lilané has shown that she possesses the initiative, the tact and the industry which the increasingly-onerous position of Executive Officer of the GCB demands. She is already, and will in time become more so, an asset to the GCB.

One of the tributes to Elize mentioned by Craig in his eulogy noted that, if ever there was an exception to the rule that "no one is irreplaceable", it was Elize. That, of course, is true, but in the short period she has been our Executive Officer, Lilané has begun to put her particular stamp on the position. I have no doubt that she will in time carve her own distinctive legacy and prove to be a worthy successor to Elize van den Heever. **A**

# GCB condemns attack on counsel outside court

The General Council of the Bar (GCB) condemned in the strongest terms the physical attack on Advocate Nico du Plessis, carried out by a mob outside the Tonga Magistrate's Court on 21 January 2016, apparently because he appeared as counsel on behalf of his clients who were facing charges of alleged child kidnapping and murder.

In a Press Statement at the time, GCB chair Jeremy Muller SC said, *'It is imperative to the proper administration of justice, the rule of law and the right to a fair trial – which are foundational principles and fundamental rights under the Constitution of the Republic of South Africa, 1996 – that legal practitioners be permitted, unhindered, to advise and represent all who stand accused of criminal conduct, however heinous the alleged offence and regardless of the perceived merits of the case.'*

*'It is the role of the courts – not of legal practitioners – to judge the merits of the case.'*

*'Both as a matter of law and of long-standing legal professional tradition in South Africa, advocates are ethically precluded from refusing to represent clients on the basis of the client's possible guilt, personal affiliations, religious convictions or political persuasion. As a general rule, counsel are obliged to take any case in which they are instructed by an attorney provided they are available and the matter is one involving work of the kind that counsel usually undertakes.'*

*'It follows that Mr du Plessis was, according to reports published in the media, severely beaten for discharging his professional duty fearlessly to represent clients regardless of the crimes with which they stand accused. The attack on Mr du Plessis is not just one on his physical person, but an attack on the rule of law itself.'*

***'The GCB welcomes the widespread condemnation which this conduct has attracted, as expressed by several other professional bodies and by the media, and calls upon the South African Police to ensure that the perpetrators of this crime are brought to justice and to ensure the safety of legal practitioners discharging their professional duties to accused persons,' Mr Muller said. A***