

Cape Bar

Contributed by **Patrick MacKenzie**

THE CAPE BAR'S NEW SILKS by **Dirk Coetsee**

The Cape Bar and its members are proud to report that the President conferred the honour of silk status to the following members during 2017 and 2018.



AJAY BHOOPCHAND

Ajay Bhoopchand was born in Isipingo on the KwaZulu Natal south coast. He completed his schooling there before moving to Cape

Town to study medicine and surgery at the University of Cape Town. He practised as a medical doctor in the public and private sectors before beginning his studies in law, in successful pursuit of another of his childhood ambitions. He joined the Cape Bar in 2004. He has served as chairperson of Advocates for Transformation, Western Cape in 2009 and remains a member of AFT. His other interests include wildlife and bird photography.



EWALD DE VILLIERS-JANSEN

Ewald De Villiers-Jansen matriculated from Gordon Senior Secondary School in Somerset West. He completed a B.Proc and LLB at the University of the Western Cape and a Post Graduate Diploma in Tax Law at the University of Cape Town.

Prior to joining the Bar in 1998, he worked as a Legal Adviser for Caltex Oil (SA) (Pty) Ltd.

Outside the Bar, he serves as the Chancellor of the Diocese of False Bay and on the Executive Committee of the Anglican Canon Law Council of Southern Africa.

He and Hayley have two children, Kelly and Alexander, and a grandson, Jadon.



BRENTON JOSEPH

Brenton Joseph obtained a BA (Law) degree from the University of the Witwatersrand and an LLB degree from the University of the

Western Cape. After graduating in 1994, he served articles with the UWC Legal Aid Clinic after which he practised as an attorney with Mallinicks Inc in Cape Town. From April 2000 to March 2006, he served the Western Cape Education Department as a Senior State Law Adviser. He was admitted as a member of the Cape Bar in December 2006. He is married with five children, enjoys cooking and playing the guitar.



DAVID MELUNSKY

David matriculated at St Andrew's College in Makhanda and thereafter completed a BA LLB at the University of Cape Town.

He worked at the Legal Resources Centre and the Human Rights Trust in Port Elizabeth in the late '80s. After travelling in Europe and central Africa, broken by a stint of national service, he joined the Cape Bar, where he developed a practice of a broad commercial nature. He obtained an LLM (Marine Law) in 1998; assisted Judge Cooper with *Road Transport*; undertook editing for Juta; and trained candidate attorneys in High Court work. Formerly a keen club cricketer and runner (five Comrades and 10 Two Oceans), he now tries to play masters' hockey. He and Kim have two sons and a daughter.



GUY ELLIOTT

Guy Elliott joined the Johannesburg Bar in 1991 after studying at the University of Cape Town. He also worked in Johannes-

burg at the JCI head office for two years after completing national service. He moved back to Cape Town in 1998 where he joined the Cape Bar. He has a general commercial practice. Outside of the Bar, he enjoys mountain biking, watching sport (cricket, rugby and athletics) and walking the dogs on the mountain and beach. He has a weakness for fine reds from the Stellenbosch area. He and Emma have three children.



KARRISHA PILLAY

Karrisha has been practising as an advocate at the Cape Bar for the past 18 years. She undertakes work in a wide range of areas and has a

particular interest in constitutional law.

Prior to beginning practice, Karrisha worked as a researcher at the Community Law Centre at the University of the Western Cape. Karrisha has written on the subjects of socioeconomic rights, poverty and the role and responsibilities of various organs of state. She has also co-edited a book entitled: *Socio-Economic Rights in South Africa*.

Karrisha has served on the Boards of several non-governmental organisations and community-based organisations. She currently serves as a member of the Western Cape Provincial Council; is the vice-chairperson of the Cape Bar Council; and a member of the Board of the Dullah Omar Institute.

Karrisha holds the following degrees: BA (Law) (UDW) LLB (UCT) LLM (UCT).



GRAHAM LESLIE

Following an eventful three years of university in Pietermaritzburg, Graham Leslie moved to the relatively calmer pastures

of the University of Cape Town where he completed his LLB and, subsequently, his LLM degrees. Before joining the Cape Bar in 2002, Graham worked in various capacities in London, where it became clear to him that he was not cut out to be a solicitor. Today, his practice is primarily in labour law and related areas, including pension funds law. Graham is a keen golfer and epicurean in the modern sense. He and his wife Aymone (also at the Cape Bar) have two children.



DAVID BORGSTRÖM

After studying at the University of Cape Town, David Borgström took a meandering journey before joining the Bar in January 2002. He

travelled, taught at UCT, studied at Duke University (in the USA), served (part of) articles and clerked to Justice Laurie Ackermann at the Constitutional Court. He mainly practises in public law. He enjoys art and longs to be a wine snob, although he is let down by a somewhat mediocre palate.



RON PASCHKE

Ron Paschke obtained his BSc and LLB from the University of Natal (Durban). Before joining the Bar, he did articles in the

Constitutional Litigation Unit of the Legal Resources Centre, was the Legal Officer for the SA Human Rights Commission, and was the Director of Research and Technology in the Ministry of Justice. He joined the Cape Bar in 1999 and his main area of practice is public law. Ron has served on the Bar Council and is an active member of several Bar Council committees. He strives for minimalism and enjoys integrating technology and systems thinking into his practice.



MATTHEW BLUMBERG

Matthew Blumberg joined the bar in 2002, after studying at the University of Stellenbosch. Matthew follows Philip Roth's credo of 'No

optional striving'. Outside of practice and parenting, he does as little as possible.



PIETER BOTHA

Pieter Botha completed his LLB at the University of Stellenbosch in December 1986. He then joined the Department of Justice

as a prosecutor at Wynberg Magistrate's Court. In 1992, he joined the staff of the Attorney-General's office in Cape Town. In 1993, he was seconded to the Commission of Enquiry into the Affairs of the Masterbond Group of Companies, chaired by the Honourable Mr Justice Hennie Nel, to assist with the investigation, presentation of evidence and cross-examination of witnesses. Pieter commenced practice at the Cape Bar in December 1995. His main areas of practice are criminal and commercial law, as well as delictual claims. Pieter is also an accredited commercial and civil mediator. He has four children; Andre, Bienke, Tessa and Jonathan.



MIAS SCHREUDER

Mias Schreuder matriculated in 1976 from Nurerus High School, just north of the Knersvlakte in Namaqualand. He com-

pleted a BA and LLB at the University of Stellenbosch by the end of 1980, before being drafted into PW Botha's army for compulsory military service. Because he was a graduate, he became a legal officer, mostly involved in military court martials, with all the privileges that accompanied the position of an officer at the time.

Prior to joining the Bar in 1992, Mias practised as an attorney for seven years in the Strand.

A few years ago, Mias completed a Post Graduate Diploma in Economics for Competition Law at Kings College, University of London.

His practice is primarily in commercial, environmental and administrative law. Outside of his work at the Bar, he enjoys subjecting his family and his (few) friends to his rustic cooking efforts and visiting Namaqualand as often as possible to enjoy the unique humor and storytelling skills of its people. Mias and Bonita live in Somerset-West and have two daughters.



HANRI LOOTS

Hanri Loots grew up in the Eastern Cape, and obtained his legal qualifications from Stellenbosch University. He completed articles at what

used to be known as a small Cape Town law firm, which today would probably be called a boutique law firm. After five months of pupillage, Hanri joined the Cape Bar in 2000. Because Alan Newton, in the pub of the then 5 Flies Restaurant (now Hanri's chambers), said to him that you must stick with a job for three years otherwise you look like a flake, Hanri did so, and is still at it after 19 years. Outside of his life at the Bar, Hanri sails, plays guitar, trail runs, and enjoys a good meal with good wine and good friends. He is married to Nicola Caine, has two children (Alexander and Sofia), and a dog called Willem.



FRED SIEVERS

Fred Sievers was raised in Bizana in Eastern Pondoland, which is located halfway between Izingolweni and Magusheni. He

attended Bizana Primary School where he was consistently first in his class. The only other pupils in his class were the local jailer's twin daughters, Isobel and Phoebe. No one wore shoes to school; whatever clothes they liked; and only had to cut their hair for the school inspector's irregular visits.

From standard five to matric he attended Kearsney College in Botha's Hill as a boarder. He was not consistently top of the class; there were strict uniforms; and their hair was cut every two weeks. He preferred Bizana Primary and missed the twins.

Thereafter Fred studied at UCT, graduating with a BA LLB. He completed articles and practised as an attorney in Cape Town before working as a legal adviser to an insurance company.

He joined the Cape Bar in 1990 and has been acting as a judge in the Western Cape Division since 16 April 2018.

He likes all dogs but has a preference for German breeds, having co-habited with a pair of Dobermans, Weimaraner and currently German short-haired pointers. He claims to be prepared to make an exception for wire-haired fox terriers and their inherent lawlessness.

He has a wonderful wife, Elmarie, who is very kind to the dogs.



LADIES LEADING BY EXAMPLE

by Nathanael Mauritz, Cape Bar

The Cape Bar's Junior Bar Committee's (JBC's) transformation initiative for 2019 was to celebrate women at the Cape Bar. To that end, in conjunction with the Cape Bar's Transformation Committee, the JBC co-hosted a panel of the Cape Bar's female silks, who shared their personal experiences and offered helpful guidance to young female practitioners.

In the proverbial hotseats were, in order of seniority, Williams SC, Bawa SC, Golden SC, McCurdie SC, Davis SC and Pillay SC.

The panel focused on issues and topics of specific relevance and importance to women at the Cape Bar, and was intended to serve as a platform from which to share their unique experiences, with young female juniors in particular, but also to provide all members with an opportunity to learn from the wisdom of senior counsel.

These were among the topics discussed:

Gender – The challenges faced by women at the Bar (and the profession in general) was a particularly important topic. The panelists shared their own experiences on how they overcame these challenges, which included sexual harassment, sexism (be it from clients, colleagues or judges), stereotypes, discrimination, female competition, and discrepancies in fees and briefing patterns.

Practice – The panelists offered their personal views on how a young female junior might build their practice, the type of briefs that they had received, the nature of that work, managing clients, leading a team as a senior and acting as a judge.

Race – Another important topic covered was how they addressed racism and navigated racial politics, particularly from a female perspective. Insights on how it manifests, how to address it, what tools and systems may be used to tackle it were exchanged; and

Accolades – Particular focus was given to encouraging young female members to pursue leadership roles at the Bar, the judiciary, local communities, educational programmes and initiatives, and presenting advocacy training workshops locally and abroad.

The event was enthusiastically attended by both male and female members of varying seniority.

It was rewarding to honour the Cape Bar's female silks and also to create a platform to share their wisdom, to give a voice to their experiences and to recognise their accomplishments and achievements. [A](#)

THE ANNUAL CAPE BAR QUIZ 2019

by Ruan Kotze

On 19 September 2019 the Junior Bar Committee hosted the third annual Cape Bar Quiz, welcoming 96 contestants competing in 13 teams to the latest installment of this distinguished and hotly contested competition.

Prior to the event, most bookies had the odds set firmly in favour of a repeat victory for last year's winning team, *Norfolk and Chance* (a competition mainstay comprised mainly of Maddison, the Fitzgerald Jnrs and the deadly Vaughn/Prain combo).

The evening got off to a very bumpy start with the quizmaster (or mistress in this case?) arriving about 90 minutes late only to discover that she had brought the incorrect microphone and a screen that was about the size of an A3 page.

The resultant delay gave the teams a lot of time to both get a head start on their refreshments and complain about their table allocations. The pupil team *Amicus Curious*, who were seated at the bar counter, objected to their inferior seating allocation and proceeded to erect a ramshackle structure directly behind what is perhaps the most glamorous of the regular teams: competing this year

under the rather dubious name of *Quizzie Rascals*.

The latter team were incensed and demanded to know why they had been 'disrespected' with a table at the back of the room, next to the unsightly pupil structure no less. The *Quizzie Rascals* quickly had a team of waiters collect their table and deposit it on more valuable real estate.

In the meantime, the Quizmistress had confessed under cross-examination to not having attended the venue beforehand to conduct the contractually agreed sound check. As the venue's sound system was now determined to be beyond our reach we had to improvise with the one speaker we had, and with teams squinting their eyes to read the questions and cupping their hands behind their ears to hear the Quizmistress, the 2019 Quiz finally kicked off.

It was, as expected, a hotly contested competition with several teams (other than *MacRobert de Niro* and the *Denny Cranes*) making a strong play for the leader board right out of the starting blocks. Some turbulence was encountered, however, when the Quizmistress, bless

her, tried to incorporate some legal questions. No, the first female judge in South Africa was not Justice Mokgoro but Mrs Justice van den Heever of course! Objections poured in and the TMO had to be called upon to assist the ref on more than one occasion.

As the finish line approached *Norfolk and Chance*, *The Smartinis*, *The Ricequizzes* and *The Big Subpoenas* were neck and neck, it was anyone's race. When the final scores were tallied, however, it was the dark horse that claimed a surprise victory: team *Amicus Curious* (comprised wholly of pupils) had scuppered the senior teams' hopes of victory and claimed first place from their derelict lodgings at the back of the room. Congratulations to the victors, and to them the spoils!

The Junior Bar Committee would like to thank all the teams who participated with such enthusiasm and gusto as well as our generous sponsors: Duminy SC for the *Andante* olive oil, Stelzner SC and Pierre Rabie for the *Giant Periwinkle* wines and *Lexis Nexis* for the gift vouchers. We look forward to welcoming teams to next year's competition.

