
LAW

LETTER
Supplement

February 2007



FAIRBRIDGES

ATTORNEYS

EST 1812

■ DIRECTORS AND ASSOCIATES

Chairman

Louis Rood

Managing Partner

Dick Cheeseman

Corporate & Commercial Law

Tony Hardy
Peter Watts
André Myburgh
Bob Groeneveld
Ineke Bosman
Sasha Singh

Litigation

Louis Rood
John Bromley
Wickaum Smith
Dick Cheeseman
Fiona Stewart
David Short
Deirdré Olivier
Michael Tucker
Denise Govender
Imraan Ismail
Charl Boshoff
Sheri Breslaw
Amanda Torr
Fathima Khan
Brendan Olivier
Richard Fitzgerald

Estates & Trusts

Tony Hardy
Carien Prinsloo

Medical Litigation

John Bromley
Wickaum Smith
Deirdré Olivier

Property Department

Anne Boag
Louis le Roux
Hette-Lize Walters
Susan Aird

Shipping Department

Bernhard Kurz
Michael Tucker
Fiona Stewart
Charl Boshoff
Richard Fitzgerald

Local Authority Law

Peter Watts
Louis Rood
Anne Boag
André Myburgh
Fiona Stewart
Deirdré Olivier

Insurance Law

Peter Watts
Louis Rood
Wickaum Smith
Deirdré Olivier

Tax Department

Tony Hardy
André Myburgh
Bob Groeneveld

Insolvency

Bernhard Kurz
Charl Boshoff
Brendan Olivier

Patents & Trade Marks

André Myburgh
Waheeda Shreef

International Trade Law

Tony Hardy
Peter Watts
Bernhard Kurz
André Myburgh
Fiona Stewart
Michael Tucker
Bob Groeneveld
Sasha Singh

Environmental Law

Fiona Stewart
Deirdré Olivier
Michael Tucker
Imraan Ismail
Charl Boshoff

Labour Law

David Short
Dick Cheeseman
Denise Govender
Imraan Ismail
Fathima Khan

Banking Law

Tony Hardy
Peter Watts
John Bromley

Family Law

Bernhard Kurz
Dick Cheeseman
Fiona Stewart
Deirdré Olivier
Denise Govender
Charl Boshoff
Sheri Breslaw

Practice Manager

Rob Kirkby



■ *Fairbridges Improves Rating*

FOR THE second year running, Fairbridges has been highly rated in the prestigious annual Professional Management Review (PMR) survey of top legal firms, again ranking fourth in the country in our expanded category, but with an improved scorecard of 4,14 out of a possible 5 (last year 4,10).

The firms were independently rated on a variety of relevant criteria, including quality of service and attitude, accessibility, response time, competence, attention to detail, cost effectiveness, added value, follow-up, success rate, expertise, international affiliations, innovation, and knowledge of clients' business.

Fairbridges again outperformed many of our larger competitors. It's good to know that our clients appreciate and value what we do for them. We continue to be committed to the e-zone – experience, expertise, enterprise and excellence!



■ *Rock Bottom*

AT THE END of 2006, the *Mail & Guardian* newspaper handed out its customary "report cards" for members of South Africa's cabinet, based on its assessment of their performance during the year.

Among the top performers, with an A-grade, were Finance Minister Trevor Manuel, Housing Minister Lindiwe Sisulu, and Social Development Minister Zola Skweyiya. Those with a B-score included Deputy President Phumzile Mlambo-Ngcuka, Minister of Foreign Affairs, Nkosazana Dlamini-Zuma and Public Enterprises Minister Alec Irwin.

But worrying for lawyers were the poor ratings for the Ministers dealing with law and order and the justice system. Minister of Correctional Services Ngconde Balfour picked up a lowly E ("Time to resign"). Minister of Safety and Security Charles Nqakula rated an abysmal F ("Fired"). And bottom of

the entire list, with a barrel-scraping “G”, was none other than Minister of Justice and Constitutional Development Brigitte Mabandla.

It would be foolish to simply dismiss such assessments as mere journalistic scorecards. Public perceptions are shaped by and reflected in the media. Our system of justice deserves a better quality of leadership.



■ *Veteran Status*

FAIRBRIDGES HONOURED its long-service employees with awards and two special guests. Eve Griessen, our former head bookkeeper was with Fairbridges for 30 years before her retirement. She handed out the awards for us on her 70th birthday on 06 November 2006, the same day as the firm’s birthday. Fairbridges was established on 06 November 1812. Also present was Gillian Clayton of Handy Printing, with whom we have enjoyed a long-standing relationship. Handy has been the printer and distributor for us of Law Letter for the past 19 years. Gillian has been with Handy for her entire working life and her expertise has been of great value to us.

The loyalty, devotion to duty and stamina of so many of our staff is recognised as a major contributor to the durability of our relationships with many of our valued clients. Long may it continue!



Eve Griessen, Louis Rood, Gillian Clayton and Peter Watts.



■ *Our Legal Heritage*

“DURING 1890 a change was brought into effect by the introduction of the circuit court system to deal with grave criminal charges, which previously had come before a combined court consisting of the chief magistrate and two magisterial assessors. Where natives were charged this court called native councillors to its assistance. They were permitted to cross-examine witnesses through the court and were found very, very useful, often throwing a light on the case which otherwise would not have been noticed.

“Moreover, the information they gained, and were able to distribute among the native people, of the proceedings was a valuable element in satisfying the natives generally that justice was done irrespective of race or class.”

– *Sir Walter Stanford, former Senator and Chief Magistrate,
East Griqualand and Pondoland.*



■ *Dumb and Dumber*

“THE LAWS have become so complex that even lawyers can no longer pretend they understand them: as a result, the clever layman must necessarily ask himself whether it is worth discussing a matter with a person that is only more aware of the scope of his ignorance of the law than the layman himself.”

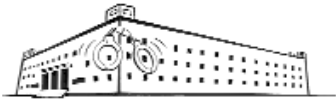
– *Milan Kyjovsky, Member of the Board of Directors of
the Czech Bar Association (2006).*



■ *Some Good Guys*

“NOT ALL South African lawyers are guilty of conservatism and formalism. Indeed, much of the resistance to apartheid was built on the idea that to be enforceable, laws must be substantively just. That spirit still inspires many lawyers and judges.”

– *Chief Justice Pius Langa (October 2006).*



■ *Triple Jeopardy*

“THREE *times is enough* – that is the new legislative rule in the Slovak legal code. According to the rule, should an offender commit any three serious violent criminal acts, the court will invoke the *Three times is enough* clause and the offender will receive the special statutory punishment – a life sentence.”

- report in Bratislavia Leaders Magazine (September 2006).



■ *Catch of the Day*

POPULAR TV chef Ainsly Harriott, hauling in giant crabs in lobster traps on an unstable, bobbing fishing boat, came up with this chirp:

“I told my producer I’m not prepared to do this type of work! He said ‘you have to – we put the claws in your contract.’”

Law Letter is a complimentary service to our clients. Should you wish to receive Law Letter regularly, or if you have changed your address, or if you no longer wish to receive Law Letter, please let us know. Any suggestions or comment on Law Letter will be welcomed!

Please contact Valicia Vermeulen at telephone 021 794-0911 or fax 021 794-0922.



- 16th Floor Main Tower Standard Bank Centre
Heerengracht Cape Town 8001
P O Box 536 Cape Town 8000 South Africa
Tel: +27 21 405 7300 | Telefax: +27 21 419 5135
- Ground Floor Searde! House Alphen Park
Constantia Main Road Constantia 7806
P O Box 536 Cape Town 8000 South Africa
Tel: +27 21 794 0911 | Telefax: +27 21 794 0922
- 1st Floor Thrupps Illovo Centre
204 Oxford Road Illovo 2196 Gauteng
P O Box 55277 Northlands 2116 South Africa
Tel: +27 11 268 0250 | Telefax: +27 11 268 0254

attorneys@fairbridges.co.za | www.fairbridges.co.za

Fairbridges is the South African member firm of TERRALEX,
the worldwide network of 175 member law firms
in almost 100 countries around the globe.

E-mail: terralex@gate.net Internet: www.terralex.org

