

fraternity. He appeared in a number of illustrious cases. In his book *The Amazing Case of the Baron von Schauroth* Benjamin Bennett referred to Aaron as one of the most forceful cross-examiners. In describing the effects of Aaron's cross-examination of Rossouw, Bennett wrote:

"Extracts from close on a 1000 pages of transcript, quoted in subsequent pages showed that when he had completed his marathon 35 hours of questioning, nothing remained of Rossouw's version of events or defence but the ashes of the lies on which he based them."

Over the years Aaron had many juniors who became distinguished senior counsel or judges. Among them were Lord Steyn, now in the House of Lords, Sir Sydney Kentridge SC, and QC of the English Bar, former Chief Justices Pierre Rabie and Ismail Mahomed, three judges of the Supreme Court of Appeals, Ms Leonore van den Heever, Ralph Zulman and the late John Milne, Judge Norman Addleson of the Eastern Cape Bench, Judge R Leon, and advocate David Gordon.

He was renowned for his sense of humour, ready wit, jokes and anecdotes. His life was one of a celebrated raconteur. His life was filled with endless energy, and as his nephew, attorney Charles Mendelow, said at his funeral that his life was akin to the paintings of Chagall, filled with brilliance, buoyancy, colour and light. On 6-November 1999, on the occasion of his 90th birthday, the Society of Advocates, Witwatersrand Local Division, honoured him at a function, presented him with an illuminated scroll, and had the following to say:

"We, the members of the

Johannesburg Bar Council, acting on behalf of the Society of Advocates (Witwatersrand Division) present this address to honour you, and to wish you well, at the celebration of your 90th birthday.

You have practised on the roll of attorneys from November 1930 to February 1945. You were called to the Bar on the 26th September 1945. You commenced practice at His Majesty's Chambers and thereafter Innes Chambers. Silk was conferred upon you in 1959.

You have, throughout your life, sought to uphold the law and the pursuit of justice. Your personal qualities of humour, courage and intellect have brought you to the highest eminence in our profession, and you were one of South Africa's leading trial counsel. Your excellence and dedication have reflected with great distinction on the profession of the law. You are currently South Africa's oldest trial counsel still practising in the Supreme Court of Appeal, the High Court of the Witwatersrand Local division, the Transvaal Provincial Division, and other courts.

On behalf of the Bar, we honour your illustrious attainments and we wish you health, good cheer and happiness for the future."

In the early 1930's he challenged all the traffic by-laws of Johannesburg and got them declared *ultra vires*. Also, in the 1930's, he acted on behalf of black property owners of Sophia Town, Martindale and Newclare where, for several years on an annual basis, he would go down to Cape Town, make representations to the then government and manage to persuade the government of the day to postpone actions for the expropriation of black property owners. He has been

mentioned in over 200 reported cases over the years. He appeared as a junior to advocate Archie Shacksnovis SC for the successful appellant in what is possibly the most frequently cited case in the law reports: *Room Hire Company (Pty) Ltd v Jeppe Street Mansions (Pty) Ltd* 1949 (3) SA 1155 (T) He became quite an expert in the field of handwriting, poisons, firearms, heart and brain injuries, on psychiatric and psychological questions and other technical matters. During the 1980's he appeared in an inquest, which took place at Odendaalsrus, into the death of a young black youth aged not quite 18, who was arrested by the police at around noon on the Saturday and by 4 o'clock that afternoon, he was carried out of the police station, virtually a corpse, dying the next day of brain damage. Through a relentless and superb cross-examination he destroyed the policeman's explanation that the young man suffered an epileptic fit, and fell over backwards banging his head on the floor. The policeman's version was nothing but a tissue of lies.

When asked of him what his hobby was, he said he was a collector. "Some people collect stamps, some people collect coins, I collect people," he said. "I must show you my collection one day, I have a wonderful collection of people." And that was indeed a central characteristic of Aaron Mendelow. He was always surrounded by people. He was extremely helpful to junior members of the Bar for advice. His door was always open to them. He would drop everything he was doing to assist. Once Lord Denning remarked of him during a visit to Aaron's chambers

that his chambers, where papers and briefs lay metres high, was the last remaining Dickensian set of chambers.

Apart from his talents at law, Aaron did sterling services for almost three decades for the Jewish community where he became the national vice chairman of the South African Jewish Board of Deputies. He is survived by four exceptional children: Arthur, a leading orthopaedic surgeon in the United States of America, Pam, a speech therapist, Gill in the USA, a former journalist, and Clive, who was previously an advocate at the Johannesburg Bar, and is now in business in the United States of America.

## Vrystaat

*Bygedra deur Germa Wright, Vrystaatse Balie*

Gedurende die eerste termyn van die jaar 2001 het geeneen van ons lede op die reg-bank waargeneem nie. Daar is wel vir gemelde tydperk twee waarnemende regters in die Vrystaat aangestel, t w mnr Mojalefa Hans Rampai, 'n prokureur van die firma Andrews, Podbielsky en Grimsell te Welkom, en adv Radhakrishna Balrajh Goordeen Choudree, lid van die Natalse Balie.

Waarnemende hoofregter HJO van Heerden het in Desember 2000 die tuig neergelê na meer as vier dekades in die regsberoep. Hy het gedurende sy loopbaan waardevolle bydraes gelewer op verskeie terreine van die reg en word wyd gerespekteer as 'n juris van besondere gehalte. Appèlregter Van Heerden is opgevolg as waarnemende hoofregter deur regter JJF Hefer wat op daardie tyd stip diens verrig het as waarnemende adjunk-hoofregter. Beide appèlregters

is gewaardeerde oud-lede van die Vrystaatse Balie.

Appèlregter Smalberger neem tans waar as adjunk-hoofregter.

## Lede

Gedurende November 2000 het Hlalele Molotsi die Balie-eksamen met sukses voltooi nadat hy as pupil in ons Balie opgelei is.

Op 2 Februarie het vyf persone met hul pupilskap aan die Balie begin: Lourens Alberts, Bernard Bantjes, Talita Carstens, Inez Bezuidenhout en Andrew Tonyane. Hulle en (miskien veral) die onderskeie mentors word sterkte toegewens met die opleiding en ook die eksamen wat later afgelê sal word.

## Cape

### In with the new

*Contributed by Patsi Weyer*

The Cape Bar has continued to attract ever-increasing numbers of new advocates who hail from various backgrounds and who display a wide variety of talents and interests. Since July 2000 some 20 new advocates have taken up chambers in Cape Town. We hope to feature short resumés of our new colleagues in this and following issues of *Advocate*.

*Bernadine Bachar* obtained her BA at UCT and her LLB from Unisa. After completing her articles with Ince, Wood & Raubenheimer in Cape Town she embarked on pupillage. Prior to pursuing her legal career Bernadine also spent two years in Israel and New York where she wrote legal articles on the internet and acted as a legal adviser respectively. Bernadine is also the mother of one son.

*Hanri Loots* is from Stellenbosch where he obtained his BA and LLB degrees. After a year's stint at the Institute of Medico-Legal Affairs Hanri completed his articles at attorneys Nicky Klopfer in Cape Town before embarking upon pupillage. To escape the pressures of the young advocate he takes to fly-fishing and good wine over weekends.

*Henco de la Rey* het die graad BLC LLB verwerf aan die Universiteit van Pretoria in 1998. Hy het as prokureur gedurende Mei 1993 tot 1999 gepraktiseer waarna hy toegelaat is tot die Kaapse Balie. Soos mede-Kapenaars geneig is om te doen, spandeer hy sy vrye tyd onder meer op skubaduik en golf.

*John Kirkpatrick* was born and raised in Namibia and obtained his BA degree from UCT where he was a member of the Students' Representative Council. He went on to study for his LLB degree whilst completing his national service, for the duration of which he was seconded to the Department of Customs and Excise. His served his articles of clerkship at Findlay & Tait Attorneys in Cape Town and also practised as a professional assistant at Silberbauers Inc. He was a director at Cliffe Dekker Fuller-Moore prior to leaving the attorneys' profession and joining the Bar in 2000. He is a man given to the great outdoors and (outside of his chambers of course!) he is happiest in the Kalahari, the Richtersveld and the remoter parts of Namibia.

*Lucinda Orr* is one of our younger members who graduated from UCT in December 1998 having obtained her BA LLB degree. Lucinda started her practice at the Cape Bar in the second half of 2000 and

finds herself doing mainly criminal work at present.

*David Turley* is a graduate of Stellenbosch University where he completed his BA LLB degree in 1996. He completed his period of articles of clerkship with Webber Wentzel Bowens before starting pupillage last year. Since completing his degree David has retained his ties with academia by tutoring or lecturing various courses at the Universities of Cape Town, Western Cape and the Witwatersrand. Cape Town is clearly the place for him as he enjoys hiking, beach volleyball and sport when he is not otherwise occupied with building a practice.

*Pieter le Roux* het sy BA LLB grade alreeds in 1966 aan die Universiteit van Stellenbosch verwerf, waarna hy drie jaar aan die Oxford Universiteit studeer en die graad MA (Oxon) verwerf. Pieter het onder meer as staatsaanklaer, staatsadvokaat, prokureursklerk, professionele assistent en vennoot by prokureursfirma Jan S De Villiers in Kaapstad sy ondervinding verkry. Klaarblyklik was die Balie die enigste beroep binne die regsprofessie wat hy tot dusver dus nie intiem geken het nie. Pieter is ook 'n gesinsman met vier kinders en die buitelewe lok hom van tyd tot tyd weg van die druk van die beroep.

*Mzamo Nobatana* has featured in previous Cape news: he comes from Port Elizabeth and obtained his BA Honours degree in Political Science and LLB degree from Durban Westville. At present he is busy with his MA thesis through Rhodes University. He has also studied through Lund University in Sweden where he completed a diploma in Advanced International Human Rights. He was also

awarded the first Pius Langa Scholarship last year and his full resumé appeared in 2000(4) *Advocate* 5.

*Mike Pothier*, some would argue, could only have been born to the legal profession. Having obtained his B Soc SC (Hons) at UCT in 1987 he went on to complete his LLB degree through Unisa in 1998 and his LLM in Constitutional Law and Human Rights Law through Unisa in 1999. Mike acted as co-ordinator of the Catholic Justice and Peace Commission between 1989 and 1997 and as a research director, Catholic Parliamentary Liaison Office, between 1997 and the commencement of his articles last year. He is a family man with a deep interest in politics and in his spare time, woodwork.

*Siobahn Seth* is an Irish lass who obtained her BA Honours degree from Trinity College in Dublin. After emigrating to South Africa she obtained her LLB degree through UCT before joining our Bar. She is the mother of two teenage children, an active member of the Gilbert and Sullivan Society, a qualified speech and drama teacher and a linguist of note, speaking French, Spanish and Arabic.

*Awie Jamie* completed his BA LLB degree through the University of the Western Cape in 1996. He practised as a member of the Independent Bar for a year before joining the Cape Bar.

*Dumisa Ntsebenza* who is also a new member of the Cape Bar has had a most interesting legal history, a summary of which was published in 2000(4) *Advocate* 6.

*continued on pages 22 and 25*