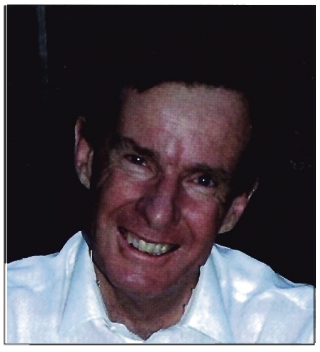
Names in the News

Supreme Court of Appeal

From 1 June 2003

Judge Jonathan Heher



Jonathan Arthur Heher was born in Mowbray, Cape Town, on 16 June 1943. He attended Overport Primary School, and matriculated at Durban High School in 1959. He obtained the degrees of BA (1962) LLB (1964) at the University of Natal. He worked as a prosecutor and state advocate in the office of the Attorney-General, Pietermaritzburg, from 1964-65, and as a legal advisor for the Johannesburg City Council from 1965-69. He joined the Johannesburg Bar in April 1969. As Bar member he was involved in advocacy training. He took silk in 1985 and was appointed to the Transvaal Bench in 1993, and as acting judge of appeal in December 2001. Community activities included involvement with education during his children's schooling, and as mediator in disciplinary enquiries for the Methodist Church of SA. He is interested in philately, English literature, classical music, and antarctic travel. He is a runner and still plays cricket at every opportunity. Judge Heher is married to Lorna Lynette Pentz; they have two children – a daughter, who is an accountant, and a son, who is an advocate.

Eastern Cape high court

From 1 June 2003

Judge Clive Plaskett

Clive Michael Plaskett was born in Springs on 3 October 1957. He attended Christian Brothers College, Springs, and matriculated at De La Salle College, Johannesburg, in 1975. He obtained the degrees of BA (1981) LLB (1983) LLM (1986) University of Natal (Pietermaritzburg) and PhD (2003) Rhodes University. He lectured in law at the University of Natal (Pmb) and Rhodes University (East London), before qualifying as an attorney in July 1989 and joining Cheadle, Thomson and Haysom. He worked as an attorney and regional director of the Grahamstown office of the Legal Resources Centre for most of the period between 1991-1997. After joining the Faculty of Law, Rhodes University, in 1997 he was appointed as associate professor and practised part-time as an attorney in Grahamstown. He is interested in fishing, especially fly fishing, reading, and watching sport He is married to Adrienne Carlisle; they have two children – a boy and a girl.

Natal high court

From 1 May 2003

Judge Gregory Kruger

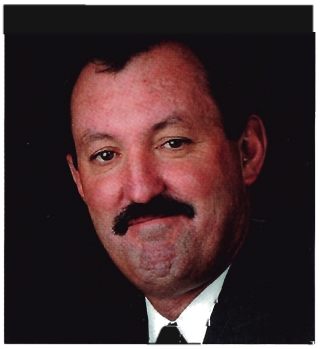
Gregory Noel Kruger was born in Durban on 22 December 1958. He attended St Augustine Primary School and matriculated at Parkhill Senior School in 1976. He obtained the degrees of BA (1980) LLB (1983) at the University of Natal (Durban). He was admitted as an attorney in 1985 and practised in partnership until his appointed as a judge. He was member of the the KwaZulu-Natal Law Society from 1998-2002 (president from 1999-2001), and also a member of the Board of Control of the Attorneys' Fidelity Fund from 1999-2003. He has been a member of BLA from 1986. Judge Kruger is vice-chairman of St Theresa's Boys Home.

He is married to Anne Lynette; they have two children aged 19 and 14.

Vrystaatse hooggeregshof

Vanaf 1 Augustus 2003

Regter Ian van der Merwe



Christiaan Hendrik Gert van der Merwe is op 29 Julie 1954 te Franfort, Vrystaat, gebore. Hy woon die Laerskool Karel Theron, Middelburg, by en matrikuleer in 1972. aan Grey-Kollege, Bloemfontein. Hy behaal die grade BIuris (1976) Universiteit Vrystaat LLB (1978) Unisa. Hy werk as staatsaanklaer en staatsadvokaat van 1977-1980 en sluit in 1981 aan by die Vrystaatse Balie. In 1994 verwerf hy senior status. Hy was van 1990-2003 lid van die Vrystaatse Balieraad (voorsitter van 2000-2003). Tot onlangs (vir baie jare) was hy voorsitter van die dissiplinêre komitee van die Vrystaatse Rugby-unie en is reeds sedert 1998 ondervoorsitter van die beheerliggaam van Grey-Kollege. In sye vrye tyd boer hy met Angus-beeste, lees geskiedenis en biografieë, luister musiek, en versamel (en geniet) goeie wyn.

Hy is getroud met Tronel

Visser; hulle het drie seuns waarvan twee studente en een 'n skolier is.

Northern Cape high court

From 2 May 2003

Judge Cecile Williams

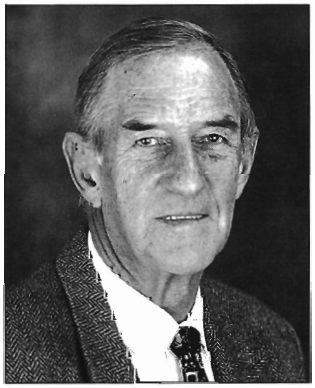
Cecil Christine Williams was born in Durban on 7 August 1965. She attended Dower Practising School and matriculated at Uitenhage High School in 1982. She obtained the degrees of BA Law (1986) and LLB (1988) University of Durban-Westville. Immediately after university she served a fellowship of one year at the Legal Resources Centre, Port Elizabeth. She then completed her pupillage at the PE Bar. She joined the Cape Bar in 1991. She is a member of NADEL and Advocates for Transformation. She is interested in reading, the cinema, and gardening.

She is married to Denzil Beukes; they have a son.

Transvaalse hooggeregshof

Henk Havenga bring hulde aan twee lede van die Pretoriase Balie wat met ingang 1 Mei as regters van die Transvaalse Provinsiale Afdeling aangestel is

Regter Ferdi Preller



Ferdinand Gustav Preller is op 29 Mei 1940 in Ermelo gebore. Hy matrikuleer in 1957 aan die Hoër Volkskool, Potchefstroom. Een van sy klasmaats was Hartzenberg R. Hy voltooi in 1963 sy LLB aan die Universiteit van Stellenbosch. Hy behaal die LLM-graad in Menseregte en Konstitusionele Reg aan die Universiteit van Pretoria in 1996. Verskeie van sy klasmaats is ook op die regbank aangestel – Strydom HR van Namibië, Van Reenen R van die Kaap, Botha en Coetzee RR van Pretoria.

Hy begin sy loopbaan in die regte as aanklaer en staatsadvokaat vanaf 1964 tot Mei 1967 in Johannesburg, Pretoria, Port Elizabeth en Grahamstad. Daarna word hy leerklerk by Du Plessis, Viviers en Kie in Vryburg, Hy sluit aan as 'n professionele assistent en word later vennoot van Van Zyl, Le Roux en Hurter in Pretoria. Op 1 Mei 1978, presies 25 jaar voor sy permanente aanstelling op die regbank, word hy lid van die Pretoria Balie en verwerf senior status op 10 Desember 1993. Hy was 'n waardevolle lid van die Balie en dien op die Balieraad, as nasionale eksaminator in Mosiehofpraktyk en -prosedure vir 13 jaar. Ook was hy die Pretoria Balie se verteenwoordiger op die eksamenraad vir twee jaar. Hy het die afgelope sewe jaar deelgeneem aan die Advocacy Training program. Hy het verder tien jaar gedien as 'n kommissaris in die Hof vir Klein Eise. Hy het ook die afgelope ses jaar verskeie waarnemende aanstellings as regter in Venda, Johannesburg en Pretoria beklee.

Ferdi Preller het wye belangstellings buite die reg wat insluit rugby, tennis, gholf, draf, snorkel, gim en voetslaan. Hy het reeds twee keer Kilimanjaro geklim,– in 1963 en weer in 1993. Hy het meeste van die bekende staproetes in die land voltooi en sy gunsteling is steeds die Visrivier Canyon in Namibië wat hy reeds 12 keer gestap het. Sy ander belangstellings sluit in klassieke musiek en brug. Hy is lid van die brugklub wat gedurende etenstye in die sitkamer vergader en daar is geen twyfel dat hy steeds hierdie sessies sal bywoon nie. Sonder sy gevatte opmerkings sou die byeenkomste bra vaal daar uitsien.

Regter Preller is getroud met Wilna Lubbe en hulle het 'n dogtertjie. Hy het ook drie kinders uit 'n vorige huwelik.

Die Pretoria Balie is trots op die aanstellings uit eie geledere en wens die twee oud-lede alle sukses toe.

Regter Talla Claassen

Drie regters

Alhoewel daar verskeie ander voorbeelde uit die geskiedenis is van 'n pa en seun wat albei regters geword het, is hierdie waarskynlik die eerste geval waar twee seuns van 'n regter ook aangestel is op dieselfde regbank! Op die foto hierbo, verskyn regter Claassen (regs) saam met sy pa en sy broer Neels. Die foto is geneem toe Talla Claassen toegelaat is as prokureur. Sy broer het die toelating waargeneem en sy pa, regter CJ Claassen, wat toe reeds afgetree was, het saam met ander regters op die regbank gesit om die toelating te behartig.

Roger Dyason Claassen, gebore op 1 September 1942, is lid van 'n bekende gesin van regsgeleerdes. Sy oupa, Roger Dyason, was medestigter van

Vervolg op bladsy 38

Assessing competency skills

Continued from page 50

Grading

A trainee who demonstrates the standard required for competence at Paragraphs 1 to 5 will be graded '**Competent**'.

A trainee who does not satisfy the requirements above will be graded **Not Yet Competent**.

Endnotes

[1] In New Zealand the training and testing are done by the same organisation, the Institute of Professional Legal Studies. All aspirant barristers and solicitors also have to pass the IPLS course as a requirement for admission. In South Africa the training is provided by the provincial Bars but the testing is conducted at a national level. The curriculum is overly academic, in my view. Training is voluntary; you can practise as an advocate without having received any practical training at all and without becoming a member of one of the provincial Bars. That is soon to change when the Legal Practice Bill becomes law as it envisages a compulsory training and testing regime for all aspirant advocates. That training and testing is to be undertaken by course providers under the control of the proposed Legal Practice Council.

[2] J Alspach 'Designing a competency-based orientation for critical nurses' *Heart & Lung*, 13 (Nov 1984) 655–662.

[3] Jeroen JB. Van Marriënboer 'ID for Competency-based Learning: New Directions for Design, Delivery and Diagnosis' Interactive Educational Multimedia No 3 (Oct 2001) 12–26.

[4] The assessment guide is the intellectual property of the Institute of Professional Legal Studies, New Zealand and is protected by copyright. I am indebted to Mr Mark Mason, National Director of the Institute, for permission to use it in this paper.

Human Shield

Continued from page 29

with the South Africans emerging after nights of relentless bombing to an increasingly damaged Baghdad, more human casualties and little hope that the bombing would cease.

Ultimately, the South Africans decided to return on schedule. Leaving Iraq was impossible by air. The group had to rent a bus and travel to Jordan. That trip was nerve-wracking because of the heavy contingent of army vehicles heading into Iraq. Reddy recalled that bridges on the main highway had been bombed and at times it was not certain that the bus that they were travelling in would skirt the holes in the bridges without plunging through.

Eventually, the South Africans came upon a military roadblock and, with approximately 50 guns and tankers aimed at them, had to emerge with a South African and a peace flag hoisted high. Australian soldiers who had set up the roadblock, upon learning that the team was heading back to South Africa, made special arrangements to escort the South Africans to the border post through a different route.

Reddy believes that the South African human shields publicised and drew attention to the atrocities[!] committed in Iraq. Despite their limited numbers, the human shields in Iraq kept in close contact with international media to present a more balanced version of events than that presented through the 'embedded' CNN reporters. Reddy also believes that the human shields, at the very least, presented balanced accounts of events in Iraq and in Baghdad.

Reddy said that he is tired of people asking him why he went to Iraq as a human shield: 'They would not understand, so I don't bother explaining anymore.' For Reddy, his principles compelled him to go and he believes that despite their limited numbers, the human shields did make a difference, by bearing testimony to the atrocities of a super-power.

Having experienced what he described as the most terrifying time of his life, I asked Reddy whether he would do this again? 'Yes, I would. There is no question about it.' Reddy cautions against being caught up in the 'apparent importance' of our lives as advocates and, in particular, urges those who have criticised his efforts in Iraq to find ways to make their contributions to society.

As I walked back to chambers from my meeting with Reddy, I had to confess that I still did not understand why he did what he did – but then, I cannot claim to know the being that he is. I do know that I came away feeling a little more inspired.

Regter Talla Claassen

Vervolg van bladsy 31

die prokureursfirma wat vandag bekend staan as Dyasons. Sy vader het aan die Johannesburgse Balie gepraktiseer en na sy aanstelling as regter het hy vir vyf jaar in die destydse Suidwes-Afrika as regterpresident gedien. Hy is daarna na Pretoria verplaas waar hy op die Transvaalse regbank aangestel is. Talla se broer Neels, wat in Johannesburg as advokaat praktiseer het, is ook 'n regter op die Transvaalse regbank.

Talla het in 1973 sy LLB aan die Universiteit van Pretoria behaal. Gedurende sy studiejare was hy ook vir twee jaar 'n regtersklerk. Hy het sy leerklerkskap by Dyasons voltooi en is in Junie 1974 toegelaat as prokureur. Nadat hy vir 'n kort tydperk as staatsaanklaer gewerk het, het hy in Augustus 1974 lid van die Pretoria Balie geword. Hy verwerf senior status in Julie 1990. Een van die bekendste sake waarin Talla Claassen as advokaat opgetree het, was die *BK Tooling*-saak. Hy het die appèl aanbeveel en uiteindelik ook op appèl geslaag.

As regter en advokaat in die destydse Ciskei, was hy betrokke by die eerste 'grondwetlike' sake in hierdie land, wat insluit die saak van *ANC (Border Branch) v Chairman, Council of State, Ciskei* 1992 (3) SA 250 (Ck) en *S v Majavu* 1994 (4) SA 268 (Ck). Hy was vir 18 maande lid van die Spesiale Tribunaal wat in Oos-Londen gesetel was en moes grootliks toesien tot die praktiese inwerkingstelling van die hof en aanstelling van personeel. Hy het ook die eerste aantal sake daar behartig. Talla is verantwoordelik vir die bywerking van die *Dictionary of Legal Words and Phrases* 2 ed (Butterworths). Hy het ook wye belangstellings buite sy beroep en is 'n kranige gholf– en tennisspeler. Hy hou van stap en lees en het al die Argus fietstoer in vier ure voltooi. Hy en sy vrou Linda het drie kinders. (Die bynaam 'Talla' het 'n interessante herkoms. As kind kon sy ouer broer, Gert, nie die naam Roger uitspreek nie en het hom 'outjie' genoem. Hulle huishulp het dit vertaal as 'Madala' wat later in die omgangstaal verander het in 'Matalla' en later net 'Talla'.)

Met sy permanente aanstelling op die regbank, was hy waarskynlik die advokaat wat die langste tydperk as waarnemende regter gedien het – sewe en 'n half jaar in totaal. Hy het groot lof vir die Balie as instelling en beskou dit as 'n fantastiese en 'n unieke plek om te kan werk, met kollegialiteit wat 'n mens nêrens anders in die wêreld teëkom nie. Dit was dus vir hom nie maklik om na 30 jaar afskeid te neem van die Balie nie. Hierdie gevoel is wederkerig. Talla Claassen was die afgelope 15 jaar feitlik op 'n permanente basis lid van 'n Balieraad – in Pretoria en in die Oos-Kaap – en sy waardevolle insette sal gemis word.