

FACULTY OF LAW | IFACULTHI YOMTHETHO
FAKULTEIT REGSGELEERDHEID



Stellenbosch
UNIVERSITY
IYUNIVESITHI
UNIVERSITEIT

DESEMBER | 2024 | DECEMBER

**NUUSBRIEF
NEWSLETTER**

Did you *know*?



Some interesting, and helpful,
things about the Faculty ...

What's the
problem
with lawyer
jokes?



Lawyers don't
think they are
funny, and
nobody else
thinks they are
jokes.

**NEW
RECORD**

In **2024**,
215
students were enrolled for
**Master of Laws
studies**

**SINCE
1919**

30 Honorary
Doctorate
degrees

have been conferred to
recipients in the
**Faculty of
Law**

**THE FINAL
Grade 11**

average of learners
accepted into a
programme in

LAW

for 2025 was

82%

with a National
Benchmark Test
average of

70%

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newsletters

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Nuus van die Dekaan se kantoor

News from the Dean's Office



Boodskap van die Dekaan

Geagte kollegas, studente, alumni en vriende

Ons was gelukkig om die afgelope jaar as 'n gemeenskap van vakkundiges en studente te groei en te floreer. Verskeie nuwe kollegas het by ons bestaande Fakulteitspersoneel aangesluit, en ons studente-inskrywings het danksy noukeurige inskrywingsbeplanning stabiel gebly. Hierdie stabiliteit het die Fakulteit in staat gestel om sy programhernuwingspogings voort te sit en 2024 as 'n navorsingsgerigte jaar met verskeie strategiese inisiatiewe oor 'n wye verskeidenheid dissiplines te verwelkom.

Ons studente was ook aktief en het in baie opsigte uitgeblink en beduidende bydraes tot ons kampuslewe gelewer. Ons Studentehof, wat uit vyf regstudente bestaan, het byvoorbeeld gehelp met die oplossing van studentegeskille, geskille tussen verenigings en SR-grondwetlike aangeleenthede en het vanjaar minstens 11 uitsprake gelewer.

In 2024 was ons strategiese fokus om kundiges van regoor die wêreld te lok, tesame met die kundigheid van ons eie en ander nasionale kollegas, om globale, streeks- en plaaslike uitdagings in die reg en die samelewing te identifiseer en te oorweeg. Hierdie inisiatiewe, wat gebiede soos globale reg en beleid, strafreg, arbeidsreg, sosiale geregtigheid, kinderreg, stedelike reg, sportreg en grondwetlike reg dek, het daarin geslaag om geleerdes en praktisyns met uiteenlopende benaderings en sienings bymekaar te bring. Hulle het verdere areas vir navorsing, samewerking en komende publikasies en/of aanbevelings oor beleid- en wetshervorming geïdentifiseer. Ons US Regskliniek en Sentrum vir Sosiale Geregtigheid het ook hul belangrike werk voortgesit, wat tot meetbare impakte in ons omliggende gemeenskappe en verder gelei het. Ons Regskliniek het byvoorbeeld teen Oktober 2024 1 316 instapklïente ontvang, in vergelyking met 1 008 teen Oktober 2023 – 'n toename van meer as 30%.

'n Spesiale woord van geluk aan professor Theo Broodryk, wat tydens die Desember-gradeplegtigheid met 'n Kanselierstoekenning vir Professionele Dienste bekroon is. Verder het professore Sandra Liebenberg en Sope Williams

Navorsings- en Innovasie-uitnemendheidstoekenning, in die Vroue in Navorsing kategorie, ontvang.

Twee suksesvolle alumni-geleenthede het gedurende die tweede semester van 2024 plaasgevind. Ons is dankbaar dat die US Regstrust, ondersteun deur alumni en vriende van die Fakulteit, voortgaan om die Fakulteit te ondersteun om uitnemende studente en personeel te werf, te behou en erkenning te gee. Ek is veral opgewonde om aan te kondig dat die US Regstrust die toekenning van twee prestige-beurse aan inkomende eerstejaarstudente, aanvanklik vasgestel op R200 000 per student per jaar vir die duur van hul regstudies, goedgekeur het om ons uitstekende en diverse studente te versterk. Hierdie beurse is bykomend tot die jaarlikse Top Akademiese Presteerder-prys (R200 000), wat vanjaar vir die vyfde keer toegeken word. By Maties Regsgeleerdheid droom ons groot, maar ons hou ons voete op die grond, want ons besef dat 'n belegging in kennis die beste opbrengste lewer!

Ek is bly dat ons van ons aktiwiteite en prestasies in hierdie nuusbrief kan aanteken, aangesien daar altyd die gevaar bestaan dat, soos Marie Curie eenkeer gesê het, mens nooit sien wat gedoen is nie; mens sien net wat nog gedoen moet word. Ons het verskeie opwindende planne en geleenthede vir 2025, wat ons mettertyd met jou sal deel.

Vir eers sal ons 'n welverdiende ruskans geniet sodat ons met die nodige energie en deursettingsvermoë kan terugkeer om alle uitdagings te oorkom terwyl ons nuwe geleenthede aangryp. Geniet 'n rustige en ontspanne feestyd. Ons waardeer jou ondersteuning en belangstelling in ons mense, plek en programme.

Aan my kollegas en ons studente, dankie vir julle merkwaardige werksetiek en insette hierdie jaar. 'n Positiewe gesindheid is werklik aansteeklik en help om ons span se sukses te verseker. Jou passie vir jou werk en studies is inspirerend, en ek sien uit daarna om in die nuwe jaar saam te werk en te droom.

Professor Nicola Smit
Dekaan

Message from the Dean

Dear colleagues, students, alumni, and friends

We have been fortunate to grow and prosper as a community of scholars and students this past year. Several new colleagues joined our existing Faculty personnel, and our student enrolments remained stable due to careful enrolment planning. This stability allowed the Faculty to continue its programme renewal efforts and embrace 2024 as a research-focussed year with several strategic initiatives across a broad variety of disciplines.

Our students have also been active and excelled in many respects, making significant contributions to our campus life. For example, our Student Court, comprising five law students, assisted with resolving student disputes, inter-society disputes, and SRC constitutional matters, delivering no fewer than 11 judgments this year.

In 2024, our strategic focus was to attract experts from around the globe, coupled with the expertise of our own and other national colleagues, to identify and consider global, regional, and local challenges in law and society. These initiatives, covering areas such as global law and policy, criminal justice, labour law, social justice, children's law, urban law, sports law, and constitutional law, succeeded in bringing together scholars and practitioners with diverse approaches and views. They identified further areas for research, collaboration, and forthcoming publications and/or policy and law reform recommendations. Our SU Law Clinic and Centre for Social Justice also continued their important work, resulting in measurable impacts in our surrounding communities and beyond. For instance, our Law Clinic received 1 316 walk-in clients by October 2024, compared to 1 008 by October 2023 – an increase of more than 30%.

A special word of congratulations to Professor Theo Broodryk, who was awarded a Chancellor's Award for Professional Services during the December graduation ceremony. Furthermore, Professors Sandra Liebenberg and Sope Williams were the recipients of Research and Innovation Excellence Awards, category Women in Research.

Two successful alumni events took place during the

second semester of 2024. We are grateful that the SU Law Trust, supported by law alumni and friends of the Faculty, continues to support attracting, retaining, and recognising excellent students and staff. I am particularly excited to announce that the SU Law Trust has approved the awarding of two prestige bursaries to incoming first-year students, initially set at R200 000 per student per annum for the duration of their law studies, to further reinforce our excellent and diverse student body. These bursaries are in addition to the annual Top Academic Achiever prize (R200 000), which will be awarded for the fifth time this year. At Maties Law, we dream big while keeping our feet firmly on the ground, recognising that an investment in knowledge yields the best returns!

I am pleased that we can record some of our activities and achievements in this newsletter, as there is always the danger that, as Marie Curie once said, one never notices what has been done; one only sees what remains to be done. We have several exciting plans and events lined up for 2025, which we will share with you in due course.

For now, we will enjoy a well-deserved break so that we can return with the necessary energy and persistence to conquer all challenges while seizing new opportunities. Enjoy a peaceful and relaxed festive season. We appreciate your support and interest in our people, place, and programmes.

To my colleagues and our students, thank you for your remarkable work ethic and efforts this year. A positive attitude is truly infectious and helps ensure our team's success. Your passion for your work and studies is inspiring, and I look forward to working and dreaming together in the new year.

Professor Nicola Smit
Dean

Umyalezo ovela kwiNtsumpa

Umyalezo ovela kwiNtloko yeFakhalthi

Bhotani bogxa, bafundi, ialumnayi nabahlobo

Sibe nenyhweba yokukhula ze siphuhle njengabaphandi nabafundi kwisithuba sonyaka ophelileyo. Siye safike-lwa yintlaninge yoogxa abatsha kwabasele bekho apha eFakhalthini, yaye nokubhalisa kwabafundi kuye kwazinja noko ngenxa yocwangciso lobhaliso olunononophelo. Olu zinzo lwenze ukuba iFakhalthi le ukuba iqhube nemigudu yayo yokuhlaziywa kweenkqubo ze kwamkelwe u2024 njengonyaka obugxile kwezophando obukhatshwa luthotho lwamalinge asekelwe kwisicwangcisoqhinga kuzo zonke iinkalo zezifundo.

Abafundi bethu bakhe benza iintshukumo ze bagqwesa kuthotho lweenkalo, befaka igalelo elimandla kwimpilo yekhampasi yethu. Umzekelo, iNkundla yaBafundi yethu, ebandakanya abafundi boMthetho abahlanu, bancedisile ekusonjululweni kweembambano, iimbambano ebeziphakathi kwemibutho, ndawonye nemiba yomgaqosiseko weSRC, bewisa izigwebo ezingekho nganeno kwe11 kulo nyaka.

Ngo2024, eyona nto besigxile kuyo ngokwesicwangcisoqhinga ibe kukutsala iingcali eziphuma kwihlabathi jikelele, nathi sixhobe ngobethu ubuchule kwanabo babanye oogxa bethu abakweli lizwe, ngenjongo yokuchonga nokuqwalasela imingeni yehlabathi, yemimandla kunye neyeengingqi kwezomthetho kwanakuluntu. La malinge, eqhubisana neenkalo ezifana nemithetho kunye nemigaqonkqubo yehlabathi, ubulungisa kwezolwaphu-lomthetho, imithetho yezengqesho, ubulungisa kuluntu, imithetho yabantwana, imithetho yasezidolophini, imithetho yezemidlalo, kunye nemithetho yemigaqosiseko, yaphumelela ekuhlenganiseni abaphandi kunye namagqwetha asebenza ngeenkalo neembono ezahlukeneyo. Bathi bachonga iinkalo ezizezinye zophando, zentsebenziswano kwakunye namaxwebhu aseza kupapashwa kunye/okanye nezindululo zokumiselwa kweenguqu kwimigaqonkqubo nakwimithetho. Iklinikhi yoMthetho yeSU ikunye neZiko loBulungisa kuLuntu zathi zaqhuba nomsebenzi wazo obalulekileyo, nto leyo yakhokelela kwifuthe elilinganisekayo kuluntu olusingqongileyo nangaphesheya. Umzekelo, iKlinikhi yethu yoMthetho ifumene abaxhamli abali1 316 abaziseleyo ukuya kuthi ga ngeyeDwarha ka2024, xa kuthelekiswa ne1 008 kweyeDwarha ka2023 - umyinge wokukhula ongaphezu kwama30%.

Sivuyisana ngakumbi noNjingalwazi Theo Broodryk, owawongwa ngeMbasa yeTshansela ngeenkonzo zeeNgcali ngethuba lomsitho wothwesozidanga wenyanya yoMnga. Ngapha koko, uNjingalwazi Sandra Liebenberg kunye noSope Williams bathi bawongwa ngeeMbasa zoPhando nokuGqwesa kwiiMbono eziNtsha, kwibakala laManina kwezoPhando.

Kubanjwe iindibano ezimbini ezibe yimpumelelo zabo babe sakuba ngabafundi kwisiqendu sesibini sonyaka u2024. Siyayibulela eyokuba iTrasti yoMthetho yaseSU, exhaswa ngabo babe sakuba ngabafundi bomthetho kunye nabahlobo bale Fakhalthi ekugayeni, ekugcineni nasekunakaneni abafundi nabasebenzi abagqwesileyo. Ndinemincili ingakumbi ekubhengezeni ukuba iTrasti yoMthetho yaseSU ikuphumezile ukunikezelwa kweenkxasomali zokufunda ezimbini ezikumgangatho ophezulu kwabo baseza kuba ngabafundi bonyaka wokuqala, ekuqaleni isambuku sasingamaR200 000 kumfundi ngamnye ngonyaka de bazigqibe izidanga zabo zomthetho, ngenjongo yokukhuthaza nangakumbi ukugqwesa kwabafundi kwanokwahlukana kwabo. Ezi nkxasomali zizizongezo kwibhaso laminyaka le loYena uGqwesileyo kwiZifundo (engamaR200 000), eliza kunikezelwa okwesihlanu kulo nyaka. KwiMaties Law, siphupha kakhulu ngelixa sigxininisa ekuzinzeni, phantsi kolwazi lokuba utyalomali kulwazi luza neziphumo ezizezona zingcono.

Ndikholisekile kukuba sikwazi ukurekhoda ezinye zeentshukumo zethu kule ncwadana yeendaba, njengoko kusoloko kukho ingozi yokuba, njengokuba wayekhe watsho uMarie Currie, umntu akakhe akuqwalasele okwenziweyo; koko ubona oko kungekenziwa kuphela. Sinothotho lwezicwangciso nemicimbi encumisayo ezimiselwe u2025, esiza kwabelana nani ngazo ekuhambeni kwamaxesha.

Okwangoku, siya konwabela ikhefu elisifaneleyo ukuze sibe nokubuya namandla adingekayo kwanomfutho wokulwisana nayo yonke imingeni ngelixa siinqakula amathuba amatsha. Yonwabela ithuba leeholide zehlobo elinoxolo nelipholileyo. Siyayibulela inkxaso nomdla wenu kubantu bethu, kwindawo yethu nakwiinkqubo zethu.

Koogxa nabafundi bam, ndiyabulela ngomsebenzi wenu omhle kwakunye nemigudu yenu kulo nyaka. Inene kuyosulela ukuziphatha ngendlela encomekayo yaye kuncedisa ekuqinisekiseni impumelelo yeqela lethu. Ukuzinikela kwakho emsebenzini nakwizifundi zakho kuyakhuthaza, yaye ndikwajonge phambili ekusebenzeni nasekuphupheni nani kunyaka ozayo.

UNjingalwazi Nicola Smit
INTloko yeFakhalthi

Research and Internationalisation

Research and Postgraduate Studies

Building Connections and Skills: The Faculty of Law Research Community

This semester, the Faculty of Law Research Community flourished as a vibrant space for academic growth and connection. This initiative, organised by Ms Tanveer Jeewa and Dr Bryony Fox with support from Professor Juanita Pienaar, brings together various master's students, doctoral candidates, postdoctoral researchers, and early-career members of staff. The goal? To equip participants with essential academic skills while fostering a collaborative environment to share and refine their research through seminars and research feedback sessions.

This semester's seminars offered diverse topics aimed at empowering researchers at every stage of their journey. Highlights included a wellness session led by Carlien Serfontein, a counsellor passionate about working with postgraduate students, who reminded participants of the importance of mental health in academic life. In another seminar, Professors Anél du Plessis and Bradley Slade also discussed mental health in academia and shared their insights on how to transition into academia, offering

invaluable guidance for aspiring scholars.

Another standout seminar, led by Professor Juanita Pienaar, addressed the daunting doctoral oral examination and equipped participants with effective strategies for success. Further, Professor Henk Botha's seminar on integrating theory into research provided practical tools to enhance the depth and rigour of one's work. In the final seminar, participants reflected on their personal journeys as postgraduate students, sharing lessons to support those just starting the journey.

These gatherings have not only honed their skills but also strengthened the postgraduate community, fostering relationships that enrich their academic and personal lives.

Ms Tanveer Jeewa and Dr Bryony Fox note that they are "excited to continue this journey of growth, discovery, and support. With new seminars, fresh perspectives, and the same spirit of collaboration, 2025 promises to be another inspiring year for the Faculty of Law Research Community!"



Christiaan van Schalkwyk, Prof Juanita Pienaar, Bridget Machaka, Dr Bryony Fox, Carla Bester, Lerato Melato, Tanveer Jeewa, Hugo Uys, Dr Johndré Barnes, Dr Anisa Mahmoudi.

Research Excellence Awards

The Research and Innovation Excellence Awards took place on Thursday 31 October 2024. The Faculty of Law is immensely proud of two colleagues, Professor Sandra Liebenberg and Professor Sope Williams, who received awards in the 'Women in Research' category.

This category acknowledges female researchers at the associate or full professor level for their outstanding contributions to research excellence, postgraduate supervision, and mentorship of others.



Prof Juanita Pienaar and Prof Sandra Liebenberg



Prof Juanita Pienaar and Prof Sope Williams

Conferences, seminars, and colloquia

Following a busy first semester, the Faculty of Law hosted a range of conferences and seminars, featuring both established annual events as well as some inaugural events with the potential to become annual fixtures.

"What is the Global?" Workshop

The "What is the Global?" workshop, organised in partnership with Professor Nic Rajkovic, Chair of International Law at Tilburg Law School, was held at the Faculty on 20 and 21 June. It brought together prominent scholars from both the Global North and South to

re-examine the concept of "global", with the aim of contributing to an upcoming book publication.

The keynote address was delivered by the distinguished Professor Ayse Zarakol from Cambridge University.



Researching, Teaching and Lawyering in the Age of Unsettled Democracies, AI, and Climate Change

On 22 June 2024, global and national scholars met to discuss current issues across a range of different disciplines. The keynote address was delivered by Judge Yvonne Mbatha of the South African Supreme Court of Appeal. Following this, two parallel sessions

took place. The morning sessions included the first on "Climate Change", facilitated by Professor Anél du Plessis (SU), and the second on "Rethinking Democratic Citizenship", facilitated by Professor Bradley Slade (SU). In the afternoon, the parallel sessions

consisted of an interactive panel on "Legal Education", facilitated by Professor Theo Broodryk (SU), and a session on "AI and the Law: Challenges and Opportunities", led by Dr Delano van der Linde (SU).



Institute for Global law and Policy (IGLP) Harvard Law School and SU Faculty of Law



The successful collaboration between Harvard Law School and Stellenbosch University Faculty of Law, which began in January 2023, continued from 24-28 June 2024.

The Global Scholars Academy and Global Faculty brought together around 80 emerging scholars from across the globe, alongside approximately 35 senior academics and researchers as part of the Global Faculty. The primary objective of the Academy is to strengthen the research and writing skills of early-career scholars, focus on theoretical exploration within specific academic streams, and foster global networking and collaboration. With a strong presence in Africa, young scholars from all corners of the world gathered at STIAS in Stellenbosch to participate.

Stellenbosch Faculty of Law members played key roles, either as keynote speakers or contributors to theoretical streams and writing workshops. Notable contributors included Professors Sandra Liebenberg, Anél du Plessis, Theo Broodryk, and Dr Michèle Olivier. Professor Liebenberg opened the event with a lecture titled "The South African Model of Socio-Economic

Constitutionalism: Features and fault lines". A roundtable discussion on "The future of climate change law – what's in it for conservation?" was led by Professor Du Plessis and Professor Sandy Paterson (UCT). Professor Theo Broodryk's lecture dealt with "Echoes of tragedy: Legal perspectives on the Brumadinho and Jagersfontein Mining disasters". Dr Olivier took part in a panel on "African Integration and Free Trade: Options and Implications," alongside former Minister of Trade and Industry, Ebrahim Patel. Advocate Michelle le Roux guided a round table discussion on the topic of "Facing forward: the ICJ in South Africa v Israel". The round table consisted of Mr Zane Dangor (Department of International Relations and Coordination) and Advocate Tembeka Ngcukaitobi. Additionally, Professors Zsa-Zsa Boggenpoel, Juanita Pienaar, and Sandra Liebenberg were part of the academic streams.

The third and final Global Scholars Academy collaboration with Harvard Law School is scheduled to take place from 30 June to 4 July 2025.



Internationalisation

The series of conferences, which often featured international delegates, was further enriched by a variety of targeted international exchanges and collaborative interactions.

Prof Sebastian Lohsse

Under the Staff Exchange programme with Münster University, Germany, Professor Sebastian Lohsse visited the Faculty of Law from 16 to 26 September. Professor Lohsse holds the Chair for Roman Law, Comparative Legal History and Private Law at the Institute for Legal History. In addition to the informal interactions that took place with staff and students, Professor Lohsse presented several lectures. On 17 September, he delivered a lecture titled "From Rome to Brussels – The historical comparative approach and its importance in private law". He gave a guest lecture to first-year law students in the Foundations of Law module on 18 September. Before concluding his visit, he presented a departmental seminar titled "The *condictio ob causam finitam* as a mere historical relic?" on 25 September.



Prof Sebastian Lohsse



Prof Juanita Pienaar and Prof Björn Hoops

Prof Björn Hoops

From 20 to 26 October, Professor Hoops, Chair in Private Law and Sustainability, University of Groningen, Netherlands, visited the Faculty of Law. He presented a research seminar on 24 October on the topic of "Private Law and Sustainability: Methods and Insights". During his visit, discussions focussed on a possible joint PhD in Property Law, in collaboration with Professor Zsa-Zsa Boggenpoel and Professor Juanita Pienaar.

International Association of Law Schools

During the September recess the International Association of Law Schools (IALS) convened its general meeting and global law deans' forum in Lausanne, Switzerland. Professor Nicola Smit (Dean) and Professor Juanita Pienaar (Vice Dean, Research and Internationalisation) attended the general meeting and forum.

Professor Smit was a panel member on the very timely "Navigating External Influences: Strategies for Managing Outside Pressures" panel. Gabriel Bocksang, Dean, Pontificia Universidad Católica de Chile, Facultad de Derecho, Chile, was the moderator. Other panellists included Richard Buxbaum,

Continues on following page





University of California Berkeley, School of Law, Bettina Hummer, Professor, University of Lausanne, Faculty of Law, Criminal Justice and Public Administration and Antony Page, Dean, Florida International University, College of Law. The panel commentator was John Hedigan, Justice (ret.), The High Court of Ireland, Ireland.

The IALS is a society dedicated to serving the worldwide legal education community. It is an association of more than 250 law schools and departments from over 60 countries representing more than 12 000 law faculty members. The primary mission of the IALS is the improvement of legal education throughout the world. Professor Nicola Smit is currently a board member of the Board of Governors. The SU Faculty of Law is looking forward to hosting a joint general meeting and global law deans' forum in Stellenbosch from 3 to 4 September 2026.

Teaching and Learning

PREDAC experience 2024

This past year, Ms Nina Breytenbach and Ms Josie Hemphill participated in the annual PREDAC short course for newly appointed academics. As part of the course requirements, participants have to implement a novel teaching strategy in the classroom; thereafter, they provide feedback to the other PREDAC participants and members of the faculty.

On 6 November, they presented their poster "Mind-mapping the Problem" at the annual SOTL-conference. Their novel teaching strategy entailed replacing the traditional PowerPoint

presentations during class with handwritten mind maps.

They implemented this strategy in some of the law services modules, which are offered to students from the EMS faculty. These students are unfamiliar with law concepts; consequently, they struggle to visualise the big picture, and do not understand where different components of the work fit in. Law is a complicated subject to study, especially in cases where students have come to university to study a degree that focusses on finances.

They inherently struggle in seeing the value of studying law. The mind maps provide a simplified overview that enables students to compartmentalise different aspects of the law. It also gives a broad visualisation of the legal aspects and where they fit into the law. The feedback that Nina and Josie received both from the students and from faculty members were overall very positive and they look forward to taking all that they have learned through the course of the year to further better their teaching strategy in the future.



MASTER THE LAW

*with an **LLM** from*

Stellenbosch University



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UNIVERSITEIT

LLM PROGRAMMES

LLM by coursework

Students complete 4 taught modules and a research paper. Students can either enrol in the general programme (free choice of modules) or specialise in a specific area of law.

LLM [General]

Modules: Choice of 4 modules offered during the relevant year

LLM in Alternative Dispute Resolution

Modules: International Commercial Arbitration, Mediation, Specialised Dispute Resolution Techniques and 1 elective

LLM in Intellectual Property Law

Modules: Copyright Law, Trademark Law, Patent Law and the Law of Registered Design and either Intellectual Property Law in the Digital Environment or Competition Law

LLM in International Trade Law

Modules: Carriage of Goods by Sea, International Sales Law, International Commercial Arbitration, International Tax Law, Legal Aspects of World and Regional Trade, Payment and Guarantees in International Contracts, Climate Change and Sustainability Governance

Professional LLM

LLM in Public Procurement Policy and Regulation

Modules: International Legal Regimes on Public Procurement, Public Procurement Regulation and Policy in South Africa and 2 electives (Policy and Public Procurement Law, Corruption and Procurement, Infrastructure Procurement Regulation and Policy in South Africa, Defence Procurement, Procurement Law Compliance)

LLM by research

Students complete a thesis of +/- 60 000 words

LLM by coursework

- Full-time: 1 year (2 modules per semester and research project over 1 year)
- Part-time: 2 years (1 module per semester and research project over 2 years)
- January or July intake
- Compulsory class attendance - weekly lectures in Stellenbosch normally from 18:00 to 20:00 (some modules are offered in blocked sessions)
- Fully taught in English

Professional LLM

- * The programme consists of four modules and a research portfolio
- * Hybrid learning programme (contact sessions take place during specific block periods each semester at the Stellenbosch campus)

LLM by research

- 1 year programme (full-time students have a maximum of 2 years to complete and part-time students have a maximum of 3 years to complete)
- January intake

Applications:

Please read the Postgraduate Guide of the Faculty of Law (www.sun.ac.za/law) before submitting an application

Apply at www.maties.com

More information: www.sun.ac.za/law or www.sun.ac.za/calendar

Navorsingsleerstoele *en* Eenhede

**Research Chairs
and Units**

African Procurement Law Unit (APLU)

National Conversation on Public Procurement Reform in South Africa



Prof Geo Quinot, Chief Justice Raymond Zondo, Prof Sope Williams, Ms Vuyiseka Klaas.

On 24 and 25 July 2024, APLU convened a national conversation on public procurement reform in South Africa.

The aim of the workshop was to bring together all stakeholders to discuss current developments in public procurement reform in South Africa. The workshop is a continuation of a project started in 2023, broadly aimed at collective reflection on what public procurement system the procurement community wants and needs in South Africa and how all

stakeholders can collaborate to get there. The timing of the 2024 event was serendipitous given that South Africa's new Public Procurement Act 28 of 2024 was gazetted on 23 July. The 2024 workshop was opened by Chief Justice Raymond Zondo, in which he reminded delegates that public procurement was at the heart of state capture as identified by the State Capture Commission which he chaired. He thus emphasised the importance of the aims of the workshop in pursuit of a reformed public procurement system in South Africa. The Chief

Justice called on all delegates to carefully scrutinise current reform projects, such as the new Public Procurement Act and regulations to be made under the Act, to ensure that the weaknesses that enabled state capture through public procurement are effectively addressed.

The presentations by the various speakers can be viewed at this [link](#) and recordings of the live stream are available on [YouTube](#).

This ongoing project is funded by the Millennium Trust.

APLU contributes the Global Revolution 2024 Conference

On 17 and 18 June 2024, the Public Procurement Research Group at the University of Nottingham, led by APLU research fellow, Professor Annamaria la Chimia, hosted its biennial international conference on public procurement law. The 2024 conference again gathered scholars from multiple disciplines around the world to discuss current research and developments in the field of public procurement.

APLU was again one of the collaborating partners for the conference and contributed to several sessions. Professor Geo Quinot delivered a plenary keynote that focussed on reconceptualising public procurement (law and practice)

globally. Professor Sope Williams shared insights from her most recent research addressing the corruption barriers to gender responsive procurement in a session that focussed on diversity in procurement. Professor Quinot also joined Professor François Lichère of the Université Jean Moulin Lyon and Director of the Chair of Public Contract Law (*Chaire de droit des contrats publics*), Professor Christopher Yukins of the George Washington University School of Law, and Professor Tünde Tátrai of the Corvinus University of Budapest on a panel that discussed deference to contracting authority decisions in procurement disputes.

APLU dra by tot die Global Revolution 2024 Konferensie

Op 17 en 18 Junie 2024 het die Public Procurement Research Group aan die Universiteit van Nottingham, gelei deur APLU-navorsingsgenoot, professor Annamaria la Chimia, sy tweejaarlikse internasionale konferensie oor staatsverkrygingsreg aangebied. Die 2024-konferensie het weer vakkundiges van verskeie dissiplines regoor die wêreld versamel om huidige navorsing en ontwikkelings op die gebied van staatsverkryging te bespreek.

APLU was weer een van die samewerkende vennote vir die konferensie en het bygedra tot verskeie sessies. Professor Quinot was 'n hoofspreker, sy toespraak het gefokus op die herkonseptualisering van staatsverkryging (reg en praktyk) wêreldwyd. Professor Sope Williams het insigte gedeel uit haar mees onlangse navorsing oor die korrupsie-hindernisse tot geslagsreaktiewe verkryging in 'n sessie wat op diversiteit in verkryging gefokus het. Professor Quinot het ook aangesluit by Professor François Lichère van die Université Jean Moulin Lyon en Direkteur van die Leerstoel vir Openbare Kontraktereg (*Chaire de droit des contrats publics*), Professor Christopher Yukins van die George Washington University School of Law en Professor Tünde Tátrai van die Corvinus Universiteit van Budapest op 'n paneel wat respek vir besluite van staatsorgane in verkrygingsgeskille bespreek het.



APLU's Prof Sope Williams and Prof Geo Quinot at the Global Revolution 2024 Conference



Speakers and NRF participants at the 2024 NRF International Conference on Public Procurement

NRF International Conference on Public Procurement Methods and Specifications

APLU again supported the National Research Foundation (NRF) to host a groundbreaking international conference on public procurement in September 2024. The two-day event drew nearly 550 participants both in-person and virtually to the NRF's Albert Luthuli Auditorium in Pretoria.

This year's conference, focussing on specifications and procurement methods, marked the first academic gathering of its kind to explore these crucial aspects of public procurement in depth. International scholars presented cutting-edge research across various disciplines, highlighting several key developments in the field.

Notable discussions centred on innovative procurement methods, including:

- Framework agreements as flexible long-term mechanisms for enhanced value
- The integration of artificial intelligence in procurement processes
- Balancing flexibility with integrity through negotiated contracts

The conference also explored advanced approaches to specifications, examining complex problem-solving theory, analytical hierarchy processes, and multi-criteria decision making. Speakers demonstrated how structured

requirement analysis can lead to optimal procurement outcomes.

The strong attendance and high-calibre presentations underscore the growing importance of public procurement research and its practical applications in the global context. The conference also provided key insights for the development of procurement systems under the new Public Procurement Act 28 of 2024 in South Africa.



Prof Gian Luigi Albano of the University LUISS G. Carli, Italy, delivering one of the keynote papers at the 2024 NRF International Conference on Public Procurement

Anton Mostert Chair of Intellectual Property Law

Short Course: Botswana

After successfully presenting the IP, Competition, Contract and Unjustified Enrichment Law Short Course (the "Short Course") in Namibia in 2022 and 2023, and after a discussion with the Law Society of Botswana, the IP Chair decided to present the Short Course in Gaborone, Botswana, this year.

In addition to Professor Sadulla Karjiker, Professor Jacques du Plessis, and Ms Gretchen Jansen, the presenters included Mr Bastiaan Koster and Dr Juletha-Marié Dercksen from the well-known Intellectual Property firm, Von Seidels. Ms Annette van Tonder played her part by ensuring that the administration of the Short Course ran smoothly.

There were quite a few challenges with organising such a course in Botswana as intellectual property law is, as yet, not a well-established field in most practices in Botswana, which required extensive marketing. It transpired that one of the greatest challenges was ensuring that some of the presenters made their early morning flight from Cape Town, because a certain Professor Karjiker did not wake up in time!

The Chair was greatly encouraged by the enthusiasm of the attendees, and the way they engaged with the presenters on various topics. The attendees particularly expressed their appreciation of the efforts that each presenter made with their presentations. There was even a request about whether the Chair could present a tailor-made "in-house" course for one of the companies. Some of the attendees even expressed a strong interest in applying for postgraduate law studies at Stellenbosch University. The Chair would be very pleased to have students of the calibre of the attendees in Botswana.

Needless to say, the trip back to Stellenbosch was more relaxed, and there were no signs of rushing or a fear of missing planes, as at the beginning of the trip.

Presenters and attendees alike will fondly remember the Botswana Short Course, and the Chair is looking forward to presenting another Short Course in Botswana.



Public Lecture



*Mr Andrew Breetzke
(SA Cricketers' Association)*

The Anton Mostert Chair for Intellectual Property Law hosted its annual public lecture on 10 October 2024. The event featured an interesting and informative presentation by Andrew Breetzke, Chief Executive Officer of the SA Cricketers' Association. The title of the presentation was "Player IP: Show me the money!"

The lecture attracted a diverse audience of academics, legal professionals, sports enthusiasts, and other interested persons. Andrew Breetzke, an expert in the field of sports law, offered fascinating insights into the complex world of

player intellectual property rights. He explored the various ways in which sportspeople can monetise their image and build a brand around their image, from endorsement deals, merchandising, to digital content and social-media partnerships, and how the law regulates (or seeks to regulate) these agreements.

The event was not only intellectually stimulating but also a social occasion. Attendees enjoyed delicious food and drink while catching up with old friends and making new ones. To see such interactions is rewarding, as it is a compliment to the hard work put in behind the scenes by colleagues like Annette van Tonder, Gretchen Jansen, Christine Strauss, Cathy Adams, and Gerda Adams. A special thanks also goes to Von Seidels for the continued support of the annual public lecture.

The Anton Mostert Chair for Intellectual Property Law remains committed to promoting and sharing knowledge pertaining to intellectual property law, and related areas of law. By hosting such engaging events, the Chair aims to contribute to the advancement of education and research in these fields and to inspire future generations of IP professionals and researchers.



Image: Prof Juanita Pienaar; Mr Andrew Breetzke (SA Cricketers' Association); André Maré (Von Seidels); Prof Sadulla Karjiker; Prof Nicola Smit; Prof Richard Stevens

Centre for Social Justice

Social Justice Trainers Course

From 11 to 13 September 2024, the Centre for Social Justice (CSJ) successfully hosted a Social Justice Trainers short course at Stellenbosch University, led by Professor Thuli Madonsela. The course aimed to enhance social justice education through conceptual clarity and transformative pedagogical methods. About 25 participants attended in a hybrid format.



CSJ Director Participates in Ethics Grounding of GNU Government

Between July and September 2024, Professor Madonsela facilitated induction contact sessions for members of the National Executive for the seventh democratic administration. The sessions were focussed on the executive ethics code and ethical decision making in the three spheres of government, state-owned entities, the institution of traditional leadership, and organs of state.

Social Justice, Hunger and the Constitution Expert Symposium

On 5 September 2024, the CSJ hosted an Expert Symposium at Bertha Retreat, Boschendal, in Franschhoek. The symposium focussed on the state's constitutional duty to guarantee food security in South Africa and aimed to evaluate progress in eradicating hunger, emphasising the state's constitutional duty to ensure food security as outlined in the Constitution, concluding with a call for collaborative efforts among all stakeholders (including government, civil society, the private sector, and communities) to create a fair food system.



Social Justice Champion Awards

On 16 October 2024, the Social Justice Champion Awards took place at Erinvale Estate in Somerset West. In collaboration with Champion South Africa and the Council of Social Justice Champions, the CSJ presented three prestigious awards to exceptional South Africans in recognition of their significant contributions to advancing social justice. During the event, Dr Athol Williams was named Social Justice Champion of the Year 2024, Mr Eugene Opperman received the Bridge Builder award, and Ms Karabo Makgonyana was honoured as the inaugural Social Justice Rising Star.



5th International Social Justice Conference and 6th Social Justice Summit

The 5th International Social Justice Conference and the 6th Social Justice Summit, focussing on social justice and Sustainable Development Goal 2: Zero Hunger, were held at the Artscape in Cape Town on 17 and 18 October. The discussions centred on evaluating the progress on hunger, identifying the root causes of food insecurity, and sharing successful initiatives. The event concluded with pledges and resolutions aimed at eradicating hunger by 2030. The full statement is available at <https://socialjustice.sun.ac.za/blog/2024/10/participants-pledge-united-action-against-hunger-at-international-social-justice-conference-and-summit>.

One Young World Summit

From 18 to 21 September 2024, Professor Madonsela took part in the One Young World Summit in Montreal, which gathered young leaders from more than 190 countries. As a distinguished speaker, she contributed to three panel discussions focussed on social justice: Mentoring Session on "Fighting for Racial Justice", "The Importance of US-China Dialogue", and "International Law Concerning Gaza/Palestine". Professor Madonsela urged the participants, saying, "Let us all remember that injustice comes at a cost that is ultimately paid by the entire world. Cease the fire."



TAS / CAS

TRIBUNAL ARBITRAL DU SPORT
COURT OF ARBITRATION FOR SPORT
TRIBUNAL ARBITRAL DE SPORTS

CSJ Director Appointed to International Council for Arbitration in Sport (ICAS)

Professor Madonsela was appointed to the International Council for Arbitration in Sport (ICAS), an international body composed of 22 members with legal expertise, established to settle sports-related disputes through arbitration. On 5 November, Professor Madonsela attended her first meeting at the CAS Headquarters in Lausanne, Switzerland.



ABASA Annual National Convention

Mr Thembaletu Seyisi moderated a panel discussion on "Legislation's role in Broad-Based Black Economic Empowerment (B-BBEE) and social justice in accounting" at the Annual National Convention of the Association for the Advancement of Black Accountants of Southern Africa (ABASA). The convention, held from 5 to 8 November, in the Eastern Cape, was themed "Leading for Legacy - Accounting for 30 Years of Democracy".



Supporting Peace Agency Fundraising Event

On 9 November, Professor Madonsela participated in a keynote interview, titled "The Social Justice Implications of Giving Children a Fair Start in Life", at the Peace Agency-Baby Home fundraising dinner, held at Norwood School in Durban. The Peace Agency is an umbrella NPO supporting various projects that facilitate adoptions and offer a safe space for babies and children awaiting adoption. Professor Madonsela is also a patron of the organisation.

Custodians of Ubuntu Address at goGOGOgo AGM

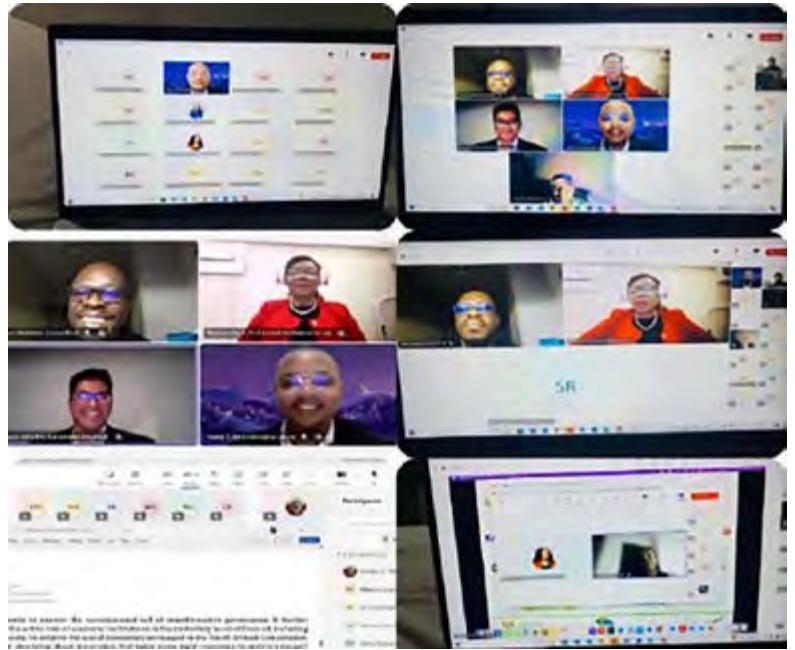
On 11 November, Professor Madonsela presented a guest speech, titled "Custodians of Ubuntu: The Importance of Grandmothers in South African Households and Communities", at the Annual General Meeting of goGOGOgo, a South African non-profit dedicated to improving the health and life prospects of grandmothers ("gogos") and their children. Professor Madonsela is also a patron of the organisation.



Prof Thuli Madonsela with Prof Glenda Gray - South African Medical Research Council

Law Reform Roundtable on Immigration

On 14 November, the CSJ, in partnership with the South African Human Rights Commission (SAHRC), hosted a Law Reform Roundtable on the Immigration Amendment Bill. The well-attended event saw 72 experts gathering to analyse the Bill, address challenges, and propose solutions to the Bill's blind spots. The discussions informed the CSJ's submission to Parliament and the Department of Home Affairs. As a result, on 22 November, the CSJ submitted its comments on the Bill, which addresses constitutional court findings of unconstitutionality in section 35 of the Immigration Act regarding arrest and deportation of illegal foreigners. Key speakers included Professor Thuli Madonsela, Advocate Moses Malakate, CSJ Intern Stepfan Vaughan, and Mr Shriyan Sahadew Ramjeevan from UNHCR.



Prof Madonsela Addresses Oversight Conference

On 19 November, Professor Thuli Madonsela presented on "The state of oversight and government compliance and its implications for social justice" at a conference on *"The role of oversight and compliance bodies in state capacity building"*. The conference, which was jointly hosted by the Public Protector and the Department of Public Service and Administration with EU support, took place at the Radisson Conference Centre. At the event, Professor Madonsela also met with DPME Director General, Dr Robert Nkuna, and discussed a formal collaborative agreement on ending hunger.



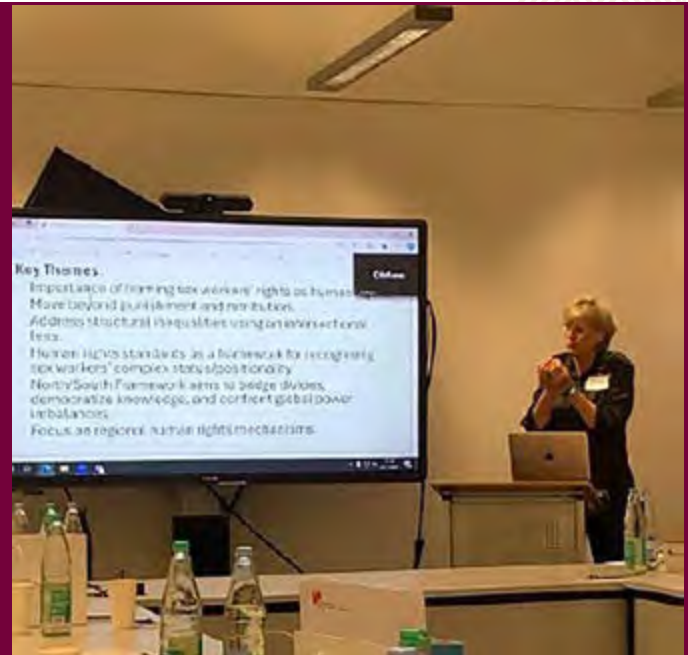
Delivering EPIC Leadership Phase 2

On 16 November, Professor Thuli Madonsela presented a module on reflections of EPIC Leadership during Phase 2 of the EPIC Leadership for Ambassador Onboarding Course at the Thuma Foundation offices in Pretoria. She also participated in the Ambassador graduation ceremony and pledge taking.



Dr Lourens at Universität Hamburg Symposium

Dr Marna Lourens, a project manager and researcher at the CSJ, participated in a symposium held at Universität Hamburg on 20 and 21 November. This event focussed on elevating the voices and perspectives of the Global South within the context of international law. During the symposium, Dr Lourens presented her research as part of Panel 3, which addressed various mechanisms relevant to the topic.



Prof Madonsela receives awards

On 22 November 2024, Professor Madonsela was announced as recipient of the Humanitarian Industry Icon at the Glamour Women of the Year Awards. On 24 November, she received the AfricTivistes's Champion Award for Governance and Democracy during the Africa Drive for Democracy Indaba.





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POSTGRADUATE DIPLOMA

Postgraduate Diploma in Tax Law

A two-year programme aimed at law, accounting, and commerce graduates focussing on the interpretation of tax law.

Modules: Foundations of Tax Law, Principles of Income Tax Law, Law of Selected Taxes, and International & Further Tax Law

Postgraduate Diploma in Intellectual Property Law

A one-year programme aimed at law, science, and engineering graduates focussing on Copyright Law, Trademark Law, and Patent Law.

Modules: Copyright Law, Economic Perspectives of Law, Intellectual Property Law in the Digital Environment, Patent Law and the Law of Registered Design, Trademark Law, Competition Law, Intellectual Property Law: Research Paper

Postgraduate Diploma in Public Procurement Policy and Regulation

A one-year, hybrid-learning programme aimed at graduates with an interest in public procurement focussing on public procurement policy, compliance, corruption, as well as infrastructure and defence procurement.

Modules: International Legal Regimes on Public Procurement, Public Procurement Regulation and Policy in South Africa, and 2 elective modules (Corruption and Public Procurement, Defence Procurement Regulation and Policy, Infrastructure Procurement Regulation and Policy in South Africa, Policy and Public Procurement Law, Procurement Law Compliance)

More information: www.sun.ac.za/law or www.sun.ac.za/calendar

Chair in Urban Law and Sustainability Governance



This semester was productive and exciting, with the ULSG Chair members participating in a series of local and international conferences and seminars. Read about some of the key highlights below.

Englebert Chikodza, Robyn Bayer, Dr Bryony Fox, Prof Anél du Plessis, Vuyiseka Klaas, Michaela O'Donoghue

Environmental Law Association Student Conference



Wilmien van Biljon and Michaela O'Donoghue



Englebert Chikodza

Held at the University of the Witwatersrand on 5 September, the Environmental Law Association Student Conference brought together postgraduate students from across South Africa. Some of the ULSG team members, namely Robyn Bayer, Michaela O'Donoghue, and Wilmien van Biljon, presented online, while Englebert Chikodza attended the event in person. Each speaker addressed the theme,

"My research is at the cutting edge of environmental law because...", which allowed for insightful reflections on the importance and impact of their various postgraduate research projects. After the conference, Wilmien received the Best Presenter award for her outstanding contribution, while Michaela was co-awarded for the Best Blog Submission.



Michaela O'Donoghue, Prof Anél du Plessis, and Dr Bryony Fox

HF Oppenheimer Postgraduate Human Rights Seminar

The HF Oppenheimer Chair in Human Rights hosted their annual Postgraduate Human Rights Seminar on 13 September, which saw Michaela O'Donoghue delivering a thought-provoking presentation that focussed on her research on the right to the city and environmental justice. Her contribution was well-received. Professor Anél du Plessis and Dr Bryony Fox also attended the seminar.

CLES 5th Annual Student Conference

From 2 to 3 October, the NRF South African Research Chair in Cities, Law and Environmental Sustainability (CLES), North-West University, hosted its 5th Annual Student Conference in Potchefstroom, where Michaela O'Donoghue once again took to the stage. Michaela's presentation, titled "Urban Inclusivity as a Complex Process: Reflections on South African Cities Post-1994", showcased her insights into the social and legal challenges faced by South African cities, and was well received by attendees.



Michaela O'Donoghue

International Conference on Children's Rights



Englebert Chikodza

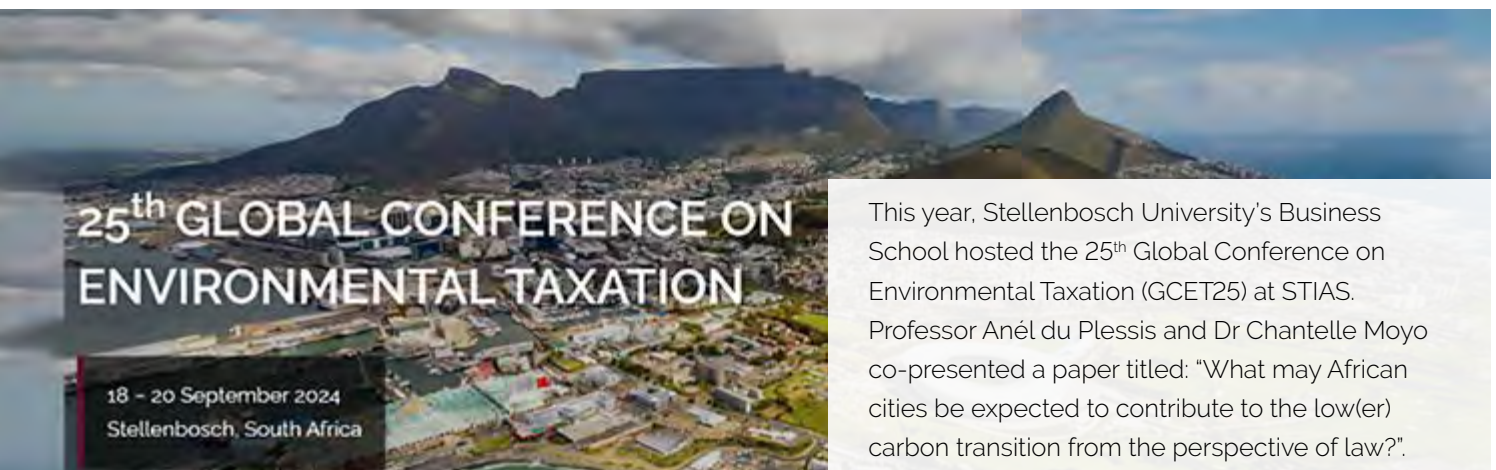
In Stellenbosch, Dr Bryony Fox and LLD candidate, Englebert Chikodza, made contributions at the International Conference on Children's Rights from 10 to 11 September. Dr Fox and Professor Anél du Plessis also chaired various sessions at this conference. Dr Fox presented her paper on "Soft Law and the Rights of Climate Change Displaced Children: An Analysis in the African Regional Context". The question "To What Degree Has the Realisation of Providing Healthy Housing to Children under Section 28(1) of the South African Constitution Been Achieved?" was addressed in Englebert's presentation. Their presentations were well received and resulted in robust discussions on the roles of children's rights in the context of environmental law and housing rights, respectively.

International Conference on Child/ Youth Climate Justice

Representing the Chair on an international stage, Dr Bryony Fox attended the International Conference on Child/Youth Climate Justice at the University College Cork in Ireland. Bryony's presentation on "The Role of Soft Law in Ensuring Durable Solutions for Children Displaced by Climate Change in Africa" provided an in-depth analysis of how non-binding legal frameworks can play a crucial role in addressing the challenges posed by displacement due to climate change impacts in Africa.



Bryony Fox



This year, Stellenbosch University's Business School hosted the 25th Global Conference on Environmental Taxation (GCET25) at STIAS. Professor Anél du Plessis and Dr Chantelle Moyo co-presented a paper titled: "What may African cities be expected to contribute to the low(er) carbon transition from the perspective of law?".



ESG Forum held from 14 -18 October 2024

Professor Anél du Plessis was an invited participant in this year's ESG Forum focussed on the theme of "Re-imagining Earth System Governance in an Era of Polycentric Crises".



Professor Du Plessis participated in the Roundtable on "Challenges in Teaching Global Environmental Law and Politics: Perspectives from Latin America and Africa".



African School on Decentralisation 14-17 October 2024

The University of the Western Cape and University of Addis Ababa hosted the African School on Decentralisation from 14 to 17 October 2024 in Cape Town. The theme this year was "Decentralisation and Human Rights". It brought

together various stakeholders from all over the African continent. Professor Anél du Plessis was invited to present a morning session on "Climate Change, Cities and the Critical Direction of Constitutional Environmental Rights".



Englebert Chikodza, Robyn Bayer, Dr Bryony, Prof Anél du Plessis, Michaela O'Donoghue, Tulonga Nembungu

Student Research Feedback Session

On 22 October, the ULSG Chair hosted its second Research Feedback Session for 2024 for the Chair members, and other students conducting their postgraduate research under Professor Anél du Plessis. The aim of this session was for the presenters to give an overview of the progress of their research, and to receive new comments and suggestions

on the improvement of their theses or, in the case of Dr Fox, her book chapter and journal articles. This session proved to be a very insightful one, with new ideas exchanging between the presenters, and valuable feedback being given and received.

This semester was one filled with intellectual exchange and recognition of our team's hard work. The ULSG Chair looks forward to more opportunities to contribute to essential discussions at future conferences.

ULSG Chair members go abroad!

Two members of the ULSG Chair have recently achieved remarkable milestones in their academic journeys, earning prestigious opportunities to expand their research and expertise on the international stage.

Elizabeth Dhumbura has been selected to join the Geneva Graduate Institute as part of an international project funded by the Swiss National Science Fund (SNSF). The project, titled "Law by Colour Code: Locating Race and Racism in International Law" (2024-2027), examines the intersection of race, law, and governance. Elizabeth will focus her research on the effects of European law and governance on food and ecosystems in the Global South. Her selection for this cutting-edge project highlights her dedication to exploring critical issues of racial justice and environmental governance, making her a valuable contributor to the initiative. While this opportunity means she departs from the Chair, we are nevertheless very excited to see where her research takes her!



Wilmien van Biljon has been accepted into an LLM semester exchange program at KU Leuven, Belgium, from September 2024 to February 2025. As part of this opportunity, she will complete advanced Masters-level modules at KU Leuven's Faculty of Law and Criminology while continuing her research on climate change and insurance law under the supervision of Professor Anél du Plessis. Wilmien also received the Priority Country Programme scholarship, partially funded by the Flemish Higher Education Council (VLUHR), underscoring her academic excellence. This exchange will allow her to deepen her expertise while engaging with international legal scholars.

Both Elizabeth and Wilmien's achievements reflect their personal dedication to their respective research areas!

Visiting Scholars

During the months of August, September and October, the Chair hosted two esteemed colleagues from Germany and Brazil.

Professor Miguel Etinger from the State University of Londrina in Rio de Janeiro, Brazil visited the Chair for a period of three months. He is an expert in Urban Law and Sustainability with vast experience on the linkages between property, urban land and sustainability ideals. During his time at the Chair, he participated in various events and delivered an LLM guest lecture focussed on urban climate resilience and land-related conflicts in Brazil.

Professor Helmut Aust from the Freie Universität, Berlin, Germany visited the Chair for a week in August. He presented an LLM guest lecture on international law and cities with a focus on Sustainable Development Goal 11 and further delivered a public seminar on international law

and the Gaza war before the International Criminal Court of Justice, with particular focus on the roles of South Africa, Germany, and different third states. During his stay, the Chair also hosted an information session on the recently established International Law Association Committee on International Law and Urbanisation. Professor Aust is Co-Chair of the Committee and Professor Du Plessis the Co-Rapporteur.

On 23 October, Professor Riël Franszen presented a seminar on whether land-based finance mechanisms may be used to protect biodiversity in South Africa. Professor Franszen is currently a research fellow at Stellenbosch Institute for Advanced Study (STIAS). He also heads the University of Pretoria's *DSI-NRF Research Chair in Tax Policy and Governance*.



ILA Roundtable Discussion



Prof Riël Franszen



Professors Anél du Plessis, Helmut Aust and Miguel Etinger

ULSG's First Annual Public Lecture



Prof Guy Midgely, Dr Crispian Olver, Prof Nicola Smit, Prof Anél du Plessis

On the 26th of September, the Chair was honoured to welcome Dr Crispian Olver, to present the Chair's Inaugural Annual Public Lecture. At the time of his presentation, he held the position of Executive Director of the Presidential Climate Commission but has subsequently been appointed to his current position as the Deputy Chairperson of South Africa's Presidential Climate Commission. In his enlightening presentation, Dr Olver looked at particular challenges in the climate transition, including the free-rider problem, vested interests and path dependency. He also investigated the distributional effects of the climate transition, and South Africa's next steps in addressing climate change, especially in light of the newly enacted Climate Change Act.

Dr Olver emphasised that distributional conflict is a core part of the climate transition, and that it is often the case that those who have contributed to the climate crisis will not necessarily be the ones to bear the majority of the risks in transition.

Dr Olver noted that because of these challenges, we are in an era of fast-paced technological innovation, with many

much-needed solutions already being in the later stages of their development. He highlighted that South Africa is active in its energy sector reforms, and this is encouraged by public finances being more closely aligned with and in the interests of the climate transition.

He concluded with reference to recent climate change law and policy reform in South Africa stating that: "Developing an effective local climate response of course doesn't solve the global governance problem We all need to step up and become stewards if we want to live in a sustainable world, both for this and for future generations."

The Public Lecture was a hybrid event which allowed for both international and local attendees. As a result, the lecture was well-attended, with an equal number of people attending in person and online. The attendees comprised various academics, scholars, and professionals in the spheres of environmental and urban law and governance, and represented various other institutions and interest holders.



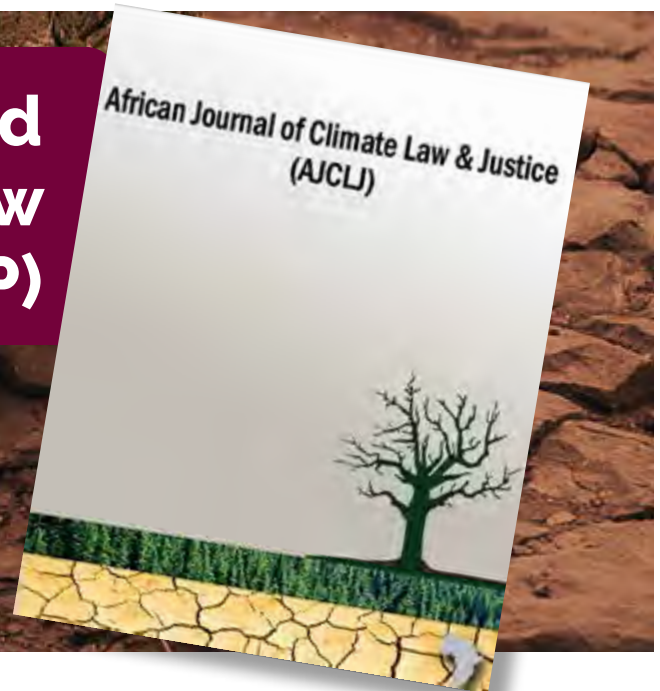
Dr Crispian Olver



Prof Anél du Plessis

Development and Rule of Law Programme (DROP)

African Journal of Climate Law & Justice (AJCLJ)



The inaugural issue of the newly established *African Journal of Climate Law and Justice* is now available online (<https://ajclj.up.ac.za/>). This journal is a DROP initiative in collaboration with UNEP and other partners. For more information on the journal and the editorial and advisory board, please visit <https://www.univen.ac.za/african-journal-of-climate-law-justice-ajclj/>.



Gys Steyn Chair in Financial Regulation Law

Gys Steyn Inaugural Public Lecture

The first Public Lecture of the Gys Steyn Chair in Financial Regulation was delivered by the Commissioner of the Financial Sector Conduct Authority (FSCA), Mr Unathi Kamlana, on Tuesday, 19 November. The Faculty was very honoured to host Mr Kamlana and members of his team from the FSCA.

Before introducing the speaker, Professor Scholtz, the incumbent of the Chair, briefly described the goals and aims of the new research Chair and stressed the need for a multi-disciplinary, comparative, and international approach, with special reference to so-called "fintech" developments such as cryptocurrencies and blockchain.

The topic of the lecture was "Retirement Savings at

Risk: Legal Safeguards Against Pension Arrears". It was a very topical address in the light of the recently introduced two-pot retirement savings and withdrawal system.

Against the background of the low retirement savings rate in South Africa, Mr Kamlana stressed the importance of employers complying with their statutory obligations to pay contributions to employees' pension funds. He also discussed the legal safeguards and remedies available against non-compliant employers, including "naming and shaming" them, which proves remarkably effective.

The event was very well attended by guests from academia, practice, the financial industry, and regulators. It augurs well for the future.



Mr Unathi Kamlana, Prof Johann Scholtz and members from the SU Law Trust and Faculty Management Team



Prof Johann Scholtz



Guest lectures organised by the Gys Steyn Chair

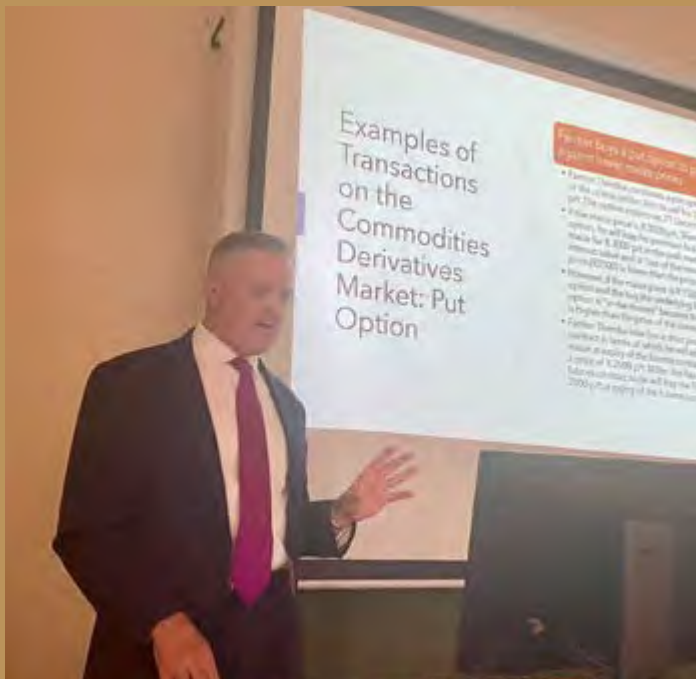


Dawid de Villiers from Webber Wentzel



Prof Johann Scholtz and Dawid de Villiers

On 20 September, Dawid de Villiers from Webber Wentzel presented a guest lecture on "Non-standard securities" to the Mercantile Law 443 (Advanced Company Law) class. On 27 September, Louis Cockeran, Legal Counsel at the JSE, presented a guest lecture to the class on "Derivative transactions on the JSE".



Louis Cockeran, Legal Counsel at the JSE



Prof Johann Scholtz and Louis Cockeran

HF Oppenheimer Chair in Human Rights Law

H.F. Oppenheimer Chair in Human Rights Law hosts the 3rd Annual Postgraduate Human Rights Seminar

On 13 September 2024, the H.F. Oppenheimer Chair in Human Rights Law, Professor Sandra Liebenberg ("Chair"), hosted the 3rd Annual Postgraduate Human Rights Seminar ("Seminar") with support from the Head of the Department of Public Law at Stellenbosch University, Professor Bradley Slade.

The Seminar took place at the Silo and Shed Hotel and was well-attended by postgraduate students and post-doctoral scholars. The Chair was grateful to have Professors Henk Botha, Anél du Plessis, and Bradley Slade join in the audience as students deeply benefitted from their enriching comments and questions.

The Seminar, which was inaugurated in 2022, is hosted by the Chair in order to create the proverbial safe and supportive space for postgraduate and postdoctoral scholars working in the field of fundamental human rights (broadly defined) to present aspects of their research and receive feedback from peers and staff in the faculty. In doing so, the Seminar aims in the first place to provide an opportunity for the postgraduate community to hone their presentation skills and to respond appropriately to comments and questions – a vital skill for academics throughout their careers – which the participants on the day mastered.

Research and writing can be a lonely and isolating experience. This can be alleviated greatly by a mutually supportive community of scholars and interlocutors.

Participants remarked that the Seminar gave them an excellent opportunity to foster a sense of community and collegiality amongst their community of scholars.

Further, the Seminar truly facilitated an exchange of ideas and information from differently fields and perspectives. The presentations on the day included discussions on what it would mean for environmental justice in urban South Africa to have a "right to the city"; traditional courts and their impact on women practising customary law; questioning the value of toleration in our South African law; and the question of how human rights law can address educational segregation on the basis of socio-economic status. This exchange allowed for the enrichment of the participant's research by generating new ideas and different angles not previously considered. Moreover, the day of discussions led to connections between presenters and commentators which can possibly lead in the future to collaborative projects such as co-written articles or co-organised conferences. For example, there were a few projects that straddled both environmental law, as well as South African constitutional law that could see connections forming in the future.

Overall, the Seminar was a real success and the Chair thanks everyone who was involved in its organisation and to those who participated on the day.



Participants and audience members from the 3rd Annual Postgraduate Human Rights Seminar.

Visiting Doctoral Student from Hasselt University, Belgium, Ms Merel Vrancken

On 3 September 2024, the H.F Oppenheimer Chair in Human Rights Law welcomed the arrival of Ms Merel Vrancken, a visiting doctoral student from Hasselt University, Belgium. Merel spent just under three months with the Chair before returning to Belgium at the end of November.

Merel's PhD, which she expects to complete in 2025, is titled "Human Rights and Educational Segregation: Great Expectations? A Critical Legal Analysis of Human Rights Law's Possibilities and Limitations to Address Educational Segregation on the Basis of Socio-Economic Status". Describing the project in further detail, Hasselt's University's online blurb explains that Merel's project "aims to critically analyse the possibilities and limitations of human rights law in addressing the problem of segregation, with a specific focus on societal ('de facto') segregation on the basis of socioeconomic status. For this, Flanders is used as a case study. While virtually all human rights law instruments contain a prohibition of discrimination, only very few include an express prohibition of segregation. This project

investigates to what extent prohibitions of discrimination in human rights law also prohibit (all forms of) segregation in education. It moreover examines whether segregation on the basis of socioeconomic status is and can be prohibited in human rights law".

Merel gained invaluable insight into South Africa's legal landscape by, inter alia, attending weekly seminars presented by Professor Liebenberg and various esteemed guest lecturers in the Constitutional Law 451 class, by presenting at the Postgraduate Human Rights Seminar held at Silo and Shed on 13 September 2024 and by attending various other events and seminars such as a guest lecture delivered by Professor Joel Modiri from the University of Pretoria.

The Chair thoroughly enjoyed Merel's stay and thanks her for choosing to spend time in Stellenbosch, South Africa, as she prepares to submit her final dissertation for examination. The Chair wishes Merel all the best in her future endeavours and hopes to see her again soon.



Christiaan Van Schalkwyk, Dr Anisa Mahmoudi, Prof Sandra Liebenberg, Merel Vrancken, Melissa Robertsen

Dr Anisa Mahmoudi's Postdoctoral Experience



Under the invaluable support and guidance of Professor Sandra Liebenberg, H.F Oppenheimer Chair in Human Rights, this past year has been an incredible journey of growth and learning."

A major highlight of this year was participating as a panellist at the Law Faculty's Women's Day event, where I had the privilege of discussing gender equality – a topic deeply close to my heart. I was also involved with the Annual Human Rights Law lecture, the annual Postgraduate Human Rights Law Seminar, and served as co-organiser of the Human Rights and Constitutional Accountability Conference alongside Professors Liebenberg and Slade.

Another memorable experience was coaching the team that participated at the 33rd Annual Christof Heyns African Moot Court competition in Rwanda. Travelling to Rwanda and judging ten teams as they argued their cases was

both challenging and inspiring, and an unforgettable experience. Working with students through research supervision and guest lecturing has been equally rewarding, allowing me to pay forward the exceptional mentorships I received over the years at SUN.

This year was filled with professional development opportunities. Workshops on grant writing, media engagement, and assessment techniques expanded my skill set in valuable ways. Additionally, attending Harvard Law School's Global Scholars Academy, organised by the Institute for Global Law and Policy and SU Faculty of Law, was an enriching experience. This event brought together over 100 scholars from across the world, providing a platform interdisciplinary collaboration under the mentorship of leading faculty members.

In terms of publications, I was thrilled to see the publication of a co-authored book chapter entitled "A Critical Analysis

of Resocialisation as an Obligation, Right and Remedy under the Maputo Protocol in the Jurisprudence of the African Court on Human and Peoples' Rights and the ECOWAS Court of Justice" come to fruition earlier this year. Another book chapter, "Cultural Relativism and Role of Resocialisation in the Realisation of African Women's Rights to a Positive Cultural Context", is due for publication soon. Additionally, a third publication, currently under review, has been submitted to the African Human Rights Law Journal.

Reflecting on the past year, I feel deeply grateful for the opportunity to contribute to the academic community, expand my expertise, and mentor the next generation of legal professionals. I look forward to continuing this journey and embracing the new opportunities and challenges that lie ahead.

Dr Anisa Mahmoudi

Alumnae of the Chair, Claire Rankin, receives Rector's Award for best LLM thesis

Claire Rankin, who did her LLM by research thesis under Professor Liebenberg's supervision, received a Rector's Award this year for academic excellence. Claire graduated *cum laude* at the December 2023 graduation ceremony. Her thesis was entitled, "The Adjudication of Budgetary Decisions in Socio-Economic Rights Litigation".

Claire is currently a first-year candidate attorney at the Makhanda Office of the Legal Resources Centre ("LRC") in the Eastern Cape. The LRC is a public interest law firm, focusses on protecting and promoting human rights in South Africa

through advocacy and litigation.

Claire works

primarily in the LRC focus areas of Education and Land as well as the State Capture and Beyond Project.

She shared her reflections on her experiences as an LLM student under the Chair:

"Working within the HF Oppenheimer Chair while completing my LLM was truly such a privilege! Completing a LLM by thesis can be a lonely sometimes and a little bit daunting. The HF Oppenheimer Chair, however, provides you with colleagues and a valuable space within which you can seek out advice and support from your peers. Professor Liebenberg also always goes above and beyond to expose her students at the Chair to exciting developments in the human rights field and a host of invaluable opportunities. A highlight during both of my years at the Chair was the Human Rights Postgraduate Conference organised by the Chair with support from the Public Law Department. The conference provided us with a fantastic place to unpack our research projects and benefit from the input from our peers and other lecturers in the Public Law Department. This kind of exposure can really help push you and re-ignite your enthusiasm for your research, which is well needed when one considers just how much reworking your ideas and redrafting your work completing a thesis actually entails. One also finds themselves surrounded by people also interested in and passionate about human rights at the HF Oppenheimer Chair. The joy this brings to every coffee or lunch break at the office is also quite remarkable. Completing my LLM under the auspices of the HF Oppenheimer Chair ultimately kept me stimulated, inspired and challenged, while also well-supported.

My LLM studies helped me to develop my research and writing ability. It also helped me approach the law from a more critical, development-orientated perspective. These skills are indispensable to the work that we do at the LRC, which requires me to think about how the law can be applied in novel ways to try to achieve systemic social change.

My research also focussed on issues relating to budgetary allocations, state expenditure, and the realisation of socio-economic rights. Some of the work I do now at the LRC is relevant to many of the issues I addressed in my thesis. When litigating against the state, one almost ordinarily comes to expect the state to plead poverty as an excuse for its failure to fulfil its constitutional obligations and fulfil our clients' basic human rights. My thesis dealt directly with these kinds of issues, and I have found it very helpful to go back to it from time to time and draw from it."



Gideon Basson

In September the H.F Oppenheimer Chair received the good news that Gideon Basson's article on the transformative subsidiarity doctrine in the context of equality/non-discrimination jurisprudence had been finalised and sent to publishers for publication. The article will be published in the Constitutional Court Review's December issue. Gideon Basson is a Research Fellow with the Public Law Department and continues to maintain close collaboration with the Chair.

It is a significant achievement for a constitutional law scholar to have a piece published in such a prestigious journal. The quality and depth of Gideon's scholarship is exceptional, and the Chair has no doubt that this article will have a major impact on constitutional law scholarship and jurisprudence in the areas of subsidiarity doctrine and equality law theory and jurisprudence.



**Fakulteit *en*
studente**

**Faculty *and*
students**



Visual redress in the Faculty of Law: an exciting ongoing project

The project of visual redress in the Faculty of Law aims to transform the physical spaces of the Faculty into spaces that are welcoming to all and conducive to a positive learning environment. Apart from creating attractive visual spaces, the Faculty pursues memorialisation, contextualisation, contestation, critical reflection, and imagination.

As part of the Faculty's ongoing visual redress project, art and "Story Boards" are currently installed in Room 1031 of the Old Main Building, to contemplate court cases concerning the meaning of fairness and social justice in contractual and labour disputes in South Africa. The Story Boards are intended to contextualise part of the country's legal history and to invite reflection and discussion as we continue to strive for social justice for all in South Africa.

The reimagination of Room 1031 (and other venues in the Old Main Building) was initially conceptualised in 2018. Discussions and planning involved students and staff of the

Faculty of Law and continued in the years following, but project implementation was interrupted by the Covid-19 pandemic. Execution of the project started this year. The physical preparation for the refurbishment of Room 1031 started in August 2024. This stage of the visual redress project is expected to be completed by year-end 2024 or early in the new year.

The visual changes in and around the Old Main Building are in line with the Faculty's commitment to a critical inquiry into historical injustices and their continuing legacy, and the capacity of law-based processes (like visual redress) to challenge and transform social, economic and political practices that result in inequality, degradation and oppression. It is hoped that these exciting changes will help to stimulate critical reflection and debate on these issues.

Lectures Conferences • Seminars • Book Launches

National Conference on the Integrated Criminal Justice System

Dr Delano van der Linde was invited to attend the Department of Justice and Constitutional Development's National Conference on the Integrated Criminal Justice System (ICJS) and the review of the Criminal Procedure Act 51 of 1977, which took place on the 27-29 February 2024. This conference, in part, helped role players to "take stock of and reflect critically on the JCPS 7-Point Plan progress in its implementation since 2008 and engage with the principles and thematic areas being addressed by the Criminal Procedure Reform Project in reforming the criminal procedure legal

"to take stock of and reflect critically on the JCPS 7-Point Plan progress in its implementation since 2008 ..."

framework". This included an introduction to and critical discussion of thematic areas which have been identified as necessary for the modernisation and transformation of the Criminal Procedure Act. The conference was attended by several high-ranking government officials, including, Deputy President Paul Mashatile, the Director of Public Prosecutions Shamila Batohi, former Minister of Justice and Correctional Services Ronald Lamola and former Minister of Police Bheki Cele.

International Interdisciplinary Conference on Artificial Intelligence and Law

Dr Van der Linde presented a paper titled "The gendered impact of deepfake nonconsensual pornography and potential redress under the Cybercrimes Act" at the International Interdisciplinary Conference on Artificial Intelligence and Law, which took place between 3 and 5 July at the Faculty of Law, University of Cape Town. The paper highlights the fact that women are most often the victims of nonconsensual (or so-called revenge) pornography and that this issue has worsened due to the fact that perpetrators may generate images of real

persons by means of artificial intelligence and that these images are now often indistinguishable from real images of said persons. Dr Van der Linde, however, argues that victims may have recourse under the Cybercrimes

Act which criminalises the nonconsensual distribution of "simulated" intimate images.



Dr Delano van der Linde.

Legal Ethics Conference

Three colleagues from the Faculty, Professor Bradley Slade, Mrs Ebrezia Johnson, and Dr Bradley Greenhalgh, attended a two-day conference in Nairobi from 10 to 12 July 2024. The event, entitled "Ethical Foundations of Legal Education: The Future of Access to Justice in Africa", was hosted by the Law School at Strathmore University and saw approximately 50 participants from various law faculties, legal professional bodies and judiciary across the African continent in attendance. The conference, which was focussed on the engagement around legal ethics and its place within contemporary law programmes and curricula within higher education in Africa, commenced with a keynote by Justice Munyoki Mutunga, the former Chief Justice of Kenya and former President of the Supreme Court of Kenya. Over the course of the two days, discussions were had around the importance of integrating the study of ethics within mainstream law modules, and the variety of models that could be used to achieve this, through the

sharing of best-practices from colleagues within academia and the legal profession. In light of the Faculty's revised LLB programme, which saw the introduction in 2022 of the compulsory stand-alone Legal Ethics 214 module in the first semester of the programme's second year, meaningful insights were gained into furthering this critical component of legal education, and served as affirmation of the Faculty's renewed programme offering being well-aligned with developments on the continent. Upon the conclusion of the conference, the Faculty's colleagues were invited to participate, along with staff from Strathmore's Law School and practitioners from White & Case LLP, in facilitating a workshop with senior law students from several Kenyan law faculties. This involved unpacking a complex set of facts on the intersection between ethics and the law, before culminating in a group presentation to the plenary on their group's findings.



Dr Bradley Greenhalgh, Mrs Ebrezia Johnson, Prof Bradley Slade

Criminal Justice Colloquium

The Inaugural Criminal Justice Colloquium took place on 18 and 19 July, and was co-organised by Professor Shannon Hooror and Dr Delano van der Linde.

The conference was attended by academics in the fields of criminal law and procedure, evidence as well as experts and academics in criminology. The Colloquium presented a unique opportunity for experts to engage and network on an intersectional basis. Various staff members presented at the Colloquium: Professor Hooror ("Seriously? Another look at the 'serious dimensions' element of the public violence crime"); Dr Mary Nel ("Using a prison-university educational partnership to enhance students' understanding of the lived realities of those impacted by the criminal justice system"); Dr Marna Lourens ("The normative message of criminal law in the context of sex work"); and Ms Katherine Butler ("Criminal sanctions under the Domestic Violence Act 116 of 1998, as amended: do they 'afford the victims of domestic violence the maximum protection from domestic abuse that the law can provide'?").



*Prof Hooror and
Dr Van der Linde*

ACFE launching event



South Africa Chapter

The newly established SU student chapter of the Association of Certified Fraud Examiners (ACFE) had its launch event on 30 July. Koogan Pillay (who is involved in the establishment of the International Anti-Corruption Court) was the guest speaker. Representatives of the anti-fraud and forensics industry from Sanlam, FNB, Capitec, and PWC were amongst those present. The industry's

Continues on following page





support for our students not only enhances their learning experience but also creates valuable opportunities for their growth and development. If you are a CFE and would like to get involved, please contact Silke de Lange (silkeb@sun.ac.za), who acts as the liaison between the ACFE and the student chapter.

Women's Day 2024

On 7 August, the Faculty's Transformation Committee hosted an interactive panel in celebration of this year's Women's Day. The panel members deliberated the topic of "Gender equality: relevance for the study and practice of law". The panel members comprised existing and former

students and colleagues of Stellenbosch University, including Professor Amanda Gouws, Ms Ziyanda Stuurman, Ms Mudzuli Rakhivhane, Dr Anisa Mahmoudi, and Professor Kathryn Smith. Professor Sope Williams facilitated the discussion.



The event was well-attended and complemented by a fascinating pop-up installation by Professor Kathryn Smith. The installation titled "Incident Room: Jacoba 'Bubbles' Schroeder 1949-2012" followed an artistic research project originally exhibited in 2012, about South Africa's most infamous high-profile unsolved murder, featuring new findings. The installation was done in the quad of the Old Main Building and ran for a period of six weeks.



Society for Legal Scholars Conference

Dr Van der Linde presented a paper titled "Sextortion, romance scamming and "pig butchering" in South Africa" presented at the 115th Society for Legal Scholars Conference, which took place between 3 and 5 September at the University of Bristol, England. Dr Van der Linde highlighted

the increasing prevalence of various forms of cyber fraud and extortion (including sexual extortion) in South Africa and evaluated whether the current statutory regime under the Cybercrimes Act can effectively deal with these issues.

World Congress of the International Society for Labour and Social Security Law

Professor Nicola Smit attended the XXIV World Congress of the International Society for Labour and Social Security Law in Rome in September hosted at the Auditorium Parco Della Musica Ennio Morricone. Professor Smit was a presenter as part of a successful panel session on Landmark Decisions on Fundamental Labour Standards: A Decade of Impact hosted by the ILARC. The International Labor Rights Case Law Journal (ILaRC) (Brill| Nijhoff) published its tenth volume this year and Professor Smit has been on the editorial board of this journal since its inception.

The ILARC focusses primarily on jurisprudential

developments relating to fundamental rights at the workplace (drawing on the decisions of regional and international mechanisms, such as the ILO Committees, the European Court of Human Rights, the Inter-American Court of Human Rights, the African Commission on Human and Peoples' Rights as well as key national courts). The panel was moderated by Bas Rombouts (Tilburg University) and Yvonne Erkens (Leiden University) and included experts from around the world to discuss critical issues in labour law. Professor Smit's contribution focussed on the exclusion of vulnerable workers from statutory compensation schemes.

International Conference on Children's Rights

The International Conference on Children's Rights, held at the Old Main Building on the 10th and 11th of September, gathered experts, policymakers, academics, and practitioners to address the ever-evolving landscape of children's rights in Africa and beyond. This conference aimed to highlight the progress in protecting children's rights achieved over recent decades, particularly through international instruments like the United Nations Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child. However, as society faces unprecedented challenges, the conference also underscored the need

for continued collaboration to protect children's rights in a rapidly changing world.

Focussing on emerging global issues, the conference covered key themes such as children's rights in the digital age, the impact of climate change on children's rights, child justice systems, and the responsibilities of businesses in protecting children's rights. It was opened with a video by Professor Anne Skelton, Chair of the United Nations Committee on the Rights of the Child, who emphasised the importance of gatherings like this to discuss and advance children's rights. She noted that this is increasingly



Dr Admark Moyo and Western Cape Commissioner for Children Christina Nomdo



Western Cape Commissioner for Children Christina Nomdo, Professor Julia Sloth-Neilson, and a conference participant.

crucial, as she has witnessed growing pushbacks against children's rights worldwide during her tenure as the UN CRC Committee Chair.

Professor Julia Sloth-Nielsen delivered the keynote address, sharing her extensive and groundbreaking research on business and human rights for the African Committee of Experts on the Rights and Welfare of the Child. Her address highlighted the intersections between business practices and a wide array of children's rights. She emphasised the breadth of issues involved, spanning from child labour to child-targeted advertising.

Following two days of presentations, the conference closed with a call to action, encouraging all stakeholders to strengthen their commitment to children's rights. Attendees left with renewed resolve to safeguard a future where children are recognised as empowered rights-holders, prepared to thrive despite global challenges.

This conference came together as a result of the tireless work of Professor Sonia Human, Dr Admark Moyo and their dedicated team, Dr Annemarie Strohwalde, Dr Bryony Fox, Dr Bridget Machaka, Ms Caitlyn Lattimer, Ms Anya Botha, Ms Taydren van Vuuren, Ms Nina Breytenbach, Ms Josie Hemphill, and Ms Harriet Harding.



Judge Belinda van Heerden and Prof Sonia Human



Keynote speaker, Prof Julia Sloth-Neilson

Prof Julia Sloth-Neilson, Dr Admark Moyo, Prof Sonia Human, Prof Richard Stevens, and representatives from the Western Cape Commission for Children, Save the Children South Africa, and the Nelson Mandela Children's Fund.



Migration Vulnerability: Access to Social Protection for Select Migrant Categories

A book launch was held at STIAS for the new publication "Migration Vulnerability: Access to Social Protection for Select Migrant Categories" on 2 October. The book's editors are STIAS Fellows Marius Olivier, Avinash Govindjee, and Evance Kalula. The Editors were in conversation with Professor Nicola Smit, Dean and Professor of Law of the Faculty of Law at Stellenbosch. The publication focusses on "the vulnerability to which three distinct migrant categories are exposed to in relation to the availability, adequacy and access to social protection: (i) migrants exposed to climate or environmental change; (ii) migrants in the informal economy; and (iii) high-skilled professionals, including

businesspersons and investors, and intra-corporate transferees". Professor Smit stated that "the International Organization on Migration (IOM) estimates that more than 3.6 percent of the world's population are migrant and that if migrants were given their own geographic enclave, they would make up the fifth largest country on earth. The IOM also refers to 169 million migrant workers in the world (compared to 281 million international migrants)." She continued to emphasise the importance of this book since "the scale of modern-day movement of persons across international frontiers, whether voluntary or forced, permanent or temporary, is vast".

Regional Learning and Teaching conference



On 12 September, the Faculty had the privilege of hosting colleagues from the neighbouring Law Faculties of UWC and UCT for the annual Regional Learning and Teaching conference, with the

theme "AI and Legal Education". The conference featured engaging presentations that sparked lively discussions, as well as excellent papers by three students from the respective faculties.

Heritage Day Lecture

On 26 September, extraordinary professor in the Department of Private Law, and recently retired Acting Judge President of the Land Claims Court, Justice Shehnaz Meer, gave the Heritage Day lecture, titled '100 years of women in the legal profession'. The legacy of women in the profession was perfectly aligned to

Heritage Day and the legal heritage in South Africa specifically. The lecture was organised by Professor Anél du Plessis, Ms Mmakosha Mthelebofu, and Ms Josie Parks on behalf of the Transformation Committee. The lecture led to interesting discussions, which continued over light refreshments in the tea room.

Top performing labour law students attend the SASLAW 2024 national conference

The South African Society for Labour Law (SASLAW) hosted its 27th annual national conference on 11 and 12 September 2024 at the Coastlands Umhlanga Hotel in Durban. This year's theme, "Pursuit in the Ideal of Justice," explored whether the South African legal system is successfully advancing justice, particularly in the realm of labour law, against the backdrop of the significant challenges facing society today.

Stellenbosch University's Faculty of Law was represented by Professor Christoph Garbers, Dr Aisha Adam (the Faculty's newest Postdoctoral Fellow, hosted by Prof Garbers), Dr Riana Conradie (a recent doctoral graduate in labour law) and 20 top performing labour law students. These students earned the opportunity to attend the conference by submitting the best group essays on collective labour law, focussing on its impact on the South African workplace, the economy and broader society. For the students, the conference offered not only an enriching educational experience

but also an invaluable opportunity to engage with the broader legal community, gaining insights that extended well beyond the classroom. Attendance was made possible through funds generated by the training Professor Garbers provides to prospective CCMA commissioners through the Certificate Programme in Labour Dispute Resolution Practice.

One of the standout moments was an engaging session on the New Labour Court Rules, presented by Judges Connie Prinsloo (of the Labour Court) and André van Niekerk (of the Labour Appeal Court). Catherine Bruce, an LLB student, expressed her enthusiasm: "I have to say, with excitement, that my favourite presentation was on the New Labour Court Rules presented by Judge Prinsloo and Judge Van Niekerk. While I am an advocate for the strict application of procedure in legal practice, I was struck with reverence for our country's acknowledgment that procedures often hinder the pursuit of justice, especially as it's those relying on pro bono legal advice who frequently fall

short of meeting procedural standards. Thank you, Professor Garbers and Stellenbosch University Faculty of Law, for organising this trip for us. We know it was a labour of love, and we are deeply grateful." In more general terms, many students expressed their gratitude for the opportunity to attend. Kate Long remarked "this experience provided me with treasure trove of information, with insights and understandings on the status of our labour law being shared by distinguished members of the legal profession. The event also entailed lots of networking and laughs at lunches between sessions and an event... This experience was truly memorable and I am incredibly grateful to have attended and hope to do so again soon. Many thanks to Stellenbosch University and Professor Garbers for making this possible and to my fellow law students for making the event even more outstanding."



Front Row (from left to right): Leah Sachs; Emily Raubenheimer; Luca Bester; Kaylee Krige; Catherine Bruce; Dr Aisha Adam; Dr Riana Conradie; Wilmaré Pedro; Risuna Risimati; Jade Steenkamp

Back row (from left to right): Karla-Mari Basson; Maggie Van Der Merwe; Prof Christoph Garbers; Nathan Smith; Alexia Cawood; Alexandra Maartens; Liam Gillesen; Kate Long; Raffaella Clegg; Gabrielle Dos Santos; Jodie Duraan; James Caldwell

Annual Labour Law Colloquium



A group photo of all the people who attended the colloquium.

In October, the Faculty of Law hosted its third annual Labour Law Colloquium, an event described by a number of conference goers as one that has established itself as "the premier labour law and social security gathering in the country". Organised by Professor Christoph Garbers, this year's colloquium went back to the Industrial Conciliation Act of 1924 and reflected on 100 years of labour legislation in South Africa. The colloquium provided a valuable platform for reflection on the development of South African labour legislation and how it has evolved to meet the needs of both workers and employers in a rapidly changing world. The colloquium also served as a vehicle to pay tribute to the contributions of two stalwarts of South African labour law – Retired Chief Justice Raymond Zondo and Emeritus Professor Halton Cheadle (the chief architect of the 1995 Labour Relations Act).

The keynote address was delivered by Justice Zondo, who focussed on the historical development of the right against unfair dismissal, tracing its evolution under the current and previous Labour Relations Acts. Justice Zondo reflected on the progress made, noting: "We have come

far since the early days of labour law in South Africa. Over 30 years of democracy, we've developed labour protections that safeguard workers, giving them a voice against unfair treatment. The legal advancements we've made, particularly in unfair dismissal, ensure that protections extend to those who need them the most." Apart from Justice Zondo, a long list of esteemed judges, academics and practitioners contributed to the two-day colloquium. Speakers included Judge (of the Labour Appeal Court) André van Niekerk, Judge (of the Eastern Cape High Court) Avinash Govindjee, Professors Paul Benjamin (UWC), Darcy du Toit (UWC), Rochelle le Roux (UCT), Kamalesh Newaj (UP), Dennis Davis (UCT), Halton Cheadle (UCT), Imraan Valodia (Wits), Marius Olivier (NMU), Karin Calitz (US), Kitty Malherbe (UWC) and Debbie Collier (UWC), while the professions were represented by well-known practitioners such as Talita Laubscher, PAK le Roux, Anton Myburgh and Riaz Itzkin.

At a gala dinner tribute was paid to the contributions of Justice Zondo and Professor Cheadle. Dr Mimmy Gondwe, Deputy Minister of Higher Education and doctoral alumna of the Stellenbosch Law Faculty, honoured Justice Zondo's



A picture of Stellenbosch students with Retired Chief Justice Zondo at the colloquium

Below: A picture of Retired Chief Justice Zondo and Prof Cheadle (who were the guests of honour at the colloquium)

contributions to labour jurisprudence. She highlighted his influential role first as a labour lawyer and then as judge of the Labour Court, the Labour Appeal Court and the Constitutional Court in shaping key aspects of South African labour law. The tribute to Professor Halton Cheadle, celebrated for his lifelong dedication to social and economic justice, was delivered by Professor Dennis Davis. He highlighted Professor Cheadle's pivotal contributions to South African labour law through his work with the Wages Commission, the Labour Law Unit at the Centre for Applied Legal Studies, as a practising lawyer, as an academic and in his role as convenor of the task team who drafted the 10995 Labour



Relations Act.

One particular exciting dimension of the colloquium was that select students of the Faculty (both post- and undergraduate) were also invited to attend (and were also treated to a photo opportunity with a very patient Justice Zondo). As one student reflected: *"The presentation on inequality in the labour market has really stayed with me. I'm incredibly grateful to be part of Stellenbosch Law, where we are offered such valuable opportunities to engage with pressing issues and are given every opportunity to fly!"*



A picture (at the dinner) of, from left to right: Prof Wim de Villiers (Rector and Vice-Chancellor); Retired Chief Justice Zondo; Dr Mimmy Gondwe (Deputy Minister of Higher Education); Prof Nicola Smit (Dean: Faculty of Law) and Prof Christoph Garbers (conference organiser).



Dr Delano van der Linde, Ms Zinhle Novazi, Prof Johann Scholtz, and Prof Charl Hugo

On 16 October, Ms Zinhle Novazi, Dr Delano van der Linde, and Professor Johann Scholtz attended the Annual Banking Law Update (ABLU), at Norton Rose Fullbright, hosted by the University of Johannesburg and the Centre for Banking

Law. The Update focussed on contemporary issues facing the banking and financing sector and "emerging technology-related issues".

Sports Law Conference

The SU Law Faculty's Anton Mostert Chair in Intellectual Property Law presented a sports law conference on 10 October 2024. This event coincided with the very successful Annual IP Law Lecture presented under the auspices of the Chair in Intellectual Property Law.

The event drew more than 80 delegates from private legal practice, sports governing bodies, the professional sports industry and academia.

The focus of the event was on legal issues pertinent to the commercial side of sport, with presentations and panel discussions by industry experts drawn from a broad spectrum of stakeholders, including sports governing bodies, professional sports leagues, sponsorship experts, sports broadcasting companies, sports labour lawyers, etc.).

The event was praised by attendees, and it was generally characterised as not only extremely relevant but also very timeous. There was a nearly universal expression of interest in this being developed into an annual event (with future

editions possibly building on the commercial side of things as well as other burning regulatory and governance issues, such as doping and sports corruption regulation, competition law in sport, developments on issues such as transgender athlete participation in competitions, governing body liability for sports injuries, safety at sports events, etc.).

The IP Law Chair and the SU Law Faculty hope to explore future collaboration between researchers and postgraduate students, and the professional sports industry and those governing sport, possibly with the establishment of an SU Sports Law Centre focussed on producing industry-specific (and relevant) research in sports law. An annual conference would provide the perfect vehicle to disseminate such research and further liaise with the industry to stay updated on its needs in respect of developing high impact research.

[Click here for more information about the conference](#)



First Annual Tshwane University of Technology and National University of Lesotho (TUT / NUL) Law Conference between 21 – 23 October 2024 in Roma, Lesotho

The National University of Lesotho (NUL), in the Mountain Kingdom of Lesotho, was the host for the first annual law conference held in conjunction with the Tshwane University of Technology (TUT) between 21 – 23 October 2024. Nestled amongst the gorgeous mountains of Lesotho, the scene was set for what was to be a productive few days of academic engagements around the theme of "Recent constitutional developments in Africa – its likely effects on socio-economic development, good governance, and substantive procedural fairness."

With both in-person as well as online presentations being catered for, the conference was opened by the Dean of the Faculty of Law (NUL), Dr L I Kometsi. The keynote address was delivered by President K E Mosito of the Lesotho Court of Appeal (which is the apex court in Lesotho). President Mosito is also the Pro Vice Chancellor of NUL. Various institutions and organisations were represented at the conference, including, but not limited to, Durban University of Technology (DUT), University of the Western Cape (UWC), North West University (NWU), University of Johannesburg (UJ), Vaal University of Technology (VUT), Botswana Network on Ethics, Law and HIV / Aids (BONELA), University of Malawi, as well as colleagues in practice. The weather also had its own agenda, but from engagements with staff members at Khutsong Lodge, it became evident that the rain was necessary and indeed welcome.

Ms Mmakosha Mthelebofu recounts, "after two intense days of academic engagements, we were treated to an academic excursion, when we visited the Parliament of Lesotho as well as the Palace of Justice and the Supreme Court of Appeal. It was intriguing to find out that the parliamentary proceedings in Lesotho are conducted in Southern Sotho. We ended our day at the Thaba Bosiu Cultural Village, where we were spoiled with performances, taken on a tour

of the village, and were treated with traditional food (which was delicious).

The hospitality of the hosts is to be complimented. The time spent in Lesotho was also an opportunity to appreciate the little things that make life worth living.

Thank you to the Faculty's Research Committee that made attendance of the conference in Lesotho possible. *Motho o leboha tšebetso eo a faneng ka eona* (one is grateful for the support as provided)."





Tax Policy Colloquium, University of Cape Town

On 24 and 25 October, Dr Izelle du Plessis, Ms Silke de Lange, and Dr Enelia Jansen van Rensburg participated in the Tax Policy Colloquium at the University of Cape Town. Several South African and international scholars presented papers under the colloquium's theme of "Building an international tax system for resilience and inclusivity".

Dr Du Plessis presented a paper on the policy considerations of the taxation of non-resident beneficiaries of resident trusts in South African and Australian income tax legislation. The research presented by Ms de Lange focussed on the

duality of administrative penalties and criminal proceedings in tax law and included a comparative analysis with tax administration law of the Netherlands. Dr Jansen van Rensburg acted as a commentator for another paper and presented her own research on the subjective elements of the South African and Belgium general anti-avoidance rules in the income tax legislation of the respected jurisdictions.

The colloquium provided an opportunity for many insightful and stimulating discussions.

Public Law Seminar

On 8 November, the Department of Public Law hosted a research seminar where a rich diversity of papers was presented. Dr Jackie Nagtegaal, as guest speaker, presented a paper on "Law as a tool for future making". Professor Geo Quinot presented on the topic, "The machines can think, but they can't feel – affect in legal education"; Ms Coline Bruintjies discussed "Substantive equality, gendered socioeconomic

rights, and violence against women in South Africa"; Dr Delano van der Linde delivered a presentation, titled "The Sisyphean task of legislating threats and incitement: A constitutional entanglement"; and Professor Sandra Liebenberg looked at "Expanding the boundaries of human rights law to recognise the rights of future generations".



Symposium on Cybercrime and Electronic Evidence

The South African Judicial Education Institute, in association with the Commonwealth Secretariat, hosted the Symposium on Cybercrime and Electronic Evidence in South Africa from 25 to 27 November in Sandton. The Symposium was attended by magistrates from across South Africa. The facilitators provided intensive and in-depth sessions on the invasive threat of cybercrime globally. Dr Delano van der Linde's sessions dealt with the domestic cybercrime framework – predominantly regulated under the Cybercrimes Act 19 of

2020. He provided an in-depth discussion of the various offences under the Act, highlighting the complexities of the legislation and its intersection with other statutory and common-law offences. The focus of his session was on cyber fraud, cyber extortion, as well as malicious communications (data messages that incite damage to property or violence; data messages that threaten persons with damage to property or violence, and the disclosure of intimate images ("revenge" pornography)).



Justice Majiedt, Justice of the Constitutional Court of South Africa, representatives of the South African Judicial Education Institute, the Commonwealth and the British High Commission in Pretoria, along with the Symposium participants and facilitators

Human Rights and Accountability Conference Held to mark 30 Years of Constitutional Democracy in South Africa

On 28 and 29 November, the H.F. Oppenheimer Chair in Human Rights Law, Professor Sandra Liebenberg, the Head of the Public Law Department, Professor Bradley Slade,

and Postdoctoral Fellow, Dr Anisa Mahmoudi hosted a significant conference at the Protea Hotel, Stellenbosch, to mark 30 years of constitutional democracy in South Africa.

Continues on following page.



The conference aimed to take stock of the accountability institutions and mechanisms established in terms of the 1996 Constitution, and to assess their impact in redressing systemic human rights violations in South Africa. It also sought to stimulate reflection and debate on the reforms needed to achieve more effective forms of accountability for human rights violations. A key theme of the conference was how to close the wide gap between the human rights enshrined in the Constitution and the lived realities of disadvantaged groups and communities in South Africa.

The conference featured a diverse range of speakers and panel discussions on themes such as the roles of the judiciary, parliament, Chapter 9 institutions (e.g. the Auditor-General and the Commission for Gender Equality), and social movements in promoting accountability for human rights.

Two excellent keynote addresses were delivered by Adv Adila Hassim SC of the Johannesburg Bar and Acting Deputy Chief Justice, Justice Mbuyiseli Madlanga of the Constitutional Court.

The Conference was well-attended by a range of academics, legal practitioners, representatives of human rights organisations, and students as well as by members of the media.

The conference papers will form part of a one or two volume edited book project forming part of the Stellenbosch Law Faculty Centenary book series in partnership with LexisNexis.

For media coverage of the Conference, see:

[Daily Maverick](#)
[Stellenbosch University](#)
[News 24](#)

Prof Williams attends public procurement and corruption events

During the course of 2024, Professor Williams participated in numerous prominent events focussing on public procurement and corruption. On 7 May 2024, Professor Williams delivered a speech on "Experiences and Challenges with Curbing Corruption in Public Procurement" at the International Anti-Corruption Academy Regional Alumni Conference, held in Nairobi, Kenya. She also spoke on "Curbing Corruption in Public Procurement" at the Tenders, Procurement and Contracts Management Conference on 15 May 2024, which took place at the Protea Hotel in Sandton, Johannesburg. On 22 May 2024, she delivered a speech on "Contextual Factors Enabling Corruption" at the ISS Workshop on Theoretical Perspectives on Corruption, held at the Protea Fire and Ice Hotel in Cape Town.

At the Gender and Corruption Symposium on 12 June 2024, held at the Stellenbosch University School of Public Leadership, Professor Williams participated as a panellist in the session "Women, Entrepreneurship and Corruption." She also spoke on "Addressing the Gendered Forms of Corruption in Public Procurement" at the Public Procurement Global Revolution conference on 17 June 2024, held at the East Midlands Conference Centre at the University of Nottingham, UK.

On 25 June 2024, Professor Williams served as a panellist in the discussion "Public Procurement: Navigating Transparency, Inclusion and Integrity" at the Blavatnik School of Government, Oxford University, in Oxford, UK. She participated as a panellist in the session "Just and Sustainable Procurement for People and Planet" at the G20 Anti-Corruption Working Group, held in Paris, France, on 27 June 2024. At the African Women Against Corruption Network Conversations on 17 July 2024, held at Deloitte in Midrand, Johannesburg, she delivered a speech on "The Nexus Between Gender and Corruption."

On 4 September 2024, she spoke on "The Opportunities and Risks in the Procurement of Innovation and Complexity" at the National Research Foundation International Conference on Public Procurement. Professor Williams also spoke on

"The Gender Dimensions of Corruption: Working Towards Equal Access and Treatment for All" at the Tanzania Integrity Forum on 10 September 2024, held at the Serena Hotel in Dar es Salaam. She served as a panellist in the discussion "Keeping Public Funds out of Private Hands: A Discussion on Public Procurement Corruption in Africa" at the Tanzania Integrity Forum, held at the Serena Hotel in Dar es Salaam on 11 September 2024.

Finally, on 16 October 2024, she participated as a panellist in the session titled "Reducing Corruption Risks in Public Procurement" at the International Forum on Business Ethical Conduct in the Defense and Aerospace Conference Annual Conference, held at George Washington University Law School.



Prof Sope Williams

COLLEAGUES ABROAD

Spring in the beautiful city of Hasselt!

Dr Enelia Jansen van Rensburg was warmly hosted by Prof Dr Niels Appermont during a four-week research visit to the Law, Tax & Business Unit at Hasselt University in Belgium this past May and June. Funded by a Hasselt University BOF 2024: Incoming Mobility Grant, her visit focussed on the research theme "A Comparative Analysis of the Subjective Elements of the Belgian and South African General Anti-Avoidance Rules in Income Tax Legislation."

Dr Jansen van Rensburg enjoyed numerous engaging discussions with colleagues from the Law, Tax & Business Unit, which is situated in the town's old prison. From her office at Hasselt University, she could collaborate with her host on the theme of her research and study research

material on tax avoidance rules and practices in Belgium and European law.

During her stay, Dr Jansen van Rensburg also participated in the Ethics and Taxation Conference, hosted by the Chair in Ethical Taxation at Hasselt University on 30 and 31 May. Organised by Professor Dr Elly Van de Velde and Dr Jo Badisco, the conference brought together experts from various disciplines under the theme "Navigating Responsibility in the Evolving Tax Landscape." Dr Jansen van Rensburg presented a paper on the mental element of the South African general anti-avoidance rule, in keeping with the conference's focus on interdisciplinary perspectives on the ethics of taxation.



Participants of the Ethics and Taxation Conference

Hasselt University Law, Tax & Business Unit building



The Japanese garden in Hasselt



Tax History Conference, Cambridge University

On 8 and 9 July, Dr Enelia Jansen van Rensburg participated in the Tax History Conference held by the Centre for Tax Law at Cambridge University. The conference featured papers exploring historical aspects of international tax law and the domestic tax laws of various jurisdictions, spanning many centuries.

Dr Jansen van Rensburg presented a paper on the history and development of the South African general anti-avoidance rule in its income tax legislation, covering the period from 1899 to 1959. Many of the historical research materials were available in the Government documentation and Law sections of Stellenbosch University's main library. The University's librarians, Mr Peter du Plessis and Ms Sanda Nyoka, were instrumental in sourcing additional materials from other South African and international libraries. Dr Jansen van Rensburg also conducted research at the Western Cape Archives and Records Service in Cape Town and the Historical Papers Research Archive at the University of the Witwatersrand. Her research and participation at the conference were funded by an HB & MJ Thom Award.

The conference papers will be published in the 2025 edition of "Studies in the History of Tax Law".



Cambridge



Cambridge Museum of Archaeology and Anthropology in Downing Street.

In the Media



Some colleagues appeared in the media, wrote news articles, and provided commentary on various news events. Some of the media coverage includes:

Professor Sope Williams was featured in the following news article "Many female entrepreneurs were asked for sexual favours in exchange for govt contracts, research finds" (25 September 2024). The article is available at <https://www.ewn.co.za/2024/09/25/many-female-entrepreneurs-asked-for-sexual-favours-in-exchange-for-govt-contracts-research-finds>. Professor Williams was also featured in the documentary, "Rising Voices: Unmasking Sexual Corruption in South Africa", produced by GIZ and the African Women against Corruption Network (22 August 2024). The documentary, which features her research on sexual corruption in South Africa, is available at <https://www.facebook.com/awacn.africa/videos/872766920882614/>.

Professor Jacques du Plessis discusses Consumer Protection Law in South Africa in an article, "South African Statutory Consumer Law and the Courts: The Curious Case of the Dog That Did Not Bark," which can be read at: [https://british-association-comparative-law.org/2024/10/25/south-african-statutory-consumer-law-and-the-courts-the-curious-case-of-the-dog-that-did-not-bark-by-](https://british-association-comparative-law.org/2024/10/25/south-african-statutory-consumer-law-and-the-courts-the-curious-case-of-the-dog-that-did-not-bark-by-jacques-du-plessis/?fbclid=IwY2xjawGVmjhleHRuA2FLbQIxBQABHdMPCXLC4BZ80THSEv2MEwroxmSocTDb-4zmbw)

[jacques-du-plessis/?fbclid=IwY2xjawGVmjhleHRuA2FLbQIxBQABHdMPCXLC4BZ80THSEv2MEwroxmSocTDb-4zmbw](https://british-association-comparative-law.org/2024/10/25/south-african-statutory-consumer-law-and-the-courts-the-curious-case-of-the-dog-that-did-not-bark-by-jacques-du-plessis/?fbclid=IwY2xjawGVmjhleHRuA2FLbQIxBQABHdMPCXLC4BZ80THSEv2MEwroxmSocTDb-4zmbw).

Dr Marna Lourens wrote an opinion piece, "On Women's Day, a call is made to rethink perspectives on sex work", for the Daily Maverick, which is available at: <https://www.dailymaverick.co.za/article/2024-08-09-on-womens-day-lets-start-thinking-differently-about-sex-work/>.

Professor Williams published the following blogs for Brookings USA:

"Promoting gender equality in Africa through gender responsive procurement" (23 July 2024). The blog is available at <https://www.brookings.edu/articles/promoting-gender-equality-in-africa-through-gender-responsive-procurement/>.

"Leveraging Behavioral Insights to mitigate public procurement corruption in Nigeria" (29 April 2024). The blog is available at <https://www.brookings.edu/articles/leveraging-behavioral-insights-to-mitigate-public-procurement-corruption-in-nigeria/>.



Faculty staff Fakulteit personeel

The Faculty would like to extend warm congratulations to colleagues for several achievements, milestones, and awards:

- Professor Richard Stevens was awarded for 25 years' service.
- With effect 1 January 2025, Dr Izelle du Plessis and Dr Delano van der Linde have been promoted to Associate Professor in the Departments of Mercantile Law and Public Law, respectively.
- Professor Oliver Ruppel was appointed as a STIAS Fellow for 2025.
- Professor Ruppel is an editor of the newly launched Climate Change Law and Governance series, published by Nomos Law Publishers, Germany. This series explores the political and legal aspects of climate protection, governance, diplomacy, and sustainable development. It analyses international trends, along with new concepts and cases at national and regional levels, covering perspectives from both the Global North and South.
- Dr Mary Nel was awarded one of only four individual SU Social Impact Awards for 2024.

New Appointments Nuwe aanstellings



Coline Bruintjies

Coline Bruintjies

Coline Bruintjies obtained her LLB and LLM from the University of Cape Town. She completed her articles at VanderSpuyCapeTown attorneys. Coline is doing her PhD research under the National Research Foundation (NRF) Chair in Equality, Law and Social Justice. Her research is focussed on the intersection between substantive equality, gendered socio-economic rights and violence against women in South Africa. Coline has previously worked as a law researcher at the Constitutional Court of South Africa for Justice Chris Jafta. Aside from academic pursuits, Coline enjoys swimming and spending time outdoors.

Shazneen Arnolds



Shazneen Arnolds

Shazneen Arnolds completed her schooling at Stellenbosch High School and matriculated in 2003. Having completed three years at Boland College in Stellenbosch, she began her professional journey at the Law Clinic in 2007 as a Legal Secretary. Shazneen remained at the Law Clinic until the end of 2007, after which she was then appointed as a Junior Secretary in the Process Engineering department. Shazneen spent two years working in the Engineering department before being appointed in the Private Law department in early 2011 as a Senior Secretary. Twelve years later in February 2023, she made the decision to resign from her position at the Private Law department to become a stay-at-home mom. Much to the surprise of her children, Shazneen resigned from her position as stay-at-home mom in 2024 to (re)start her new journey (back) at the Faculty of Law. In July of 2024, Shazneen was appointed as the Personal Assistant and Office-Coordinator in the Dean's Office. Shazneen loves every minute of being back in her working routine.

Farewell Afskeidsgroet

Tot siens maar nié vaarwel, **Yolandi Filander**

Yolandi Filander het in 2007 by die Fakulteit Regsgeleerdheid aangesluit as 'n departementele sekretaresse. Na afloop van twee jaar het sy egter na die dekaanskantoor geskuif en die posisie van persoonlike assistent van die Dekaan opgeneem in Oktober, 2009. Gedurende haar tyd in die Dekaauskantoor het sy drie dekane ondersteun, naamlik Professor Gerhard Lubbe (3 jaar), Professor Sonia Human (5 jaar) en Professor Nicola Smit (7 jaar). Weens die aard van die posisie kan mens egter sê dat sy ook die vise-dekane en fakulteitsbestuurskomitee ondersteun het terwyl sy 'n ogie gehou het oor die werksaamhede van die Juridiese



Yolandi Filander

Vereeniging en alumni geleenthede. Die beskrywing van die pos is dan later aangepas om haar rol as koördineerder van die dekaanskantoor met toenemende verantwoordelikhede aangaande funksies en kongresorganisering te reflekteer.

Enige persoon wat met Yolandi saamgewerk het, hetsy intern of ekstern, weet dat sy is 'n uiters georganiseerde en bekwame kollega. Yolandi het 'n uitstekende werksetiek en is iemand met baie inisiatief. Dit sou 'n oorsig wees om nie te noem dat sy streng en perfeksionisties is ten spyte van haar sosiale en vriendelike geaardheid nie. Dit neem 'n besonderse persoon om altyd vriendelik te wees, selfs wanneer jy met moeilike ouers, studente, diensverskaffers of personeel kommunikeer; Yolandi kwalifiseer sonder twyfel as spesiaal.

Gedurende haar tyd in die Fakulteit het sy talle ontwikkelingsgeleenthede benut soos die veeleisende Financial Accounting Technician, Level 4 (SAICA) program. Sy het ook talle nuwe kollegas bygestaan met hul aankoms in die Fakulteit en sodoende, saam met ander in die fakulteit, gehelp dat nuwelingse somer vinnig soos langstaande kollegas kon inskakel.

Kollegas in die dekaanskantoor beskryf Yolandi met die volgende woorde, "raakvatter", "entoesiasties", "toegewyd", "kreatief", "betroubaar", "lojaal", "vriendelik" (haar tweede naam is dan ook heel gepas Joy), "effektief", "veerkragtig" en "oppit".

Professor Nicola Smit sê dat dit was 'n plesier om saam te werk met iemand wat nie net bekwaam is nie, maar met wie

'n sterk vertrouensverhouding gesmee is:

'Elke dag in die dekaanskantoor hou die moontlikheid van verrassings in en 'n mens moet soms vure doodslaan, buigsaam maar steeds baie deeglik wees en natuurlik deurgaans diplomaties en positief bly. Yolandi en ek het 'n lekker roetine gehad, die groter take is gelys en deeglik beplan met terugrapportering oor mylpale of uitdagings. Kleiner take, soos om planne te beraam om finalejaar studente te kry om hul "Fit and Proper" briewe tydig aan te vra (en te kom afhaal), is oor 'n vinnige geselsie uitsorteer. Ons het baie saam gelag, probeer om ons kollegas en studente te ondersteun en te motiveer (soms selfs met pannekoekie voor 'n Fakulteitsraad) en per geleentheid het ons saam gehuil (veral met die ontydige afsterwe van kollegas en studente). Ek het Yolandi vir sewe jaar meer gesien as meeste van my familie of vriende en ons het mekaar baie goed leer ken. Ek was tegelykertyd hartseer (vir ons verlies) en trots en gelukkig toe ek hoor dat sy 'n nuwe rol gaan opneem wat haar soos 'n handskoen pas en wat haar professionele groei beloon. Dit is egter goeie nuus dat Yolandi by ons Fakulteit betrokke bly deur die alumni geleenthede en op 'n persoonlike vlak hou ons beslis kontak.'

Yolandi was 'n uitstekende ambassadeur vir ons Fakulteit. Ons wens haar net die beste toe in haar nuwe rol by Afdeling Ontwikkeling en Alumnibetrekkings en is bly dat sy steeds 'n Maties kollega bly!



Meet the Dean's Office (Part 2)

Ontmoet die Dekaaanskantoor (Deel 2)

"Ek is trots om Stellenbosch my tuiste te noem. Ek werk al 21 jaar by die Fakulteit.

My rol as assistent sluit verskeie verantwoordelikhede in wat bydra tot die gladde funksionering van die Fakulteit. Van die versekering van die netheid en instandhouding van die Ou Hoofgebou en CL Marais tot die ondersteuning van studente-assistente met take soos toesighouding en die insameling van eksamenvraestelle, is die werk beide divers en lonend. Ek en my kollega, Gerda, werk saam en ons vorm 'n dinamiese en betroubare span. (Gerda sal verder oor ons pligte uitbrei.)

Buite werk geniet ek dit om uit te gaan. Dit verskaf my ook groot vreugde om heerlike terte en ander lekkernye te bak."



Cathy Adams

"Ek is gebore in Stellenbosch en bly saam met my gesin in Cloeteville. Ek het in 2008 by die Fakulteit begin werk.

Ek en Cathy geniet ons werk en is baie trots op wat ons doen. Buiten die pligte wat Cathy genoem het, speel ons ook 'n rol om die Dekaaanskantoor tydens Fakulteitsgeleenthede en -funksies by te staan. Ons hanteer die aflewering en afhaal van belangrike dokumente, om te verseker dat bedrywighede doeltreffend verloop en spertye nagekom word. Hierdie verantwoordelikhede het my in staat gestel om betrokke te raak by verskeie fasette van die universiteitslewe, wat my rol beide boeiend en impakvol maak.

Ek het twee kinders, 'n seun en 'n dogter, en ek is die trotse ouma van die oulikste kleinseun. Ek is 'n Bokke-meisie en geniet dit om Rugby te kyk en my span te ondersteun!"



Gerda Adams

"After completing three years at Boland College, I started my career as a Legal Secretary at the Law Clinic in 2007. I later worked in the Process Engineering department and then the Department of Private Law as a Senior Secretary. In 2023, I left to become a stay-at-home mom but returned to the Faculty of Law in 2024 as a Personal Assistant and Office Coordinator in the Dean's Office, where I am enjoying my new journey.

I am responsible for the day-to-day running of the Dean's Office. I also provide administrative support to other members of the Deanery and Dean's management team. I organise and manage Faculty events (e.g. public lectures, seminars, conferences, alumni meetings, yearend functions, etc.). I'm responsible for loading bursaries and managing the venue booking system. I also provide general support and guidance to administration and/or financial enquiries to our student societies (Judicial Society, Moot Court Society, BLASC, etc.).

I see myself as a very creative person, so in my free time I enjoy creating and printing personalised mugs and coasters, t-shirts, pillows, mousepads, keyrings, etc."



Shazneen Arnolds

"Intellectual Property (IP) Law was not a part of my vocabulary until early January 2012, when I met Professor Owen Dean, the then-incumbent of the IP Chair, on the squash court. Over a post-game beer, I shared my background as a former librarian at the University Library, particularly in the law and short-loan sections. At the time, the IP Chair was in urgent need of assistance, and I guess I was their only option.

By February 2012, IP had become a regular part of my life, and I have been fortunate to play a role in developing the IP Chair to where it is today. When Professor Karjiker succeeded Professor Dean, new challenges arose that allowed us to further establish IP as a critical field in both academia and the wider community.

I am responsible for managing the day-to-day operations of the Chair, including organising its annual short courses and public lecture. I also maintain relationships with law firms and offer support to postgraduate IP students, especially during the start of their programmes. Amongst some of my recent highlight involved organising short courses in Namibia and Botswana. We plan to offer a course in Zimbabwe in 2025.

Each year, the IP Chair continues to grow, with events like our recent Sports Law Conference, which was regarded as a great success this year. I am proud to have contributed to the success of that event, and I hope it will become a regular feature on our annual calendar.

Since the beginning of 2024, I have also assisted Professor Johann Scholtz, the incumbent of the Gys Steyn Chair in Financial Regulation Law. While it is a very recently established chair, we successfully hosted our first Public Lecture in November this year."



**Annette
van Tonder**

"I joined the Department of Private Law as Senior Secretary in May 2023, after transitioning from my previous role at the School of Accountancy.

In my role as Senior Secretary for the Department of Private Law, I am responsible for managing various administrative duties that ensure the department runs smoothly. This includes arranging meetings, managing correspondence, and facilitating effective communication. I am committed to an inviting office environment that provides essential support to both faculty members and students.

Though originally from Stellenbosch, I take great pleasure in exploring the beautiful winelands and all that they have to offer, further enriching my experience of the region."



Tamryn Davids

"I hold a BTech degree in Office Management & Technology. I am working towards obtaining my PGDip in Project Management. My experience includes managing office operations, coordinating schedules, handling correspondence, and supporting team productivity.

Currently, I serve as a Senior Secretary for the Public Law Department, where I oversee daily office operations, organise meetings, and handle communications. I'm responsible for maintaining a well-organised, efficient, and welcoming office environment, ensuring that both staff members and students have what they need for smooth operations.

Outside of work, I'm an extrovert who loves spending time with family, friends, and meeting new people. Whether it's organising get-togethers, trying out new restaurants, or joining community events, I enjoy staying socially active and connecting with others."



Sibulele Vala

"My journey at the University began in 2016, when I joined the Bursaries and Loans Department, where I worked until 2018. In 2019, I transitioned to the Africa Centre for HIV/AIDS Management. Over the course of my eight years at the University of Stellenbosch, I took on the role of Senior Secretary in the Department of Mercantile Law starting on 1 May 2021. In 2020, I completed my Diploma in Business Management from the Institute of Certified Bookkeepers, and I am currently pursuing my Diploma in Financial Accounting.

As the Senior Secretary for the Department of Mercantile Law, I play a pivotal role in overseeing the department's daily operations. My duties encompass managing a wide range of administrative tasks, including coordinating and scheduling meetings, as well as facilitating communication across various channels. I am dedicated to maintaining an efficient, well-organised, and welcoming office environment, providing crucial support to both Faculty members and students. In addition to these responsibilities, I take the lead in organising the department's annual Labour Law Colloquium, ensuring that every aspect of the event runs seamlessly.

Outside of work, I express my creativity through designing and producing various printed items, such as candles and lucky packets for birthday parties."



**Candice
Williams**

"I hold a BLC, LLB (Pret), LLM (cum laude) (Stell), and an LLD (Stell), and I am an admitted attorney. My fields of specialization include Gender and the Law, Intersectionality, and Sex Work and the Law.

Currently, I am the Project Manager and Researcher at the Centre for Social Justice (CSJ), where I support the Centre's mandate to advance social justice scholarship and raise awareness. Throughout my career, I have had the privilege of teaching a variety of courses, including International Business Transactions, General Principles of Mercantile Law, Insolvency Law, Commercial Law, Labour Law, Maritime Law, and Legal Aspects of International Business Transactions. Additionally, I've taught Intersectionality as a tool for analysis and Legal Aspects of Trafficking of Children.

I recently completed my LLD titled "Towards transformative justice for adult un-coerced sex workers in South Africa: an intersectional approach that speaks to the multi-layered and multifaceted realities of women in South Africa," which deeply informs my approach to law and justice.

Outside of my academic and professional pursuits, I am an artist. My work explores female histories and experiences, offering a creative reflection on the themes of gender and identity."



**Dr Marna
Lourens**

"I'm a passionate advocate for social justice with a background in public administration, policy, governance, and support services. Although I didn't study law, my education and experiences have provided me with valuable skills in managing complex projects and fostering meaningful connections.

Currently, I serve as the Project Coordinator for the Centre for Social Justice (CSJ) at Stellenbosch University (SU), where I oversee the coordination of various initiatives, including the Musa Plan for Social Justice. My responsibilities include managing short courses, supporting Professor Thuli Madonsela's engagements, and planning the Annual Social Justice Conference and Summit. I also handle logistics for events like the Social Justice Café and the Social Justice Walk. Each day is a mix of event management, operational duties, and forging synergies with stakeholders across various sectors.

When I'm not at work, I'm an avid reader, particularly of African authors like Sue Nyathi and Chimamanda Adichie. I'm also a member of a diverse book club and enjoy singing in a choir, although I wish I had more time to devote to it!"



**Diane
Gahiza**

Students Studente

Graduation

The following degrees and diplomas were conferred during the
13 December 2024 graduation ceremonies:



The Faculty is very proud of all the students who graduated and wish them every success.

Doctoral Qualifications

Gretchen Adams (*Public Law*)

School Governing Bodies in South Africa: A Review of Their Policy-Making Powers

The implementation of certain school policies established by school governing bodies (SGBs) significantly influences learners' access to the right to a basic education under section 29(1)(a) of the Constitution. While the Constitution aims to address historical injustices and promote dignity and equality, the implementation of SGB policies often reinforces existing power dynamics relating to gender, class and race. With reference to landmark Constitutional Court

cases, this study examines how SGB policies – especially those on admission, language and learner pregnancy – can infringe on learners' rights. It calls for a re-evaluation of SGB policymaking powers to align with constitutional objectives to effectively protect learners' rights.

Supervisor: Professor BV Slade

Co-Supervisor: Dr L Arendse (external)

Victoria Banke Olagbegi-Oloba (*Private Law*)

The Impact of Court-Connected Alternative Dispute Resolution on the Dispensation of Civil Justice in Nigeria: A Comparison with South Africa and the United States of America

This study examines challenges in Nigeria's civil justice system and evaluates how court-connected alternative dispute resolution (ADR) could enhance the system's efficiency. By comparing court-connected ADR frameworks in Nigeria, South Africa and the United States, the study identifies key improvements needed, including sustainable

funding, sound fiscal management, and robust regulatory policies. It ultimately recommends redesigning Nigeria's court-connected ADR model to improve the administration of civil justice across the country.

Supervisor: Professor T Broodryk



Graduation



Graduation



Student Awards

SALRC Essay Competition

On 1 November, Mr McNiel Zimri received an award for achieving the second-highest marks in the LLB category of the South African Law Reform Commission's (SALRC) annual essay competition for his essay, "The phenomenon of 'epistemic injustice' in adversarial court proceedings: a retrial on linguistic barriers to section 34 of the Constitution". In addition, Mr Zimri also accepted a Juta voucher on behalf of the Faculty of Law. Mr Zimri recounts, "When the Faculty announced the 2023 season of the SALRC competition in December 2023, I decided to give further expression to my research on the judiciary following the Judges Matter Prize, which I was awarded in the same year. This time, for the SALRC competition, I came across an issue I feel nobody speaks about: language barriers in court proceedings. While forensic linguists have warned about the impact of such barriers, a potential defect in the court system that reinforces these barriers is what I call "the phenomenon of epistemic injustice". That is, a situation in which litigants may be harmed for an inability to articulate concepts during their statements

and testimonies, simply because they are not proficient in English as the only language of court record. And yet, we require access to justice to enforce our rights and resolve our disputes. Drawing on philosopher Miranda Fricker's work on epistemic injustice, I show that even with translation services, case law suggests that epistemic injustice is nonetheless a reality for many of the non-English speaking population. As regards the relationship between multilingualism, the legal profession and the court system, I argued: "Not only does the phenomenon of epistemic injustice prompt questions about the kind of lawyers South African law faculties want to produce; it also helps to measure the depth of access to justice so critical to the legitimacy of our court system."

My highlight of the award ceremony was the honour of having met such wonderful people as the family of the late Chief Justice Langa, who continue to be involved in this competition to further his enduring legacy."



AI & the Law Seminar Series Winners 2023

The winners of the 2023 AI & the Law Seminar Series, offered by Swart Law in collaboration with the Faculty of Law, have been announced. The 2023 iteration saw the submission of a final assignment that required the participants to prompt a Large Language Model (LLM), or LLM tool of their choice, to engage on the topic of parental leave in South Africa, following the (then) recent changes in light of *Van Wyk and Others v Minister of Employment and Labour* [2024] 1 BLLR 93 (GJ); (2024) 45 ILJ 194 (GJ); 2024 (1) SA 545 (GJ). In unpacking the responses generated by the LLM's, which included a rewording of the prompt in an attempt to produce an improved answer, the participants

were required to critique the accuracy and overall suitability of the generative AI models' responses, in light of their underlying understanding of this area of employment law (through independent research).

Pictured are Mr Dérick Swart (Director) and Ms Mari Louw (CA) from Swart Law), as well as Ms Elri Cronje (BA (Law) LLB (2 Yr)(PG), Ms Amber Heesom (BA (Law) and Ms Monique van Eeden (BCom (Law), who placed 1st, 2nd, and 3rd respectively. The Faculty congratulates the winners on their prize money (from Swart Law) and acknowledges their achievement in this rapidly-developing area of the law.



1st Place
Ms Elri Cronje



2nd Place
Ms Amber Heesom



3rd Place
Ms Monique van Eeden



Mr Dérick Swart and Ms Mari Louw (CA)

Moot Court

Christof Heyns African Human Rights Moot Court competition



It is a pleasure to share the achievements of the team that participated at the 33rd Christof Heyns African Human Rights Moot Court Competition, held in Rwanda in July 2024. Representing Stellenbosch University among over 65 teams from across Africa, Ailly Nuuyoma and Gugulethu Mudzingiranwa (supported by Dr Anisa Mahmoudi) showcased their dedication, knowledge, and commitment to advancing human rights law, standing shoulder-to-shoulder with some of the brightest future legal minds on the continent.

The moot journey began with an enriching Human Rights Conference. The team heard from speakers who explored the impact of business on human rights and the consequences of unconstitutional government changes across Africa. These topics tied directly into the moot's fictional case, helping the team approach the complex legal issues in new and insightful ways.

The competition itself was challenging and rewarding. The team presented as both applicants and respondents, advocating on significant human rights issues, including the protection of indigenous communities, child labour in mining, military coups, and the legality of state surveillance. These issues required our team to research a range of regional treaties and court rulings, from the African Court on Human and Peoples' Rights to the European Court of Human Rights. This research not only deepened their understanding of human rights law but also enhanced their

analytical and argumentation skills.

Facing teams from other top African universities, the team tackled multifaceted arguments with poise. They navigated rigorous questioning by the judges, a testament to the depth of their preparation. "Mooting was a real test of our abilities to think on our feet," one participant reflected. "We had the privilege of competing against highly skilled opponents, which motivated us to elevate our own performance." Their session against a Nigerian team stood out as a highlight, marked by engaging exchanges and dynamic rebuttals that brought out the best in both teams.

One of the most demanding aspects of the moot experience was managing the diverse viewpoints of the judging panel, whose probing questions required agility and adaptability. In one session, the team faced over 10 questions from the judges on a single issue, which was both intense and exhilarating. These moments highlighted the importance of composure and responsiveness under pressure, valuable skills for their future legal careers.

After each round, the team received constructive feedback from the judges, allowing them to refine their arguments and adjust their strategies. This feedback was instrumental in sharpening their legal insights and reinforcing their understanding of courtroom dynamics. Despite the fierce competition, the team handled each challenge with professionalism, and the positive feedback they received from the judges reflected their preparation and dedication.

A moment of reflection came during the team's visit to the Genocide Memorial Museum, which underscored the relevance of human rights advocacy in today's world. The



experience was humbling and reinforced their commitment to justice and human rights.

This unforgettable journey would not have been possible without the support of Professor Broodryk, Ms De Villiers, Dr Moyo, and Professor Liebenberg, as well as the Faculty of Law. Special thanks go to the Centre for Human Rights, University of Pretoria, and the University of Kigali for making this experience possible.

The Faculty is incredibly proud of the team's hard work and achievements. They represented the University with pride, bringing back insights and connections that will shape their future contributions to justice in Africa. Let's continue to support our students as they pursue excellence in human rights law and justice across the continent!



STUDENT COURT | INKUNDLA YABAFUNDI

The new members of the Student Court 2024/2025 were confirmed by an appointment committee chaired by the Dean, Professor Nicola Smit, in terms of the new provisions of the SU Student Constitution:

Chief Justice: Risuna Risimati

Deputy Chief Justice: Jaden Mülke

Amalungu amatsha eNkundla yaBafundi ka2024/2025 athi aqinisekiswa yikomiti yotyumbo eyayichotshelwe yiNtloko yeFakhalthi, uNjingalwazi Nicola Smit, ngokwemigaqo yemimiselo emitsha yoMgaqosiseko waBafundi eSU

UJaji eyiNtloko: URisuna Risimati

Isekela leJaji eyiNtloko: UJaden Mülke

Secretary and Treasurer: McNiel Zimri

Campus Liaison: Elsa-Marié van der Watt

Constitutional Compliance: Carolyn Laker

Congratulations to these students who will take up the important role of serving the student community in this governance role.

Unobhala noNondyebo: UMcNiel Zimri

Umnxibelelanisi weKhampasi: UElsa-Marié van der Watt

WezokuThotyelwa koMgaqosiseko: UCarolyn Laker

Siyavuyisana nabafundi abaza kwamkela indima ebalulekileyo yokukhokela abafundi kule ndima yolawulo.



Elsa-Marié van der Watt, Jaden Mülke, Risuna Risimati, Carolyn Laker, and McNiel Zimri

Juridical Society

Juridiese Vereeniging (JV/S)

The Faculty of Law congratulates the incoming JV/S and wishes them a meaningful and constructive term as student representatives:



Chairperson

Alexia Jade Cawood



Vice-Chairperson

Phenyó Lewanika



Treasurer

Dajoon Kim



Secretary-General

Alexandra Helette Maartens



Student Affairs

Marthinus van Niekerk



Transformation

Joy Mbalenhle Hlatshwayo



Public Relations

Rowan Lindeque



Media and marketing

Dominique White



Student Enrichment

Karla Hofmeister



Events management

Nathan Paul Smith



Semester Exchange Programme 2024

"I am incredibly fortunate to have the opportunity to participate in an exchange. This program has not only allowed me to advance my academic knowledge but also form connections and embrace new challenges. I look forward to sharing what I've learnt from the Dutch culture when I return home."



Taylor at the University of Amsterdam

"Being on exchange in Leuven has been an incredible experience of personal growth and discovery. Surrounded by rich history and vibrant student life, the last three months has broadened my horizons in a truly global way and has expanded my views not only of Europe but of South Africa as well."



James at KU Leuven

"For me, this semester exchange has been about expanding my horizons beyond the lecture halls. Being on exchange in Norway has been an experience of constant discovery – learning new ways of thinking, finding common ground across cultures, and seeing how law connects us globally, all while exploring Norway's stunning landscapes. This journey has shown me what it really means to step out of my comfort zone, and I am excited to bring these experiences and lessons back to South Africa with a deeper sense of purpose and possibility."



Jana at the University of Bergen

"Being on an exchange at Cambridge has been incredible—combining amazing academic attention, the thrill of rowing on the river Cam, and the adventure of dodging bicycles while exploring the city. It's been a unique mix of serious learning, connection, and fun!"



Jani at the University of Cambridge



"Being on a semester exchange in Amsterdam has provided me with an excellent opportunity to expand my grasp of international legal systems while also broadening my viewpoint in a dynamic, multicultural city. It's a one-of-a-kind opportunity to actively interact with global legal concerns, connect with different peers, form long-lasting friendships, and develop the skills and knowledge required to make a real difference in law on a worldwide scale."

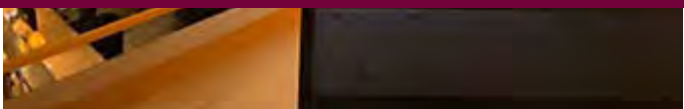


Matthew at the University of Amsterdam

"This exchange has been the most enriching experience of my life! I've met so many wonderful people from around the world and had my ideas challenged in ways that have fostered immense personal growth. I feel very grateful."



Julia at Leiden University

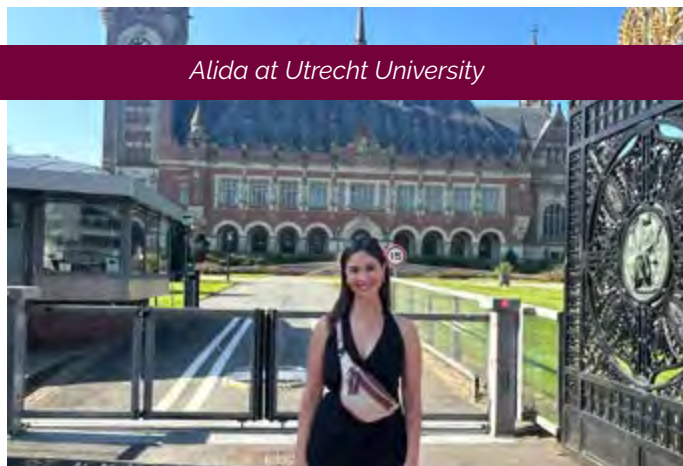


"What an incredible experience. From arriving absolutely terrified, not knowing a person, to creating a life here in Belgium with friends from all around the world. I would recommend this experience to anyone who can take advantage of it, truly one of the best things I've done in my life."



Luke at the University of Antwerpen

"Being on exchange has been an absolute dream come true, it has been overwhelming and challenging at times but also such an enriching and life changing experience."



Alida at Utrecht University

"The exchange period is the most stimulating, challenging and exciting semester I have ever had. It is an incredible experience to be immersed in different academic and social cultures, and I am grateful to have my world made bigger."



Wilmien at KU Leuven

"For me, exchange is a chance to step out of my comfort zone and immerse myself in new cultures and ways of thinking. It's about challenging myself, building resilience, and growing personally by adapting to unfamiliar environments."



Franki at Utrecht University

Visit by senior law students from the University of Amsterdam

On 26 November, 24 senior law students from the Juridische Faculteit der Amsterdamsche Studenten (a law study association), which is affiliated with the University of Amsterdam, visited the Faculty as a part of their Global Legal Experience trip to South Africa. We trust that the students found the lecture on the history and context of the South

African legal system, presented by our Vice-Dean Research and Internationalisation, Professor Juanita Pienaar, as well as the campus and library tour hosted by Mrs Karin Wiss, Dr Bradley Greenhalgh, and Mr Pieter du Plessis, interesting and enriching.



**Sosiale
Impak**

**Social
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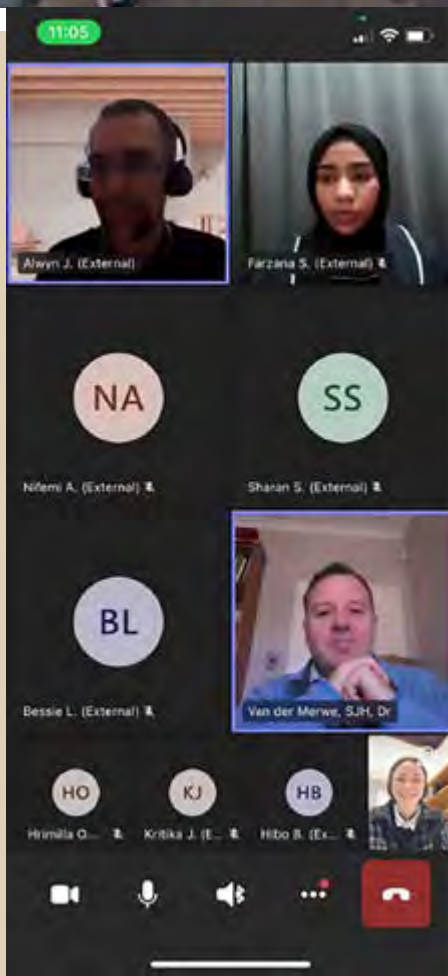
International visits and Collaborations

During June, the Clinic recently received a visit from Professors Julie McConnell and Mary Tate from the University of Richmond School of Law

in the USA. The Clinic always enjoys hosting and discussing work with international friends and colleagues.



The Clinic conducted two seminars with students and staff of De Montford University's School of Law and Street Law programme as part of the Collaborative Online International Learning (COIL) project. It was an enriching exchange of insights as DMU prepares to launch their very own Law Clinic in the UK. In the first session, the team had the pleasure of discussing the activities and focussing on the Clinic's groundbreaking consumer law class action. In the second session, the UK students presented their researched inputs and suggestions regarding the matter. The Clinic looks forward to developing this project in the future. A big thank you to Alan East, Head of Leicester De Montfort Law School, and Dr. Alwyn Jones for organising these enlightening sessions. The Clinic looks forward to more collaborations with De Montfort University in the near future.



During July, Dr Stephan van der Merwe visited Hasselt University in Belgium. Since 2022, Hasselt students have been involved in the Clinic's activities through the student intern project. In the process, the students have contributed to the Clinic's social justice agenda while developing their own practical legal skills.



Community outreach

On Saturday, 13 July 2024, Law Clinic senior attorney Nikita Stander, with the assistance of candidate legal practitioner, Thina Makasi, and receptionist, Priscilla Khoane, braved the cold weather and presented an ESTA information session in the Law Clinic's seminar room to numerous farm

occupiers and a community leader in the area. The session was aimed at informing the attendees, all aged between 38 and 74 years old, about the rights and obligations of farm occupiers and owners, as well as the process involved during ESTA eviction applications.



On Mandela Day (18 July), the SU Law Clinic hosted a soup kitchen, distributing over 250 bowls of soup to those in need. The staff of the Clinic felt extremely grateful to be able to participate in such an incredible event. Giving back to the community is the Clinic's purpose, and this day truly

embodied the spirit of Mandela's legacy. It was a day filled with smiles, gratitude, and a strong sense of togetherness. Let's continue to uphold the values of compassion and unity, not just on Mandela Day, but every day.



Student engagements and Internships

From 15 to 19 July, the Clinic's Vac Work Programme provided an opportunity for students to engage with the SU Law Clinic's operations, gaining a deeper understanding of the intricacies of legal practice. This immersive internship was packed with valuable experiences, from training sessions to court appearances, and much more!

The interns participated in a series of comprehensive training sessions, designed to enhance their legal knowledge and

practical skills. They had the chance to observe real court appearances, offering them a firsthand look at the judicial process and the dynamics of courtroom proceedings.

In addition to these practical experiences, the interns conducted legal research, honing their abilities to analyse complex legal issues and develop well-informed arguments.

After weeks of preparation, final-year Practical Legal Training students took the stage for an epic battle in the courtroom. The culmination of their hard work and dedication was showcased in eight thrilling mock trials in front of a bench of three judges.

The final showdown lived up to expectations. Our students demonstrated not only their legal skills but also their ability to think on their feet. It was a true battle of wits, strategy, and determination. The Clinic is incredibly proud of the students for their hard work and dedication.



During September, Odwa Nwebi from Stellenbosch University Law Clinic was in conversation with Kaya FM to unpack the "Collaborations to curb indebtedness" report prepared in collaboration with the Black Sash.

Achievements and appointments



Senior Attorney **Nikita Stander** has been appointed to the additional role of **Deputy Head** of the Law Clinic, effective **1 January 2025**. In this capacity, Nikita will take on a vital leadership role, focussing on the operational management of the Clinic, ensuring the **continued excellence** of our services and day-to-day operations.

2025 is a significant milestone for the Clinic. It will be the first time that the Clinic presents an expanded clinical legal education program to our final year law students. The Clinic is excited about the important contributions of Dr Stephen van der Merwe, who will focus on the imminent expansion of the Practical Legal Training module. Dr van der Merwe will also coordinate the implementation of the Faculty's new Foundational Oral Advocacy module, along with his existing responsibilities of teaching Legal Ethics and Legal Skills. Moreover, he will continue to coordinate our high-level impact litigation, including the recently issued class action, which is set to further the Clinic's mission of advancing social justice.

The Clinic is excited about the year ahead and the dynamic leadership both Nikita and Stephan bring to the team!



The Clinic is proud of Theo Van Breda-Opperman, who was admitted as an attorney of the High Court of South Africa on Friday, 2 August. Theo joined the Clinic in 2022 and has been an integral part of the team ever since.



Prof Broodryk ontvang Kanseliersprys

Professor Theo Broodryk word erken vir sy visioenêre leierskap, verbintenis tot sosiale geregtigheid en toewyding aan regsonderrig. Tydens die gradeplegtheidgeleentheid van 13 Desember, ontvang Professor Broodryk 'n Kanseliersprys vir Professionele Dienste. Onder sy leiding het die SU Regskliniek ('n geakkrediteerde regsfirmas) ontwikkel tot 'n beduidende bemagtiger vir sosiale geregtigheid en het dit 'n blywende impak op opeenvolgende groepe studente, interns, internasionale besoekers en die omliggende gemeenskap gelaat.

Professor Broodryk is 'n senior navorser by die Lus Commune Research School, 'n Beaufort (Colenso)-genoot by St John's College, Cambridge, het voorheen die Stanford Law School as 'n besoekende vakkundige bygewoon en is bekroon met die Georg Forster-genootskapstoekenning van die Alexander von Humboldt-stigting. Hy is 'n Y1 NNS-gegradeerde navorser en dien op die Suid-Afrikaanse Reëlsraad vir Howe.



Alumni

Alumni

Homecoming

On 14 September, Professor Stevens had the privilege of welcoming back the LLB classes of 1984, 1999, 2004, and 2014, on behalf of the Stellenbosch University Faculty of Law, for the Homecoming weekend. The event was particularly notable as some members of the 2003 LLB class also attended, highlighting the significance of the homecoming.

The presence of the 1999 class held personal significance

for Professor Stevens, as it marked the year he began his academic journey at the Faculty of Law. It was truly inspiring to see how alumni have excelled in their respective careers since graduation. Following the formal proceedings, the alumni office arranged lunches for the respective year groups across Stellenbosch. Professor Stevens had the pleasure of joining the 2003 and 2004 groups at the beautiful Glenelly Estate.



The Faculty would like to extend warm congratulations to:

- **Dr Mimmy Gondwe** on her appointment as **Deputy Minister of Higher Education**.
- **Professor Elmien du Plessis** on her recommendation for a vacancy in the **Gauteng Division of the High Court**.

Herdenking Memorial

Bill Daly (LLB 1966)

When I sought a short pithy phrase that could aptly describe Bill Daly, my long-time friend for some sixty years, I came up with "A Man for All Seasons". Bill truly was a man for all seasons, both literally and figuratively. It grieves me deeply to talk about him in the past tense, but tragically that is now the reality.

A man for all seasons is successful and talented in a variety of fields and is adaptable to any circumstances. He is also someone whose conscience and moral strength do not bend with the trends of different eras, and he remains true to his principles no matter what the prevailing attitudes are.

Bill was a real man, indeed a man's man, who amply possessed and displayed all these attributes. The one that I want to highlight is his adaptability, because for me it was possibly his most admirable and endearing characteristic. He could be as much at ease at a black-tie event with the superior Constantia social set, or the elite Afrikaner intelligentsia, as he could be at a beer and braai evening, or in a bar, with the locals in a "plattelandse dorpie" in the Karroo. He could swap stories over late night beers at a pub just as well as he could participate in discussions on philosophical subjects at a gathering of intellectuals. In all these situations, he would have been regarded by his companions as being one of them. His character was such that he could engage on an equal footing with members of each of these diverse groups and be completely at home with them. He could do this because of his engaging personality, his intelligence and savoir faire, his delightful sense of humour, the perpetual twinkle in his eye (with a hint of mischievousness), his hearty and frequent laugh, the empathy and interest that he displayed when talking to others, and his zest for life. He was comparable to a chameleon. He could take on the colours of his environment. When he was at a social gathering people would naturally gravitate towards and around him. He had charisma in abundance.

I am well qualified to give good firsthand evidence in support of his attributes because he and I walked a long road together. We were LLB students together at Stellenbosch University in the mid-1960s. Along with a couple of other classmates we met for coffee virtually every day after classes. We played together in the same rugby and cricket teams at university. We were both emigres to Pretoria after graduating and moved in the same circles in that city for a few years. We were contemporaries in the attorneys' profession and had occasion to work with one another. Although we lived in different parts of the country in time, we kept in touch with each other and got together not infrequently. As our twilight years descended, we were both members of a group known as the "Mannetoer",

which comprised around two dozen men with a variety of disciplines, all Maties alumni or of the same persuasion, who would get together annually for a few days at various resorts and places in the Western Cape, where we revived memories of, and temporarily relived, our student days. In the process, we gained valuable insights into our friends' characters as they had evolved over time.

But I am getting ahead of myself. I need to briefly relate the course of Bill's life, which, along with his inherent character traits, shaped and developed him into the person I knew, respected, and loved.

He hailed originally from Dundee, in the then Natal, and concluded his upbringing and formal education at Stellenbosch University in 1966. He served his articles and qualified as an attorney at the firm of Dyason Douglas Muller and Meyer in Pretoria. After a brief spell roaming through Europe (where he met me up with me while I was serving at the South African Embassy in The Hague, Netherlands), he returned home and joined the Johannesburg attorneys' firm Cliffe Dekker and Todd, and then almost immediately relocated and returned to his roots in Durban, where he became a partner at the attorneys' firm De Villiers & Strauss. In 1984, he and Strauss left the firm and started a new firm, Strauss Daly, which went from strength to strength and became a major player. During this time of change, a significant event, which had a strong influence on his character development and life, occurred. He married Anita Cronje, whom he had met during his sojourn in Pretoria. They subsequently had a son and two daughters. His happy family life had a considerable influence on the development and evolution of his character.

In 2001, Bill resigned from Strauss Daly, at which he served as Chairman, and set up a legal call centre primarily to collect debt on behalf of major banks and retailers. When he retired from this business in 2001 it consisted of two attorneys and nearly five hundred call centre agents.

All the while, Bill had been involved in game farming, hunting, and fishing in South Africa and neighbouring countries, as well as Britain and the United States of America, both as an active and enthusiastic participant and as an administrator. He served as the President of both amateur and professional hunting bodies. In retirement he served as a non-executive director of a listed company and became a frequent international traveller. He had certainly become a man for a variety of different seasons!

Bill was blessed with having good judgment. He had an uncanny ability to assess and execute the minimum amount of study necessary to pass examinations at university. As a result, he was not an academic achiever. That did not matter

as he had all the other ingredients necessary to become a good and successful attorney and person in full measure and was demonstrable proof of the fact that academic achievement, while being an admirable attribute, was neither strictly necessary nor a guarantee of success in a profession, in business, or in life in general. Because that he certainly was. Moreover, he also had and generated fun, and lived life to the full. He enriched the lives of all those who

had the privilege of knowing him.

We will miss you, Bill, now that your seasons have come to an end, but you will live on in our memories. I salute you! Requiescat in pacem. Rest in peace.

Professor Owen Dean

21 October 2024

Graham van der Spuy (LLB 1973)

Graham van der Spuy, who passed away on 21 July 2024, first registered as a student in the Faculty of Law of Stellenbosch University in 1969. He obtained a BCom degree with legal subjects from Stellenbosch in 1971 and was awarded a postgraduate LLB in March 1974. After graduation, Graham worked as a prosecutor and completed his articles at Rooth and Wessels in Pretoria where he was a partner for many

years. He eventually became a partner at MacRoberts specialising in medical law and headed up the Cape Town office from March 1994. He left MacRoberts to join the Cape Bar on 31 May 2005. Graham is survived by his wife, Aletta, his children, Karen and Eric, several grandchildren, and his sister, Zephne.

Professor Gerhard Lubbe

Estienne Pretorius (LLB 1976)

Estienne Pretorius, gewese prokureur-generaal/hoofaanklaer in Namibië, is vroeër vanjaar oorlede. Hy het in 1969 vir die BA-graad (met Regsvakke) aan die Universiteit van Stellenbosch ingeskryf en het hierdie graad op 1 Maart 1974 verwerf. Daarna het hy in 1974 vir die tweejarige LLB-graad ingeskryf en het dit suksesvol op 10 Desember 1976

behaal. Hy het sy akademiese loopbaan voortgesit deur in 1979 vir die Honneurs BA-graad in te skryf en het dit cum laude op 5 Desember 1980 voltooi. Sy passie vir verdere studie het geblyk toe hy hom in 1983 en 1984 vir 'n MA-graad in Staatsleer ingeskryf het, hoewel hy dit nie voltooi het nie.

Professor Andreas van Wyk

Regter Sytze Alkema

Ek en Sytze Alkema was skoolmaats by Grey Kollege waar ons in dieselfde jaar, naamlik 1961, gematrikuleer het. In 1962 het ons beide na die Vlootgimnasium in Saldanhabaai gegaan. Gedurende ons skool- en Vlootgimnasium dae het ons 'n hegte vriendskapsband gesmee.

Ons wou beide in die regte studeer en lank voordat ons vir daardie doel Stellenbosch toe is, het ons besluit om ons onmiddellike toekoms saam te beplan. Die gevolg was dat ons beide besluit het om vir die studente koshuis Simonsberg aansoek te doen en vroeg in 1963 het ons Simonsberg eerstejaars geword.

Sytze en Jean Nepgen, wat later beide Regters in die Oos-Kaap geword het, was kamermaats. Hulle kamer nommer was 66 en ek en Sytze was as jong studente lief om met nuwe studente kennis tot ons beskikking tot laatnag – en tot Jean se erge – te filosofer oor die hede en die toekoms. Jean het my inderdaad gedoop as die derde 6 van kamer 66.

Al drie van ons het later huiskomitee-lede geword en in 1968

was Sytze Primarius van Simonsberg. Afgesien van Sytze se regs- en leierskap eienskappe was hy ook 'n kranige swemmer op skool en bokser op Universiteit. Hy het later as hoogsbekwame boksafrigter toegesien dat Simonsberg vir vele jare gedurende sy studiejare die koshuis bokskampioen was.

Na sy Universiteitsjare het Sytze aanvanklik as 'n staatsaanklaer gefunksioneer en daarna vir vele jare as advokaat in KZN gepraktiseer waarna hy as regter in die Oos-Kaapse Hooggeregshof tot sy aftrede gedien het.

Oor al die jare het ek en Sytze kontak bly behou hetsy op sosiale of professionele vlak. Vir my persoonlik was hierdie lieflike vriend se besondere eienskap sy beskeie positiewe lewensgesindheid teenoor sy vriende en inderdaad teenoor sy medemens. Ek kan my nie herinner dat ek Sytze ooit sien kwaad word het nie. Hy het daardie besondere eienskap gehad om probleme flegmaties en waardig te hanteer.

Ek huldig ons goeie vriend, Regter Sytze Alkema.

Nico Hofmeyr



Stellenbosch

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