



**THE LAW SOCIETY**

O F N A M I B I A

## Foreword by the Chairperson: Wouter Rossouw

This was indeed an interesting and challenging year, as you will see from the content of the attached report.

I wish to thank Ramon Maasdorp, the Vice Chairperson, and the Council of the LSN for their support since my election in February 2016. Although I was hesitant to accept the appointment as chairperson in the place of Beatrix Greyvenstein, when asked to fill the position, and although the work has not always been easy, I could always count on the Council members who placed their trust in me to make things happen!

I also wish to thank Retha Steinmann, the Director of the LSN, for providing me, and every other member of Council with the insight into the workings of Council and for always being ready to provide information needed in order to make informed decisions. She has been a stalwart. She gave her best and more for the LSN during periods when we struggled with staff shortages and she worked tirelessly – long hours and over weekends to deal with her own and the responsibilities of those not yet appointed – the Managers of Risk & Compliance and Professional Affairs and Financial and Human Resources.

A lot of her time also went into the training of new staff members, interviewing potential staff members for the various vacant positions at the LSN, revising job descriptions in line with the approved organogram and also fulfilling her duty as *curator bonis*. She also assisted with the Change Project.

In her free time she also drove the process of the compilation of the Commemorative Book and she prepared this photo filled Chairperson's Report.

Nothing is too much to ask of Retha, and specifically in light of the short tenure of Council members, her institutional knowledge is invaluable to all members of Council, but especially the Chairperson.

On behalf of the Council of the LSN and myself I wish to sincerely thank Retha and her staff for their loyalty, hard work and commitment.

Finally I want to wish the Steering Committee of the Change Project all the best with their enormous task and with the shaping of a new and exciting future for the legal profession in Namibia!

## Golf Day, 12 November 2015

The LSN, at its AGM held on 8 November 2002, created the LSN Rule of Law Trust - with the aim to establish a fund to promote, strengthen and uphold the Rule of Law, to protect and enforce human rights and uphold the Constitution of the Republic of Namibia.

The Young Lawyers Forum assisted the LSN to arrange the Golf Day on 12 November 2015, prior to the AGM, with the aim of raising funds for the LSN Rule of Law Trust.

The golf day competition was a 4-ball alliance (scramble drive with 2 scores to count). Various prizes were awarded, including "best dressed team", "nearest to the pin" and "longest drive".

### Photographs on next page of the participating teams:

- Angula Co Inc x 2 teams
- De Beer Law Chambers
- Du Toit Associates
- Etzold-Duvenhage
- Fisher, Quarmby & Pfeiffer
- LorentzAngula Inc
- LSN Council
- Old Mutual





## Judge JP Karuaihe (JPK) Trust: Legal Excellence Awards – 2015

The 16th Anniversary of the JP Karuaihe Trust and the 9th Annual JPK Trust Fund Awards took place on Friday, 13 November 2015 at the Safari Court Hotel, prior to the AGM of the LSN. For the third time, the Judge JP Karuaihe Awards ceremony took place on the same day and prior to the LSN AGM. Since the awards are centred around legal practitioners and law students, the LSN created an opportunity for our members to be present when their peers, and future legal practitioners, are rewarded for their achievements.

- **The History**

The Law Society's involvement with the Judge JP Karuaihe Trust started during 2006 when the trustees of the JPK Trust approached the LSN to assist them in identifying and selecting deserving winners for the 'legal excellence awards' thereby acknowledging the dedication, efforts and commitment of legal practitioners who are enhancing and protecting the Rule of Law in Namibia and honouring their social responsibilities.

- **Legal Excellence Awards**

Many of our members contribute to society but they do not always 'advertise' their good deeds. We thank our members for their contributions to society and trust that the good deeds will continue in future.

The LSN received the names of the best students from the Justice Training Centre and University of Namibia, Law Faculty, respectively.

The LSN invited nominations from the members for the other awards.

The Access to the Law and Social Responsibility Committee considered:

- Applications received;
- LSN members who appeared pro bono;
- Members who presented training and who assisted the presenters with training;
- Members who assisted the LSN with the free legal advice days;
- Members who acted amicus curiae.

The Committee made recommendations to the Council with regard to the Excellence Awards for Social Responsibility and Human Rights.

### Photographs:

- **Legal Excellence Award for Human Rights**

The winner was the Legal Assistance Centre. Toni Hancox, on behalf of the Legal Assistance Centre, received the award from Vicky ya Toivo.

- **Best Student Awards:**

#### **Best LLB Final Year Student for 2014**

Nicole Duminy achieved 78,71% average. Vicky ya Toivo, on behalf of the JPK Trust, presented Nicole with the trophy. Nolan Swarts, on behalf of the LSN, presented her with a cheque in the amount of N\$ 2,500.00.

#### **Best JTC Student for 2014**

Sune de Klerk achieved 76% average respectively in all 11 subjects. Vicky ya Toivo, on behalf of the JPK Trust, presented Sune with the trophy. Nolan Swarts, on behalf of the LSN, presented her with a cheque in the amount of N\$ 3,500.00.



- **Legal Excellence Award for Social Responsibility**

The UNAM Legal Aid Clinic received the Social Responsibility Award. Kandali Nuugwedha, on behalf of the UNAM Legal Aid Clinic, received the award from Vicky ya Toivo.

- **Certificates: Recognition of Social Responsibility**

The JPK Trust further acknowledged two firms who made contributions to Society. These firms are Ellis Shilengudwa Inc. and Chris Mayumbelo & Co.

Chris Mayumbelo, of Chris Mayumbelo & Co., received the certificate from Vicky ya Toivo.

Karin Klazen, on behalf of Ellis, Shilengudwa Inc. (ESI), received the certificate from Vicky ya Toivo.

The LSN congratulated the JPK Trust with its 16th Anniversary and wished the JPK Trust much success with their future endeavours.

The LSN trusts that their commitment to providing bursaries to deserving candidates to study law and honouring achievements will go from strength to strength and that the LSN and the JPK Trust will have a long and fruitful relationship.

**Photograph: Vicky ya Toivo, on behalf of the JPK Trust, received the sponsor cheque from At Slabber - Director at Dr. Weder, Kauta & Hoveka Inc.**



**Photographs:**

- Chris Mayumbelo - Chris Mayumbelo & Co.: Judge JPK Trust Recognition of Social Responsibility Certificate.
- Kandali Nuugwedha - UNAM Legal Aid Clinic: Judge JPK Legal Excellence Award for Social Responsibility.
- Yvonne Dausab - Chairperson of the Law Reform and Development Commission: Photo book, compiled by Retha Steinmann, capturing the past award ceremonies of the UNAM Legal Aid Clinic.
- Toni Hancox - Legal Assistance Centre: Judge JPK Legal Excellence Award for Human Rights.
- Sune de Klerk – Best JTC student 2014.
- Nicole Duminy - Best Final Year LLB student 2014.
- Karin Klazen - Ellis, Shilengudwa Inc. (ESI): Judge JPK Trust Recognition of Social Responsibility Certificate.





## Annual General Meeting November 2015

The term of office of the previous Council ended on a high note with a lively AGM.

The new Council's term commenced when the election result were announced.

### Election of Councillors

Having been elected at the November 2014 AGM for a 2-year term the following Councillors remained:

- Beatrix Greyvenstein (in private practice / racially advantaged)
- Alwyn Harmse (in private practice / racially advantaged)
- Ramon Maasdorp (in private practice / racially disadvantaged)
- Saima Nambinga (in private practice / racially disadvantaged)

**Four new Councillors were elected for a two-year term at the November 2015 AGM namely:**

- Smart Elago (in private practice / racially disadvantaged)
- Anne-Doris Hans-Kaumbi (in private practice / racially disadvantaged)
- Gaenor Michaels (in private practice / racially disadvantaged)
- Melki Uupindi (not in private practice / racially disadvantaged)



## **'The role of the UNAM Legal Aid Clinic in enhancing access to justice'**

**Prepared by: Yvonne Dausab**

*The UNAM Legal Aid Clinic ('clinic') is a law centre for purposes of section 1 of the Legal Practitioners Act, 1995 (Act No: 15 of 1995 as amended). Since its establishment in 2004, with an office in Katutura and the UNAM Windhoek campus, over 600 students have gone through the programme. The twin objective of the course is to teach students practical skills to advice, counsel and assist with representation of indigent clients in various legal matters. The second of which is to provide free legal services to clients who cannot afford it.*

*Clinical legal education is an important stepping stone for final year LLB students. This is their first real encounter with real clients and real legal problems. This they do under the strict supervision and guidance of admitted legal practitioners who are also full-time lecturers at the University, Faculty of Law. The very nature of Clinic Legal Education is to provide the students with "experiential learning that will enhance their practical legal skills in a socially just setting" [See McQuoid-Mason]. In this way the students also enhance their writing, oratory, analytical and research skills. They get exposure to police stations, maintenance, criminal and civil process. They understand the importance of time management and applying the law in the best interest of their client.*

*Over the years, and more specifically in the past five years, the students have done research and written legal opinions on murder, theft, bail, maintenance, forfeiture in divorce proceedings, annulment in marriages, appeals, condonations, prescription, substituted service to name a few. To which end, there is a relatively good institutional memory of opinions on these issues. Students have learned skills on fact analysis and using the latest case law to make out a persuasive argument when interacting with their supervisors. In the period under review the students have written over 200 letters and memo's and have drafted over 200 pleadings. This they do whilst undertaken community impact projects as part of their training.*

*The past five years have not been without its challenges, supervision of the students being among the chief of them. Whilst it was not insurmountable, absence of a full-time legal practitioner at the Legal Aid Clinic makes work much more labour intensive for the supervisors. The supervisors were: Ms Yvonne Dausab, Dr Kandali Nuugwedha and Mr Francois Bangamwabo. These supervisors also have full teaching loads thus making it very challenging to provide full attention to clinical supervision and work. Although it has worked relatively well over the years there is an urgent need going forward to appoint a full-time legal practitioner to avoid legal aid supervisors attracting sanctions or even be found liable for professional negligence. It is hoped that this will not become the case and with the continued and unwavering support of the Law Society of Namibia this too shall be resolved.*

*There is also an increased need to have the general profession support the work of the clinic. The support in the form of finances and human resource capacity of the following persons and firms over the years is hereby acknowledged namely: Natasha Bassingthwaight (teaching & pro bono work), Ramon Maasdorp (teaching & pro bono work), Gerson Hinda (teaching trial advocacy), Sisa Namandje (financial contribution), Engling, Stritter & Partners (financial contribution), Raymond Heathcote (financial contribution), Law Society of Namibia (for guidance, financial and human resource support over the years) and all the law graduates that have been available sometimes at short notice to stand in for the Legal Aid Clinic at court appearances and providing guidance and support to the students in the rare instance that supervisors are not able to assist.*

*We also want to extend a special word of thanks to various speakers that graced our flagship annual award ceremonies over the years namely: The Chief Justice Mr Justice Peter Shivute, The Deputy Chief Justice Mr Justice Petrus Damaseb, Mr Justice Dave Smuts, Mrs Elize Angula, Ms Esi Schimming Chase, Mr Norman Tjombe, Mrs Dee Sauls, Mrs Retha Steinmann, Ms Gwen Lister and Mr Sisa Namandje.*

*Finally, clinical education is designed to train socially conscious law students and we hope that the next generation of lawyers will use their practical legal training to enhance a socially just development agenda for our Nation.*



**Council elected November 2015**

**Front: Ramon Maasdorp (Vice Chairperson), Beatrix Greyvenstein (Chairperson), Saima Nambinga**

**Back: Petrus Elago, Gaenor Michaels, Melki Uupindi, Anne-Doris Hans-Kaumbi, Alwyn Harmse**

## Council's year-end and farewell function for former Councillors

The Council held a year-end function on 2 December 2016, during which event the newly elected Councillors were welcomed and the past Councillors were thanked for their services on Council.

Retha Steinmann was unable to attend the function as she was still on sick leave after major back surgery.

During this period **Stacey Bock acted as Director.**

The past Councillors were thanked for their services and commitment and engraved gifts were handed to them.

- **Ingrid Husselmann**

Ingrid's relationship with the LSN started long before her admission as a legal practitioner when she was a bursary recipient from 1999 until 2002.

Ingrid was co-opted during the 2012 - 2013 term.

She was elected at the November 2013 AGM for a two-year term (2013 – 2015).

Ingrid brought her experience as a prosecutor, at the Office of the Prosecutor General, to the Council table and she made valued contributions to Council discussions.

Even though not elected she was still willing to assist the LSN with assignments / projects.



- **Carol Williams**

Carol's relationship with the LSN also started long before her admission as a legal practitioner when she was a bursary recipient from 2002 until 2006.

Carol was co-opted as a Councillor during 2011.

She was elected as a Councillor for the term 2011 - 2013 and 2013 - 2015.

Carol attended her first SADC LA conference during 2011 and subsequently represented the LSN as its SADC LA Councillor where she also made presentations.

Carol made valued input based on her experience in litigation and being a partner at a firm.

She was also very involved at the University of Namibia as a lecturer during this period.

We know that Carol joked that she had 'paid off' her bursary by serving on Council, but we hope that we can also count on her in future to assist with projects and that she will continue lecturing the future legal practitioners.



- **Nolan Swarts**

Nolan was co-opted as Councillor during 2011.

He was elected as a Councillor for the term 2011 - 2013 and 2013 - 2015.

He served as the Chairperson of the LSN for the term 2014 - 2015.

At the time that Nolan was co-opted he was still practising at the firm Swarts & Bock and could make valued contributions regarding his practise / practice experience.

He later changed employment to Namfisa where he represented the corporate sector of the profession.

He served as the chairperson of the Young Lawyers Forum until recently and was instrumental during 2015 year to secure Namfisa's participation / sponsorship in the Free Legal Advice day in Windhoek and arranging the golf day aimed to secure additional funding for the LSN Rule of Law - Trust.

Nolan attended his first SADC LA meeting during 2013 and subsequently represented the LSN as its SADC LA Councillor.

He also represented the LSN at the IBA conferences in his capacity as the Chairperson of the LSN where he also participated as a panellist.

Nolan had a big year – being the LSN Chairperson, getting married and also expecting twins – all in 2015.



- **Dee Sauls**

Dee was co-opted as a Councillor during 2001.

She was elected on Council for the term 2011 - 2013 and 2013 - 2015.

Dee served as Chairperson for the term 2012 - 2013 and Vice-Chairperson during the term 2013 - 2014.

During her professional career she worked at various institutions before opening her own law firm.

She shared her vast experience in different fields, gained over the years, with the LSN whilst serving on Council, various committees of the LSN, representing the LSN on statutory boards and on the IBA Bar Issues Commission (BIC).

She is known for being an eloquent orator and those of us who have been involved in strategic planning session can also vouch for her 'teaching skills'.

Dee's involvement is significant when we look at the establishment of the Past Presidents' and Young Lawyers Forums, her election as the BIC Officer of the IBA, the pilot project of the IBA Business and Human Rights Guidance in-country consultations held during 2015, the strategic reviews held over the past years and the LSN's exemption application to the Namibian Competition Commission, to mention a few.





## Resignation of Councillors / Chairperson of the LSN

On 19 February 2016 two Councillors namely, Beatrix Greyvenstein (President) and Alwyn Harmse, resigned due to personal reasons.

**Beatrix Greyvenstein** was elected on Council during November 2012. She served as Vice **Chairperson** for the period November 2014 - November 2015 and **Chairperson** since 13 November 2015 - 19 February 2016.

**Alwyn Harmse** was elected on Council during November 2012. He served as **Chairperson** for the period November 2013 - November 2014.

They were both very active Councillors who also participated in the circle meetings and projects of the LSN, such as the Free Legal Advice Days.

In addition, they also served on standing committees of the LSN.

We express our sincere gratitude and appreciation to both of them for their efforts and contributions as Councillors and past Chairpersons over the past years.

We count on their future contributions.



- **Council, at its Special Meeting held on 22 February 2016**

Resolved that Wouter Rossouw be appointed to fill one of the vacant positions on Council and he was subsequently elected as Chairperson of Council.

**Wouter Rossouw** is practising as Wouter Rossouw Legal Practitioners, Walvis Bay. He was co-opted as Councillor during 2015 and actively participated in the work of Council. He stood for election as a Councillor last year and even though not elected at the time, again responded favourably to the invitation of Council to be considered for co-option during the 2016 term, even prior to the request from Council for him to replace Beatrix Greyvenstein after her resignation. He also represented the LSN at the SADC LA conference last year.



- **Council, at its meeting held on 23 February 2016**

Resolved that Ingrid Husselmann fill the 2nd vacant position on Council.

**Ingrid Husselmann**, Deputy Prosecutor General, was co-opted during the 2012 to 2013 term. She was elected at the November 2013 AGM for a two-year term (2013 – 2015) and made valuable contributions during her term of office. Ingrid Husselmann stood for election as a Councillor last year but was not elected at the time.



We thank both of them for their positive attitudes and accepting the challenge.

## **Legal Opinion – Resignation of Councillors / the Chairperson of the LSN and the appointment of Council**

**At the time of Wouter's appointment the LSN also obtained a legal opinion from Adv. Cassim SC in South Africa on the interpretation of Section 45.**

The outcome of the opinion in short is as follows:

- According to section 45(2) the Legal Practitioners Act, the chairperson of the Council shall rotate between a racially advantaged legal practitioner and a racially disadvantaged legal practitioner. As the previous chairperson was a racially advantaged legal practitioner prior to her resignation, the new chairperson to complete the term must accordingly be a racially advantaged legal practitioner.
- It is possible to elect a chairperson who was not elected at the Annual General Meeting, as there is no express prohibition in the Act.
- Section 50(4) of the Act authorises the vice-chairperson who presided at the special Council meeting to have a casting vote in addition to his / her ordinary vote.
- Section 50(2) of the Act specifically and expressly authorises that Council can hold valid Council meetings when there is a vacancy of the chairpersonship. The only qualification is that there must be five members for a properly constituted Council meeting.

Members are invited to contact the Director to obtain a copy of the abovementioned legal opinion.



**Council as from February 2016 with Retha Steinmann (Director):**

**Front: Ingrid Husselmann, Wouter Rossouw (Chairperson), Anne-Doris Hans-Kaumbi.**

**Back: Smart Elago, Saima Nambinga, Ramon Maasdorp (Vice Chairperson), Gaenor Michaels, Melki Uupindi**

## Co-option of Councillors

Members were invited twice to indicate interest and willingness to be co-opted as Councillors.

Council co-opted Irene Visser and Rochelle Kandjella as Councillors and both attended their first meeting during March 2016.

Unfortunately Irene Visser, during July 2016, had to resign due to medical reasons.

The Council sincerely thank them both for their valuable input and commitment.



## Change Project

The LSN was established to protect the Administration of Justice and promote the Rule of Law in Namibia. It must maintain and enhance the standards of conduct and integrity of all members of the independent Namibian legal profession and represent the interests of these legal practitioners who all took an oath to uphold the Namibian Constitution.

The LSN realised that fundamental changes are taking place in the Namibian and global legal landscape. These changes range from technological advancements, to increased and different expectations from clients and judges, to ever increasing but unprepared entrants to the profession, yet ever reducing access to justice.

These changes hold both risks and opportunities.

The LSN accepts that it has a statutory duty towards the Namibian people, including all current and prospective legal practitioners to recognise and guard against the risks and to highlight opportunities for improved legal services to those the profession already serves, underserves or does not serve at all (but should serve).

While the LSN has been busy for some time with identifying changes to the Legal Practitioners Act, a decision was made during July 2015 to take a more holistic approach and started deliberate planning on the current project. This culminated in the LSN Council's formal resolution on 28 January 2016 to embark on "The Change Project".

**Photograph: The initial Steering Committee consisted of Ramon Maasdorp (Chairperson), Saima Nambinga, Smart Elago, Doris Hans-Kaumbi, Dee Sauls-Deckenbrock and Leezhel van Wyk (Project Consultant).**



On 15 February 2016, the Steering Committee invited the Director, Retha Steinmann and the Manager: Professional Affairs, Stacey Bock to participate in the first Change Project Steering Committee in-house consultation / 1<sup>st</sup> workshop in anticipation and preparation of the consultative workshop with stakeholders.

A videoconference with Alan Fineblit QC of Canada also took place at the workshop with stakeholders held on 29 February 2016. The workshop continued on 1 March 2016. Both workshops were well attended. The draft minutes of Workshop 1 and Workshop 2 are available from the Director.

The LSN assisted with the administrative and logistical arrangements for both workshops - the distribution of the invitations, arrangements of the workshops / venue and preparation of the reading lists.

Leezhel van Wyk was initially appointed as Consultant. Her mandate terminated after Workshop 2 held on 29 February and 1 March 2016, at the Safari Court Hotel, as she was thereafter appointed as an Acting Judge.

Dee Sauls-Deckenbrock has since resigned from the Steering Committee. Recently Smart Elago also resigned from the committee.

The Steering Committee now consists of the following members: Ramon Maasdorp (Chairperson), Saima Nambinga, Anne-Doris Hans-Kaumbi and Toni Hancox.

Funding proposals for this project were submitted to the Namibian Legal Practitioners Trust (NLPT), the Legal Practitioners' Fidelity Fund (LPFF) and other possible sponsors.



The Change Project consists of phases. In addition to involving a broad spectrum of legal practitioners in the work that must be done, it will include non – lawyer expertise as well. The project has been designed to secure a comprehensive understanding of problems in the legal profession and to find or craft optimal and sustainable solutions for these problems. The research that will underpin the recommendations will include a broad based survey to establish a sound factual basis of the challenges, desk research to fully understand possible solutions from other jurisdictions and to ensure that it fits in the Namibian context, and business process engineering for the LSN to better match its operations to its statutory mandate.

This may be the LSN's most significant project since the current structure was introduced in 1995. If successful, it will lead to many more spin-off projects, which will be driven from a more sustainable institutional framework and should thus be better focused and all aimed at securing a vibrant, competitive, relevant and responsive legal profession.

The position of the Project Manager was advertised in the newspapers and on the LSN's website during August 2016, and Eben de Klerk was appointed as the Project Manager.

The positions of Research Expert, Communications Expert and Survey Team were also advertised in the newspapers and on the LSN website.

On 19 October 2016, the Steering Committee met with the Hon. Chief Justice to discuss inter alia the following:

- Introduction of the Project Manager and the LSN Steering Committee for Change Project.
- Introduction of the Change Project and its objectives.
- Discussion on possible synergy between the Board for Legal Education and the Change Project.
- Way forward.



## **Namibian Competition Commission – NaCC – LSN Exemption Application**

Ramon Maasdorp and Petrus Elago (members of the Steering Committee), together with the Director of the LSN, met with a delegation of the NaCC - Ashley Tjipitua, Fenny Negongo and Hitjiua Tjiho - on 30 March 2016.

Subsequently, the LSN applied in writing for an extension of the effective date for the Commission's decision (1 July 2016) and made a request to the NaCC to share their research materials and results with the LSN.

The purpose of the request was for the profession to align its response to the Commission's decision, with the outcome of the LSN's "Change Project", to avoid the profession taking steps on the Commission's decision without the benefit of a credible process of reflection, interrogation and application of the mind to finding and implementing sustainable solutions to the challenges faced by the profession, including those the Commission identified.

The LSN made a further submission to the NaCC on 2 June 2016 with regard to our reasons for applying for an extension. Subsequently, the LSN received a letter, dated 4 August 2016 from Mr. Ndalikokule, the Acting CEO and Secretary to the Commission, to inform that no public objections have been received in respect of the LSN's request for an extension of the effective date of the abovementioned reference exemption decision. In light thereof, the Commission granted the LSN extension of the effective date of its exemption decision to 1 July 2017.

The Commission encouraged the LSN to take proactive measures to ensure that the LSN Rules are in line with the Commission's exemption decision by 1 July 2017.

The Commission reiterates that it is ready and willing to engage the LSN and the fraternity at large to ensure the most appropriate outcome for all parties concerned.

This matter will also be considered by the Steering Committee and a presentation will be made at the AGM on the topic and the way forward.

## Stakeholder Meetings & Events

- **Meeting with the Hon Deputy Chief Justice and Hon Deputy Judge President**

On 18 January 2016, Beatrix Greyvenstein (Chairperson), Ramon Maasdorp and Retha Steinmann met with Deputy Chief Justice –Petrus Damaseb, Deputy Judge President –Hosea Angula, Chief Registrar - Elsie Schickerling and delegates from the Government Attorneys, NLA and Society of Advocates.

- **Courtesy meeting with the Hon Attorney General**

On 18 January 2016, Beatrix Greyvenstein (Chairperson), Ramon Maasdorp, Retha Steinmann and Smart Elago also met with the Attorney General, Sacky Shanghala. The Government Attorney - Matti Asino and Deputy Government Attorney – Matheus Kashindi were also in attendance.

- **Courtesy meeting with the Hon Minister of Justice**

On 20 April 2016, Wouter Rossouw (Chairperson), Gaenor Micheals and Retha Steinmann met with the Hon Minister of Justice, Dr Albert Kawana.

- **Courtesy meeting with the Ombudsman**

On 20 April 2016, the courtesy meeting with the Ombudsman, John Walters, had to be cancelled due to unforeseen circumstances. We are however in regular contact with his office, especially with regard to the hosting of the Free Legal Advice Days.



- **Courtesy meeting with the Master of the High Court**

On 21 April 2016, Doris Hans-Kaumbi, Melki Uupindi, Wouter Rossouw (Chairperson) and Retha Steinmann met with the Master of the High Court, Elsie Beukes.



- **Courtesy meeting with the Hon Chief Justice**

Melki Uupindi, Wouter Rossouw (Chairperson), Saima Nambinga and Retha Steinmann attended the courtesy meeting with the Hon Chief Justice – Peter Shivute, on 21 April 2016.



- **Office of the Judiciary**

Ramon Maasdorp (Vice Chairperson) and Director - Retha Steinmann, on invitation of the Permanent Secretary of the Office of the Judiciary, attended a consultation on 9 March 2016 with visiting judges and experts from the Federal Judicial Centre, USA. The conversations basically covered the functions of the LSN, it's relationship with the Office of the Judiciary, ideas or proposals to streamline processes, challenges that the LSN has identified, suggested training and development programmes for judicial officers, general observations and some suggestions to the Office of the Judiciary (OoJ) in embarking on their journey. The USA delegation mainly wanted to understand our systems and gauge what can and will be possible for OoJ within the current framework.

**Photograph: Ramon Maasdorp, Retha Steinmann and Rolanda van Wyk with the the visiting judges / specialists.**



- **1st Annual Judiciary Conference**

The Office of the Judiciary came into operation on 1 January 2016. All the courts countrywide, i.e. Magistrates Courts, the High and the Supreme Court resort under the Office of the Judiciary. There are 25 Judges, 104 Magistrates and 755 staff members' country wide. The 1st National Conference for Judicial Officers and Staff was aimed at information sharing and to start the process of identifying and finding solutions to issues that have impeded the proper and timely delivery of justice to the people.

Ramon Maasdorp and Retha Steinmann attended the welcoming dinner on Sunday, 31 July 2016, at the Safari Court Hotel. Wouter Rossouw and Retha Steinmann attended the opening ceremony of the conference and Wouter participated as a panel member on the topic "What is our strategy to reduce the backlog" at the 1st National Judicial Conference on 1 August 2016.

**Photograph: Director of the Legal Assistance Centre - Toni Hancox and Director of the Law Society of Namibia - Retha Steinmann at the dinner at the Safari Hotel.**



- **Legal Year Opening**

The Legal Year Opening took place at the Supreme Court on 4 February 2016 and was well attended by the legal practitioners. The President, His Excellency, Dr Hage Geingob and the Hon Chief Justice Peter Shivute addressed the members. On this occasion Justices Hosea Angula, Herman Oosthuizen and Thomas Masuku were sworn-in as Judges.

- **Judicial Appointments**

The Director and Doris Hans-Kaumbi attended the farewell function on 28 April 2016 in honour of Hon Justice Elton Hoff, who has been appointed as a Judge of Appeal.

Ramon Maasdorp and Retha Steinmann attended the swearing-in ceremony of Hon Justice Hoff on Wednesday, 11 May 2016, at the Supreme Court.

- **Farewell for Mina Viljoen**

On Wednesday, 24 August 2016, the Director attended the farewell function for Mina Viljoen, Special Assistant to the Chief Justice, who retired.

**Photograph: Rolanda van Wyk - Permanent Secretary of the Office of the Judiciary, Mina Viljoen and Director of the Law Society of Namibia - Retha Steinmann at Hotel Thule.**

- **Southern African Chief Justices' Forum Conference**

The Director attended the Welcoming Dinner at the Hilton Hotel on Thursday, 22 September 2016, and the Official Opening of the Southern African Chief Justices' Forum Conference on Friday, 23 September 2016.

**Photograph: Attending the Opening of the Conference: Leonie Dunn – Director of the FIC, Erna van der Merwe - Deputy Director ACC, Zenobia Barry – Deputy Director FIC and Retha Steinmann – Director LSN.**





**Photographs:** Courtesy of the Office of the Judiciary

• **Consultative Meetings on the Deeds Registries Bill**

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**Competition Commission exemption application**

On 22 February 2016, the LSN held a consultative meeting with its members on the rulings of the Competition Commission on the LSN's exemption application and also on the Deeds Registries Act.

**Photographs:** Helene Cronje, Nambili Shipena, Marinda Coleman, Elmarie Visser, Salome Moller, Leonie Dunn, Nelao Shilongo, Joos Agenbach, Linda Erasmus, Meyer van den Berg, Leezhel van Wyk, Vicky ya Toivo, Johanna Nghishekwa, Edwina Jacobs, Nixon Marcus.



- **Consultative Meeting – NEEEB Bill**

The LSN arranged a consultative meeting with its members, on 28 April 2016, to solicit their views as to enable the LSN to compile submissions on the NEEEB Bill.

Subsequently, members of the LSN attended the public hearings and the Commercial Law Committee represented the LSN at the stakeholder consultative meeting on 4 August 2016.

**Photograph: Round table discussions on the NEEEB Bill:**

**Zeko Alberto, Stacey Bock, Pieter de Beer, Eben de Klerk, Nawala Kamati-Unger, Anna Kamkuemah, Falco Krenz, Suretha Malan, Wouter Rossouw, Retha Steinmann, Evelina Tomas, Meyer van den Berg, Elmarie Visser, Ramon Maasdorp, Nicole Kloppers.**





- **Frankfurt am Main**

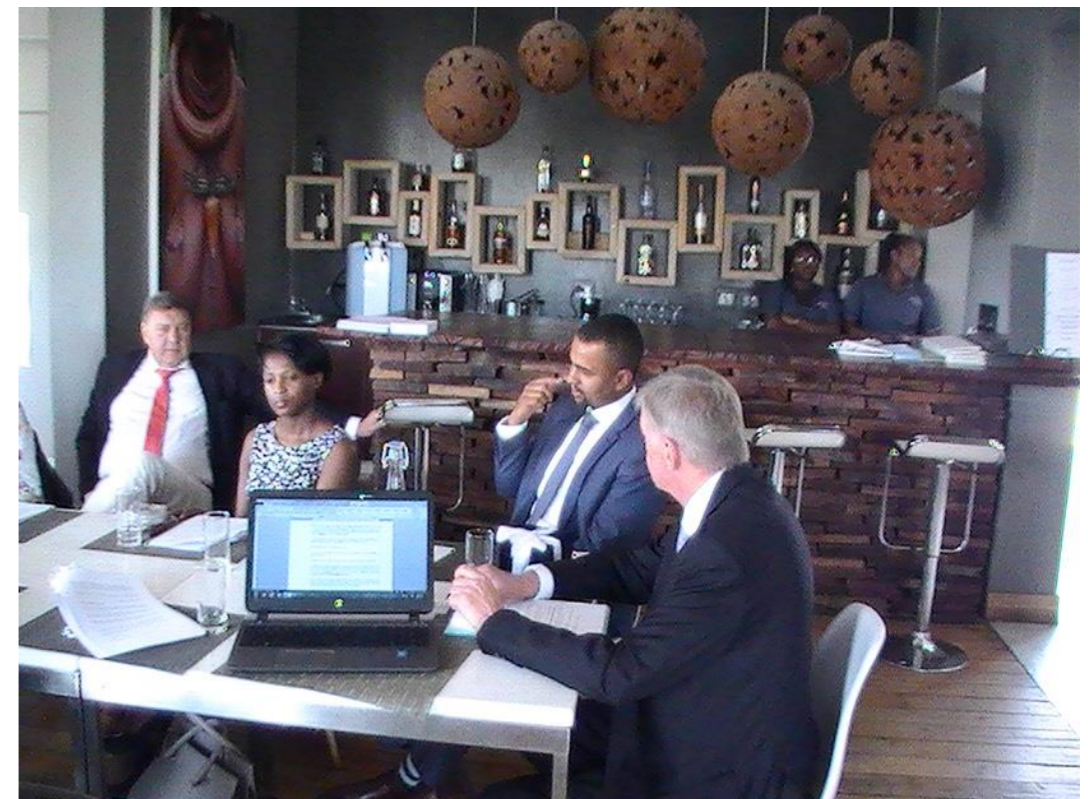
The LSN Council received a request to meet with a delegation of German Lawyers on 27 October 2016. In attendance were Ramon Maasdorp, Saima Nambinga, Doris Hans-Kaumbi, Jomari Koekemoer and Isabel Mwazi.

They were interested in the work of the Law Society of Namibia:

- How is the law society structured and organisation?
- How many lawyers are members of the managing board?
- How is the board organized?
- Education - obligation for lawyers to do a further training after the admission?
- What are the legal topics and special matters discussed at the moment with members of the LSN board and members of the Law Society?
- Are there interesting legislative procedures with effect and influence on the advocacy?
- Is the Law Society internationally active?
- Any international co-operations with other bar associations?

The delegation of German lawyers consisted of:

- Dr. Michael Griem (President of Frankfurt Am Main),
- Ms. Odette-Veronique Cretara-Naujok,
- Mr. Jürgen Dege,
- Mr. Manfred Eckl,
- Ms. Andrea Griem,
- Mr. Eckart Clemens Hild,
- Ms. Silvia Josephina Hild,
- Dr. Burkhard Immel,
- Mr. Jochen Korfsmeyer,
- Ms. Sigrid Korfsmeyer,
- Mr. Marcel Maassen,
- Dr. Welf Müller,
- Ms. Helga Müller,
- Mr. Artur-Viktor Naujok-Rühl,
- Dr. Hans-Joachim Petzold,
- Dr. Leo Teuter,
- Ms. Christa Theis-Immel.



- **US Embassy**

On invitation of the Ambassador of the United States of America, Mr Thomas F Daughton, the Director attended a reception on 30 August 2016 to welcome the Public Affairs Officer, Mr Eric Atkins.

- **Legal Shield Bursary Award Ceremony**

Retha Steinmann attended the Legal Shield Bursary Award Ceremony at the Hotel School, on behalf of the Law Society, on 11 February 2016.

- **Unam Legal Aid Clinic**

The Director met with Prof Baloro (Dean of the Faculty of Law) and Phillip Balhao of the Legal Aid Clinic, on 30 August 2016, to discuss, inter alia, the Legal Aid Clinic indemnity insurance, the LSN donations and the management of the Clinic. Phillip Balhao also gave Retha a tour of the Clinic on the campus. We urge our members to make themselves available to assist with the training and supervising of the students at the Legal Aid Clinic.

**Photograph: Retha Steinmann, Prof Baloro, Phillip Balhao**

- **Society of Advocates**

Retha Steinmann, Doris Hans-Kaumbi and Smart Elago met with a sub-committee of the Society of Advocates – Raymond Heathcote SC, Jesse Schickerling and Japie Jacobs on 5 September 2016 to discuss, inter alia, the pre-September 2013 'exemption certificates' and requirements.

**Photograph: Retha Steinmann, Jesse Schickerling, Doris Hans-Kaumbi, Japie Jacobs, Raymond Heathcote and Smart Elago.**



- **National Commission on Research, Science and Technology**

The Director met with Enid Karamen of the National Commission on Research, Science and Technology (NCRST) on Monday, 15 August 2016. Ms. Karamen undertook to furnish the Director with a draft MOU for consideration by the LSN, as well as other options, which might be viable for the LSN or useful to consider for the Change Project.

- **Citizenship Amendment Bill**

The LSN was advised of the looming constitutional crisis relating to an amendment bill. In the De Wilde matter, the SC stated that “ordinary residence” as required of a parent, does not mean the same as “permanent residence” in terms of article 4(1)(d) of the Constitution which deals with and regulates citizenship by birth. Subsequently, the Minister proposed an amendment to the Act proposing that in regard to the Act, parents must have permanent residence when their children are born to allow them to have citizenship by birth. The proposed amendment also stated that the judgment of the SC should be ignored. The LAC prepared a statement for the newspaper. Arlette Kalvelagen - former Manager Professional Affairs, who is doing her Phd on the topic – provided the LSN with her input. Koep and Partners, the Attorneys for the De Wilde’s, also submitted submissions to the LSN.

An urgent meeting was held on Wednesday, 27 July 2016, where this matter was debated by Councillors and past Councillors, who were invited to provide input.

Subsequent to the meeting Ramon Maasdorp and Esi Schimming-Chase presented oral and written submission to the National Council Select Committee on the constitutionality of the Namibian Citizenship Amendment Bill on Friday, 29 July 2016. Toni Hancox - LAC, Nico Horn – UNAM and John Walters – Ombudsman, all also made presentations.

**Ramon Maasdorp and Esi Schimming-Chase are thanked for their efforts in this regard.**

Afterwards the LSN was asked for a comment to which we responded as follows: *The Law Society of Namibia congratulates the Namibian Government and in particular the National Council on the transparency and maturity of the process followed. We believe they ultimately made the right decision. The opportunity presented to the public to participate, the fact that the public wholeheartedly embraced the opportunity and the very fact that the Bill is no longer on the table bodes well for our Namibian democracy. We acknowledged the selfless work done, in public and private by many Namibians, including but not limited to the many legal practitioners, to get to this point.*

- **Namibia Qualifications Authority**

All professional bodies were asked, during 2010, to provide the NQA with their criteria for the alignment of professional qualifications to the standards developed by the NQA. Retha Steinmann - Director and Arlette Kalvelagen – former Manager Professional Affairs, attended the meeting.

Arlette Kalvelagen prepared the revised document.

When Coline Bazuin commenced with her consultancy at the LSN, she vetted the document before submission after the June 2016 Council meeting. 'Project Management' was added to the curriculum. The document was also copied to the Board for Legal Education.

Subsequently, the NQA requested clarification on the outcomes of learning of some courses in the PQS document submitted to the NQA in order for them to discuss it at their Council meeting during September 2016.

**Photograph: E Mbuende, H Beukes, R Steinmann, C Tjongarero, litenge, R /Uises, A Kalvelagen, J Amunyela.**

- **Economist Businesswomen Conference**

Saima Nambinga represented the LSN at the 16<sup>th</sup> conference held in Ongwediva on 11 August 2016 and made a presentation on “Succession Planning: The Myths, The Law & Necessary Instruments”.



- **Namibian Law Association**

The LSN, represented by Ramon Maasdorp, Saima Nambinga, Melki Uupindi, Doris Hans-Kaumbi and Retha Steinmann met with a delegation of the Namibian Law Association represented by Yvonne Dausab, Zenobia Barry and Natangwe Asser.

The following were discussed:

- NLA objectives, scope of activities and membership;
- Relationship with the Law Society (NLA perspective);
- NLA participation in the LSN change project;
- NLA and LSN collaboration in social projects;
- NLA and LSN cooperation in assisting the Board for Legal Education in the reform of JTC and practical training for candidate legal practitioners;
- NLA and LSN cooperation in developing and supporting interest in legal writing within the fraternity;
- NLA and LSN to cooperate with respect to Government Interaction on matters of mutual interest;
- NLA proposal to assist Law Society with its backlog of disciplinary matters.

**The LSN Chairperson wishes to thank the NLA for the spirit of co-operation and offer of assistance and encourages all members of the LSN to follow this example.**

**Photograph: Retha Steinmann, Natangwe Asser, Saima Nambinga, Zenobia Barry, Yvonne Dausab, Melki Uupindi, Doris Hans-Kaumbi and Rmaon Maasdorp.**





- **Konrad Adenauer Foundation**

Prof. Herdeger (an internationally recognized German law expert) presented a series of public panel discussions in Windhoek and Swakopmund on current legal issues in Namibia, as well as, a series of smaller expert meetings. Wouter Rossouw attended a breakfast meeting with the delegation on Thursday, 29 September 2016, in Walvis Bay.

**Photograph: Wouter Rossouw with Prof. Dr. Matthias Herdegen - Chair for Public, European and International Law and Director of the Institute for Public International Law and Reinhard Willig - Head of Office of the Konrad Adenauer Foundation Namibia-Angola (Photograph courtesy of KAS)**

- **Application for Vocation Education and Training (VET) levy exemption**

The LSN, upon advice, continues paying the VET LEVY and should the exemption be approved the LSN will be refunded. The last correspondence received was a letter dated 31 March 2016, received from Mr. Jerry Beukes, Acting CEO of the Namibia Training Authority. The LSN has been informed telephonically that the decision will be gazetted, which is still awaited.

- **Foreign Policy Review Conference: 25 – 30 July 2016**

The Director attended the official lunch on invitation. However, due to prior commitments / work schedules neither she, nor the Councillors, could attend any of the sessions.

- **Minister of Justice**

On 10 October 2016, Ramon Maasdorp, Smart Elago and Retha Steinmann met with the Minister of Justice to discuss, inter alia, the following:

- SADC Tribunal
- Disciplinary Committee
- Change Project – NaCC Ruling update
- Change Project – progress / update

## International and Regional Representation

Councillors and various legal practitioners represented the LSN at conferences and meetings during this period. All delegates are required to submit reports to Council, which reports, once submitted, will be available on request from the Director.

- **International Bar Association (IBA) and Bar Issues Commission (BIC)**

The IBA African Regional Forum African conference, Livingstone, Zambia was scheduled from 18 to 20 November 2015. Dee Sauls-Deckenbrock was on the programme as a speaker but could unfortunately not attend. The LSN was also not represented at the Bar Issues Commission (BIC) retreat held in London on 23 February 2016.

Ramon Maasdorp and Anne-Doris Hans-Kaumbi represented the LSN at the 11th Annual BIC mid-year meeting and conference in Barcelona, Spain from 25 to 28 May 2016. Ramon Maasdorp made a presentation at the conference on the topic “Leading the way: model for member engagement.”

The Annual IBA conference was held 18 – 23 September 2016 in Washington, D.C. Doris Hans-Kaumbi represented the LSN and participated as a speaker / panellist at the IBA’s on the topic is “How can bar associations help young lawyers?”

**Photograph: Doris and Ramon at the IBA Barcelona conference.**



- **ILFA 2016**

Evelina Tomas was one of the successful candidates for the 2016 ILFA programme.



- **Law Society of South Africa**

The LSSA AGM and conference took place at the Emperors Palace in Kempton Park on 1 and 2 April 2016.

**Photograph: Wouter Rossouw, Saima Nambinga and Retha Steinmann attended on behalf of the LSN.**

Wouter made a presentation regarding the Change Project and the current legal environment in Namibia.

- **SADC Lawyers Association**

The Law Society of South Africa hosted the 2016 conference in Cape Town at the CTICC from 17 – 20 August 2016. The theme of the conference was: “Promoting the harmonisation of trade and investment laws and legal practice standards for regional development and effective integration in SADC”.

Ramon Maasdorp and Melki Uupindi were appointed by the LSN as the two representatives of the LSN on the SADC LA Council. Doris Hans-Kaumbi and Gaenor Michaels also attended the conference as individual members. SADC LA indicated that one of the LSN’s representatives should be female.



- **Commonwealth Lawyers Association**

Toni Hancox, the LSN's CLA Councillor, said the following:

*The CLA is an organisation that binds together lawyers from Commonwealth jurisdictions and seeks to uphold the rule of law in all areas of the Commonwealth. It is not a mega huge organisation like the IBA but I think therein lies its value, in that there is a closer bond between the individuals who are members. Advantages for membership are various: The CLA will speak out on rule of law issues in general and on a particular Law Society's behalf. Although in Namibia we have not had to make use of this often, it has been of great assistance to other Commonwealth countries where the rule of law is in jeopardy. In addition, we never know when we might require the voice of an organisation such as this. The CLA also has a number of international research projects going and where possible sends observers on missions to various countries to obtain information on the ground. Because of the relationships I built up as member of the Council, the LSN was able to invite Brian Speers, a senior solicitor from Northern Ireland, to Namibia to do mediation training. Brian paid for his own ticket over while the LSN took care of the rest. The training was very well received and I have discussed with Retha the potential to address the JP in this regard to see whether Brian could be invited for the official court training in future. His feedback to other CLA colleagues could very well result in future training opportunities in the future.*

*Lastly, the CLA has conferences every two years, the next one being in Melbourne in 2017. These conferences always have three streams of interest i.e. commercial, practice issues and human rights and the rule of law. I have been fortunate to speak on the situation in Namibia in all of the conferences I have attended thus far, thus creating some interest in our very beautiful country and the challenges faced by our lawyers. One example would be the concerns with the Research, Science and Technology Act. Repeated reference to this concern at our meetings, conferences and other fora have been part of a cumulative effort to make this an issue to be addressed with government at any international occasion, so much so, that the Namibian delegation was questioned about this at Namibia's second review under the International Convention on Civil and Political Rights which took place in Geneva last week.*

*I hold my position as Councillor until the conference in 2017. I believe that my chances of re-election would be good given that I take an active interest in the CLA's work and provide input consistently. However, I am pretty sure that should I no longer be available for nomination at that time or should the LSN nominate someone else, their chances or election would also be favourable unless someone else from Namibia stands against them or unless there is a particular concern with the person from within the ranks of the Council.*

- **Pan African Lawyers Association (PALU)**

The LSN was invited to the Southern African Regional Seminar in Maputo, Mozambique on 15 and 16 September 2016, which is aimed to enhance the skills set of legal practitioners who already demonstrate high levels of professionalism and experience in anti-corruption and compliance standards in business transactions. This was a fully sponsored event. The invitation was circulated to the LSN membership. Leigh-Ann Agnew was nominated to attend.



- **International Institute of Law Association Chief Executives (IILACE)**

The Director, who is also a member of the IILACE executive committee, attended the conference in Wellington, New Zealand from 26 – 30 October 2016. The Director was granted a bursary which partly cover her expenses. She also participated in a panel discussion on 'Navigating our Global Future'. We can also very proudly state that our Director was elected as the Vice-President of IILACE at this conference!

The theme of the conference was "Preparing for the Future – Demographics, Trends and New Realities." Topics included: Legal Education; Shifting Generations and Shifting Times: How Core is Our Core Values?: Diversity in the Legal Profession is an Access to Justice Issue; Navigating Our Global Future; Innovations in the Delivery of Legal Services to the Consumer; Building a New Regulator – Renovate or Tear Down?; Resilience Under Pressure – Thriving Over Surviving; Governance for a Culture of Success.

The Executive Committee, elected for a two year term is:

**Front:** Christine Grice (Law Society of New Zealand) – Officer at Large, Retha Steinmann (Law Society of Namibia) – Vice President, Paula Littlewood (Washington State Bar Association) - Officer at Large.

**Back:** John Hoyles (Canadian Bar Association) – Honorary Executive Member, Cord Bruegmann (German Bar Association) – President, Paul Mollerup (Association of Danish Law Firms) – Officer at Large, Timothy McGee (Law Society of British Columbia) – Immediate Past President.

**Absent when photograph was taken:** Heidi Chu (Law Society of Hong Kong) - Officer at Large.

- **The Southern African Development Community (SADC) Lawyers' Association and the American Bar Association Center for Human Rights**

The LSN Chairperson was invited to attend the SADC regional workshop to discuss various issues on the independence of the Judicial Service Commissions in the region. The workshop took place in Johannesburg, South Africa.

Gaenor Michaels, appearing on the photograph, represented the LSN as the Chairperson was unable to attend.

- **SADC LA: Electoral Mediation: 13 – 17 June 2016**

SADC LA, as part of the Association's programming, hosted a 5-day training workshop on Electoral Mediation from 13 - 17 June 2016 in Gaborone, Botswana. The training was fully sponsored by the SADC LA and delivered by a reputable Elections and Governance Institute.

Boris Isaacks, of Isaacks & Associates Inc., was nominated and attended the training on behalf of the LSN.

- **Invitation to the 3rd Course of China-Africa Young Legal Professionals Exchange Programme**

Appolus Shimakaleni and Eliaser Nekwaya were nominated by the LSN and attended the exchange programme.



Participants at the Bar Leaders' Meeting on Independence of the Judiciary, Johannesburg, South Africa

## Access to the Law

- **Free Legal Advice Days - FLAD**

The Law Society identified radio talks and free legal advice days as public legal education projects.

The Council of the LSN launched a National Free Legal Advice Day during 2014 to enable skilled professionals, who are looking for ways to give back to their communities, an opportunity to do so. At the time we made a request to the members of the Law Society to participate in the project, as the Council and Directorate would be unable to drive this project and or to make it a success without the support and participation of our members. On occasion it also happened that more legal practitioners were present to assist than members of the public seeking advice.

The LSN Council visits the regions for our traditional circle meetings with our members. The members of that region then also make themselves available to assist. The legal practitioners are very supportive of this project. It has happened that members from other regions travel to assist with free legal advice days.

The Office of the Ombudsman is also involved and has been instrumental in the success of the FLAD thus far.

At a courtesy meeting of the LSN with the Ombudsman, the previous year, we discussed the possibility of implementing joint projects that would for instance address various concerns amongst others, access to justice. They supported this project and assisted the LSN with the arrangements of venues in towns where they have regional offices.

During 2014, two Free Legal Advice Days took place in Oshakati/Ongwediva and Keetmanshoop.

During 2015, four Free Legal Advice Days took place in Tsumeb, Windhoek, Swakopmund and Gobabis.

During 2016, unfortunately only one Free Legal Advice Day took place in Windhoek due to the LSN Directorate being short staffed, but we hope that this project will not come to a standstill, and that our members will continue to support it.

The Windhoek FLAD took on Friday, 22 April 2016, at the UN Plaza Community Hall in Soweto, Katutura.

The following main topics were identified: • Wills and Estates • Domestic Violence • Divorce • Maintenance • Labour

However, legal practitioners in the regions may identify additional topics to be included. We will definitely not send a person away if the advice required would be on topic which is not included on the list and in the past it actually happened that legal practitioners continued with the case on a pro bono basis and finished a case to assist the member of the public.

The FLAD co-incides with the circle meetings. Due to staff shortages and lack of capacity at the LSN it was not possible to have any of the circle meetings, yet. Now that the new Manager Professional Affairs is appointed, the meetings will be scheduled.



- **Possibility of Enhancing Access to Justice through Provision of Pro Bono Legal Services by the Legal Profession**

Council received a letter, dated 7 September 2016, from Mr. IVK Ndjoze, Permanent Secretary of the Ministry of Justice regarding the topic.

A motion is included in the AGM agenda for consideration.

- **Good Morning Namibia – Legal Slot**

**Retha Steinmann and John Walters promoted the Free Legal Advice Days on Good Morning Namibia – GMN - on 14 April 2016 and on 15 April 2016. The NBC Radio also interviewed Retha Steinmann with regard to similar questions as on GMN.**

The interviews covered the following questions:

- Tell us more about the free legal advice projects?
- What is the involvement of the office of the Ombudsman?
- How many free legal advice days have already taken place and how many are planned for 2016?
- What is the general public access to legal representation?
- On which topics will free legal advice be given?
- What can a member of the public expect when they arrive at the venue?
- Are there more public legal education projects in the pipeline?





**Ramon Maasdorp and Smart Elago participated on 3 March 2016 on GMN and discussed the Change Project.**

The following questions were covered in the interview:

- Since its inception, how has the Law Society fared in terms of fulfilling its mandate?
- As an institution that promotes justice, would you say the institution has effectively ensured every Namibian is represented in whatever the case maybe?
- One of your objectives is to promote applied research in the development of the law, how does this work?
- What are some of the challenges in regulating legal practitioners?
- How would you describe the judicial system in Namibia, what needs to be improved on?
- What other role does the Law Society play?
- How can upcoming lawyers be part of the Law Society?



**Anne-Doris Hans-Kaumbi participated on 24 March 2016 on GMN and responded to the following questions:**

- What is the purpose of the Combatting of Domestic Violence Act?
- Are there any problems encountered by legal practitioners with the implementation of the Combatting of Domestic Violence Act?
- What are the recommendations of the Law Society in order to address these concerns?

**Elmarie Visser participated on GMN on 16 June 2016 and responded to the following questions:**

- What is a conveyancer?
- What is the role of a conveyancer in the process of buying or selling a house or erf?
- Could you give us a few examples of problems that buyers or sellers could experience?
- What costs are involved in the property transfer process?

**Jacques van der Smit participated on 30 June 2016 and answered the following questions:**

- What is an Instalment Sale Agreement?
- Is it a good idea to purchase something using an Instalment Sale Agreement?
- How does interest work and what is the maximum amount that can be charged?
- What can happen if I do not pay / miss an instalment?
- Blacklisting / Listing on ITC – What does it mean?
- Can I be arrested if I do not pay?
- Can I pay the amount quicker than the agreed period?
- Can I cancel the agreement / get out of it?
- What to do if you are struggling to repay the debt?

The time allocated was not enough to deal with all the questions and another slot will be arranged to continue this discussion.

**Anne-Doris Hans-Kaumbi participated on 11 August 2016 on GMN and responded to the following questions:**

- What is mediation and what are the benefits of mediation?
- Is mediation compulsory in terms of the High Court Rules?
- Has mediation in our courts been successful?
- How does one become a mediator?
- Why would you encourage the general public to rather mediate as opposed to insisting on their day in court?

**Saima Nambinga participated on 29 September 2016 on the topic of Succession Planning: The Myths, The Law & Necessary Instruments and answered the following questions:**

- What is the benefit of having a will?
- If I express my wishes in writing, or on a computer, does this not constitute a will ?
- If a will only enriches some heirs to the exclusion of others, surely it can be legally challenged?
- Can someone who is not mentally fit execute a will?
- What are the powers that the executor who has been appointed to execute my estate have?

**Eben de Klerk, Change Project Manager, participated on 20 October 2016 on GMN and responded to the following questions:**

- Who is the Law Society of Namibia?
- What is the background on this Change Project?
- What are the objectives of the Change Project?
- Who are the stakeholders to be consulted?
- What methodology will you follow to ensure that you receive credible, sufficient and relevant information from stakeholders?
- How can the public contribute to this project?

## Draft Position Paper on Legal Practitioners / Candidate Legal Practitioners accused of criminal offences

On 4 November 2016, Ramon Maasdorp and Ingrid Husselmann participated in the interview on GMN and responded to the following questions:

- The process of the position paper. It recently came up in the newspaper, what does it entail?
- Article 12 of the Namibian Constitution stipulates that “all persons charged with an offence shall be presumed to be innocent until proven guilty according to law”. How does that go hand in hand with the new “draconian” law?
- How will this affect lawyers overall?
- Will this allow young legal practitioners to be subjected to facing consequences in law society?
- Why did the LSN bring this new position paper to light?
- What happens to lawyers who lose their jobs due to this position paper?
- What implications will the Law Society of Namibia take to make sure that this paper is practiced?
- When will this position paper be officially adopted?



- **Radio Talks**

The Law Society of Namibia's committees deal with a variety of topics, such as criminal, civil litigation, legal ethics, taxation, commercial matters, to mention a few.

Our members, who are experts in these fields, are serving on these committees. The committees have been busy, for a while now, to prepare radio talks on different topics to explain certain aspects of the law to the general public. One month the focus will be on labour matters, the next month it will be maintenance, etc.

We intend to present a different topic each month on the various radio stations in all the indigenous languages.

We hope to launch this project soon.

### **Standing Committees**

A brief report of the Standing Committees' activities and work since the last AGM is attached hereto.



## Continuing Professional Development (CPD)

- **Fraud Detection**

Vincent Faris presented fraud detection training to the Risk & Compliance Unit of the LSN on 3 and 4 February 2016, at Hotel Thule and the LSN boardroom.

- **Mediation Training**

Mediation training was presented from 25 – 26 February 2016, at Hotel Thule. On 24 February 2016 a dinner was held with Brian Speers, the presenter, at Hotel Thule.

**Photograph:** The dinner was attended by Retha Steinmann (Director), Stacey Bock (Manager Professional Affairs), Doris Hans-Kaumbi (Councillor), Melki Uupindi (Councillor), Hon. Deputy Judge President Hosea Angula, Brian Speers (Presenter) and Toni Hancox (CLA Councillor) and Gaenor Michaels (Councillor).





The Law Society of Namibia, in conjunction with the Commonwealth Lawyers Association (CLA), offered a one and half day programme of Mediation Training.

The programme was facilitated by Brian Speers solicitor, a leading mediator and trainer from Belfast, Northern Ireland, United Kingdom.

It primarily dealt with civil and commercial mediation, with reference to family mediation.

The participants received a Certificate of Attendance issued by the Law Society of Namibia and the Commonwealth Lawyers Association.

The training aimed to help members understand the mediation process, the legal framework for mediation in Namibia, in the UK and Commonwealth and to become familiar with the stages of a mediation process from preparation to final agreement.

In addition, participants were prepared to represent a client effectively in mediation and understand their role as party adviser and representative.

They also discussed the drafting of a settlement agreement, and debated ethical issues, which may arise during a mediation, including the question of confidentiality during the mediation process.



**Photograph:** Legal practitioners attending the Mediation training presented from 25 – 26 February 2016 at Hotel Thule.

Registered: Stacey Bock, Werner Boesak, Vanessa Boesak, Deon Bugan, Jonah Buys, Patience Daringo, Margaret de Bruyn, Marleen De Lange-Gous, Teriny de Waal, Charmaine Gouws, Toni Hancox, Anne-Doris Hans-Kaumbi, Melvin Harmse, Susan Hinda, Boris Isaacks, Anna Kamkuemah, Annerie Keulder, Vero Mbahuurua, Janike McLeod, Vanessa Muundjua, Bernadine Mynhardt, Elmo Ochs, Marguerite Rix, Johanna Salionga, Alvine Samuel, Caroline Schulz, Esther Shigwedha, Phillipus Shilongo, Elly Shipiki, Vetjavi Tjivikua, Gert van den Heever, Gerard van Wijk, Corinna van Wyk, Elmarie Visser, Sharen Zenda, Priesca Matjila, Nicole Kloppers, Mel Harmse.

**The Society of Advocates, in conjunction with the Law Society of Namibia,** presented a series of training courses on various aspects of litigation and specialised topics between March and September 2016. We express our sincere gratitude to our members (who are also members the members of the Society of Advocates) who have indicated a willingness to train and thereby contribute to the continued legal education of legal practitioners.

- **Deon Obbes** presented training on “Expert Evidence in Judicial Case Management” on Saturday, 16 April 2016.
- **Jean Marais** presented training on “The Art of Cross-Examination” on Saturday, 4 June 2016.
- **Reinhard Töttemeyer** presented training on “Administrative Review Applications: A Practical Perspective” on Saturday, 9 July 2016.



**Esi Schimming-Chase presented training on “Briefing of Advocates and Court Etiquette / Decorum” on Saturday, 23 July 2016.**



**Andrew Corbett presented training on “Dispute resolution in the construction industry” on Friday, 14 October 2016.**





**Photographs:** Attendees at the “CPD - Expert Evidence in Judicial Case Management”, presented by Deon Obbes on Saturday, 16 April 2016.

Registered: Daneale Beukes, Stacey Bock, Bianca Boois, Stefania Cagnetta, Immanuel Dausab, Kennedy Haraseb, Rochelle Kandjela, Annerie Keulder, Hettie Garbers-Kirsten, Karin Klazen, Nicole Kloppers, Christo Potgieter, Alvine Samuel, Retha Steinmann, Willem van Greunen.



**Photographs:** Legal practitioners attending the “CPD - The Art of Cross-Examination”, presented by Jean Marais, SC on Saturday, 4 June 2016.



Registered: Alvine Samuel, Nicolaas du Plooy, Mercedes Ovis, Sharon Blaauw, Ramon Maasdorp, Monica Angula, Annerie Keulder, Retha Steinmann, Salomon Jacobs, Immanuel Dausab, Retha van Zyl, Kennedy Haraseb, Tjitja Harases, Kamati-Unger Unger, Eva Shifotoka, Tuwilika Shailemo, Mia Kellerman, Edel Uupindi, Willem van Greunen, Rochelle Kandjela, Esmeralda Nguasena, Sylvia Kahengombe, Jolanda van der Byl, Tjingairi, Nixon Marcus, Josefina Nekongo, Rachel Mondo, Karin Klazen, Virginia O'Malley, J-P Jones, Hettie Garbers-Kirsten, John Kandara.





**Photographs:** Attendees at the “CPD - Administrative Review Applications: A Practical Perspective”, presented by Reinhard Töttemeyer, SC on Saturday, 9 July 2016.

Registered: Monica Angula, Cynthia Anyanwu, Stacey Bock, Immanuel Dausab, Jana de Kock, Nicolaas du Plooy, Petrus Elago, Hettie Garbers-Kirsten, Kennedy Haraseb, Aisha Isaak, Sylvia Kahengombe, John Kandara, Mia Kellerman, Karin Klazen, Nicole Kloppers, Shakespeare Masiza, Rachel Mondo, Christie Mostert, Nicky Ngulu, Mercedes Ovis, Dee Sauls-Deckenbrock, Eva Shifotoka, Nambili Shipena, Retha Steinmann, Vetjavi Tjivikua, Norman Tjombe, Nawala Unger, Andreas Vaatz, Jolanda van der Byl, Vicky ya Toivo, Pieter de Beer.





**Photographs:** Attendees “CPD - Briefing of Advocates and Court Etiquette / Decorum”, presented by Esi Schimming-Chase on Saturday, 23 July 2016.

Registered: Stacey Bock, Monika Angula, Laura-Lee Beets, Daneala Beukes, Florian Beukes, Celeste Coetzee, Nicolaas du PlooyKennedy Haraseb, John Kandara, Rochelle Kandjela, Mathias Kashindi, Annerie Keulder, Zeureka Majiedt, Eliaser Nekwaya, Happie Ntelamo-Matswetu, Alvine Samuel, Dee Sauls-Deckenbrock, Eva Shifotoka, Elly Shipiki, Rauha Shipindo, Retha Steinmann, Mekumbu Tjiteere, Vetjavi Tjivikua, Edel Upindi, Willem van Greunen, Esmeralda Nguasena.

Some of the sessions had to be cancelled for the time being and will be re-scheduled. The LSN will consider if the training should in future rather be presented on Friday afternoons / on weekdays, rather than Saturdays. The scope of some of the sessions will also be broadened and / or additional presentations will be considered.

The following topics should still be presented or will be re-scheduled:

- Pension fund benefits in divorce settlements.
- JCM - drafting and preparation of case plans and case management reports.
- JCM - drafting and preparation of pre-trial reports.
- Conservation of living resources in the sea: the case on prohibition of importation of seal products before the World Trade Organization.
- How Technology can help you manage case management.
- Reviews and appeals in Labour Court: a practical perspective.
- Drafting witness statements.
- Namibia's constitutional jurisprudence: are we on a slippery slope?

- **E-Filing Registration**

On 8 and 9 April 2016 the E-filing registrations, arranged by the High Court of Namibia, took place at Hotel Thule and the 4 sessions were well attended by the members of the LSN.

The LSN office had to do the vetting from its office and, except for a few minor hick-ups, everything went smooth.

Additional training is in the pipeline and more information will be provided shortly.

**Photographs:** Some of the attendees at the E-filing registration held on **8 and 9 April 2016.**



- **How to become a profitable law firm**

Vincent Faris CA (SA) presented two half day seminars, specifically designed to address the loopholes in the administrative activities of legal practitioners. The one training session took place at the High Court in Oshakati, on 23 August 2016, and the other session in Windhoek, at the LSN boardroom, on 25 August 2016.

He addressed the following:

- Tools needed to become a profitable law firm.
- The role of the RCU and the LSN in risk management.
- Administration and Management.
- The compliance audit of legal practice trust accounts in association with the RCU / LSN.

**Photograph: Retha Steinmann, Vincent Faris and Isabel Mwazi.**





**Photograph: Oshakati**

Bianca Boois, P Chuma, Willem Greyling, A-L Haileka, Veronica Hanongo-Haikali, Alvine Samuel, Tuwilika Shailemo, Charmaine Tjihero, M Tjiteere, Etuna Joshua.



**Photograph: Windhoek:**

Y Dausab, Teriny de Waal, R Diedericks, U Etzold, I Gebhardt, T July, J Kandara, U Katjipuka-Sibolile, D Malherbe, I Mangundu, Priesca Matjila, Chris Mayumbelo, Esmeralda Nguasena, H Niilenge, H Ntelamo-Matswetu, M Ovis, C Schickerling, H Shimutwikeni, J-M van Zyl, N Venter, H Eiki, I Mwazi, T Makhurane.

- **Bursaries awarded by the Law Society of Namibia for 2016**

As part of its policy to promote the education of candidates to gain entry to the profession, the Law Society has, with the assistance of the Legal Practitioners' Fidelity Fund and the Namibian Legal Practitioners' Trust, continued to grant bursaries to a number of students.

**Photograph:** The recipients thereof for 2016 are the following (in alphabetical order):

Bursaries re-awarded:

- Mr Enrico Hamaseb LLB UNAM
- Mr Joas Neemwatya LLB UNAM
- Ms Karischa Schmidt LLB UNAM
- Ms Carmen Strauss LLB University of the Free State

New Bursaries:

- Ms Ottilie Ambata LLB UNAM
- Mr Darryl Doeseb LLB UNAM



## Membership of the LSN

Membership is compulsory.

The membership numbers increased yearly as follows:

- 16 in 1997
  - 15 in 1998
  - 14 in 1999
  - 8 in 2000
  - 20 in 2001
  - 14 in 2002
  - 33 in 2003
  - 33 in 2004
  - 23 in 2005
  - 30 in 2006
  - 22 in 2007
  - 32 in 2008
  - 42 in 2009
  - 23 in 2010
  - 43 in 2011
  - 28 in 2012
  - 50 in 2013
  - 50 in 2014
  - 49 in 2015
  - 54 in 2016
- The LSN currently has 769 members
- 347 members are females
  - There 422 are male members
  - Previously disadvantaged members total 426; and
  - Previously advantaged 343



## Admissions

Top Row:

757- Nicolaas Du Plooy

758- Mathilde Haufiku

759- Josefina Nekongo

760- Janseline Gawises

Middle Row:

761- Ngatatue Kandovazu

762- Sebastiaan Kandunda

763- Nawala Unger

764- Caricia Basson

Bottom Row:

765- Silvanus Nepunda

766- Ruusa Ntinda

767- Festus Hamukwaya

768- Jackson Eixab



## Admissions

Top row:

769- Teriny de Waal

770- Charmaine Burger

771- Cliff Lutibezi

772- Phillipus Balhao

Middle row:

773- Natasha de Beer

774- Charmain Gouws

775- Barend van der Merwe (Jnr)

776- Angela Mupuma

Bottom row:

777- Vanessa Boesak

778- Amber-Ivana Coerecius

779- Vetjavi Tjvikua

780- Hilma Kuduva



**Admissions**

Top row:

781 - Paulus Namukwamb;

782 - Rauha Shipindo

783 - Taimi lileka

784 - Nambili Mhata



Middle row:

785 - Nicole Duminy

786 - Charlet Mokomele

787 - Magano Erkana



788 - Loide Angula

Bottom row:

789 - Maoko Kapuka

790 - Laura Lee Beets



791 - Andrea Wienecke

792 – Michelle du Rand

## Admissions

Top row:

793 - Frieda Matsi

794 - Saima Nghihalwa

795 - Tuhafeni Muhongo

796 - Jacobus Visser

Middle row:

797 - Monique Meyer

798 - Reya Karuaihe

799 - Shaun Ellis

800 - Wensie Uakuramenua

Bottom row:

801 - Georgitte Losper

802 - Flavia Kuume

803 - Yolanda Itamba

804 - Willem Odendaal



# Admissions

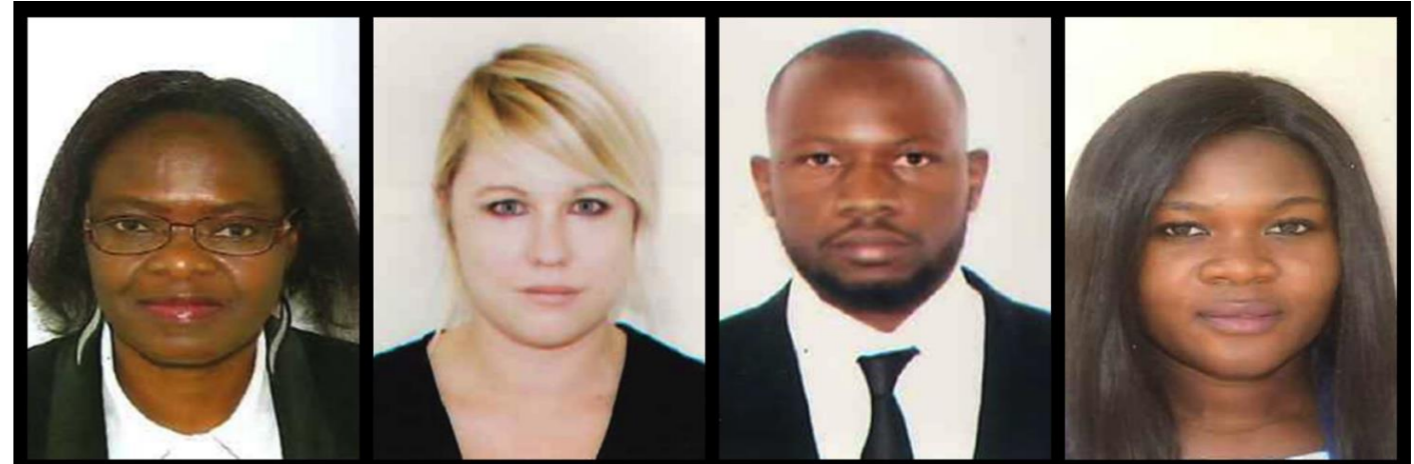
Top row:

• 805- Elina Nandago

• 806 – Carina Zerbe

• 807 - Theo Carolus

• 808 - Mekelaye Kamati



• Middle row:

• 809 - Jermaine Muchali

• 810 - Leena Shikongo

• 811 - Ephraim Shikongo



• 812 - Lindrowski Tibinyane

• Bottom row:

• 813 - Bernadus Swartbooi

• 814 - Tukondjeni Nanhapo



• 815 – Aina Vilho

• 816 – Ndapewa Ndemuweda

## Admissions

Top row:

- 817 – Zenobia Barry
- 818 – Hilleni Shikongo
- 819 – Bryan Eiseb
- 820 – Ilana Orren

Bottom row:

- 821 – Whitney Mwanamwali
- 822 – Roy Silungwe



## Deceased Members

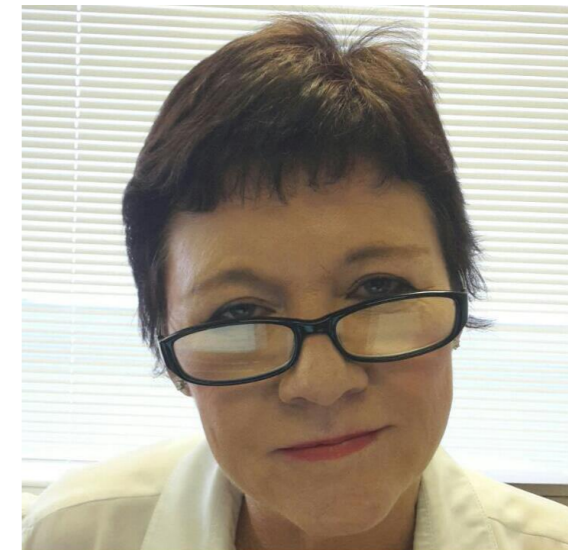
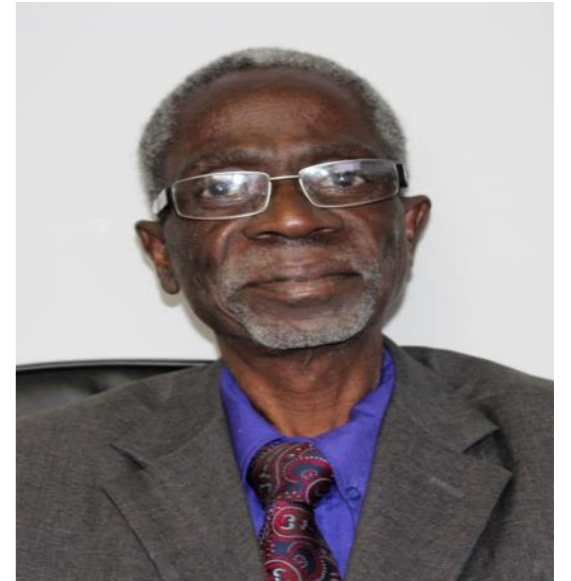
Sadly, three of our members passed away during this term.

- ***Julia Mushimba***
- ***Steven Nkiwane***
- ***Hannchen Schneider-Waterberg***

***“The President, Council and Directorate of the Law Society of Namibia extend their deepest condolences and heartfelt sympathy to the bereaved family, relatives and friends of our late colleagues and members of the Law Society of Namibia.***

***We wish them strength and guidance during this period of bereavement.***

***May their souls rest in peace”.***



## The Legal Practitioners' Fidelity Fund (LPFF) - Board of Control

- The LSN, at its meeting held on 23 June 2016, resolved to establish an Audit and Risk Committee.
- We have identified 3 legal practitioners to serve on the committee. We extended an invitation, via ICAN, for the appointment of 1 auditor to serve on the committee.
- The purpose of the Audit and Risk Committee is, inter alia, that it would be the first line of reporting for the Risk & Compliance Unit (RCU) at the Law Society of Namibia, to evaluate the report of the Manager RCU and to provide the Council of the LSN with recommendations and guidance.
- This committee will also be tasked with certain internal auditing functions at the LSN, assisting with the LSN budget and consideration of the LSN's financial statements and investments.
- The LSN and the LPFF will also consider the draft MOU's regulating the relationship between the LSN and the LPFF.

**Photograph:** As from July 2016, the Board of Control members are Habo Gerdes (Chairperson), Ramon Maasdorp, Dee Sauls-Deckenbrock and Wouter Rossouw (ex officio).





## **LSN Directorate**

Wouter Rossouw has replaced Beatrix Greyvenstein and Ingrid Husselmann has replaced Alwyn Harmse respectively to join Gaenor Michaels and Melki Upindi on the Directorate Committee which focused, inter alia, on the delegation of authority, powers of the Directorate, the mandates given to the Management Committee and the review of the Council Policies. The two co-opted Councillors, at the time, also joined this committee.

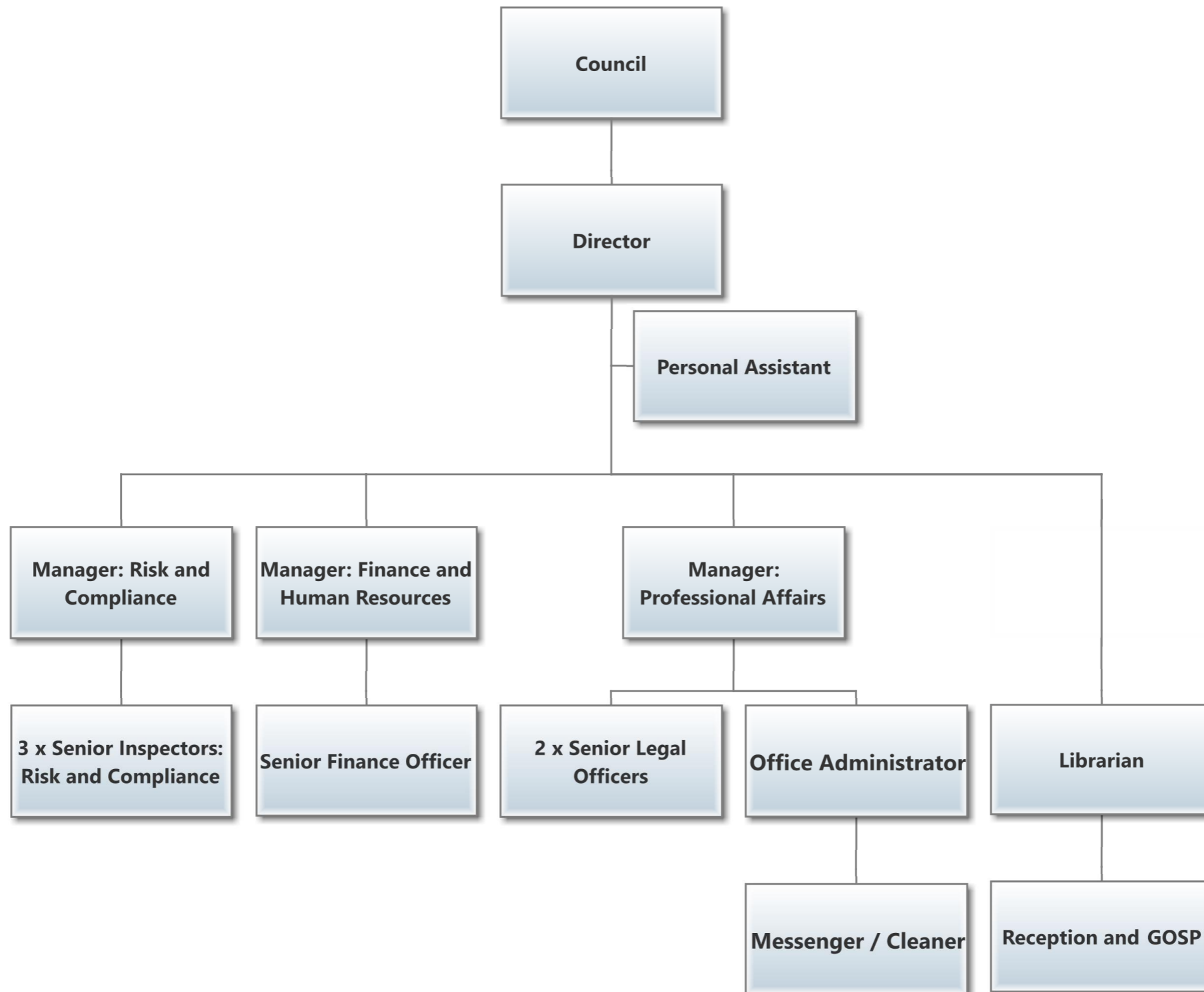
The committee members were also involved in some of the interviews of candidates for appointment as Managers, to consider the Corporate Governance document, prepared by the Director, and the organogram of the LSN.

The new structure and organogram of the LSN was approved by Council on 21 July 2016.

The Director, with the assistance of Outsourcing Solutions, spent a lot of time during the past year to interviewing candidates for the various positions at the LSN, in accordance with the revised organogram.

The Director, with the assistance of Outsourcing Solutions, is also busy implementing a solid performance management system for all staff members. In the process, some of the job descriptions were revised and re-graded.

Earlier in the year, the Chairperson had a motivational discussion with the staff, as some of them were doing more work due to staff shortages whilst we were in the process to discuss restructuring and making appointments.



- **Professional Affairs**

**Stacey Bock** commenced employment at the LSN during April 2013. She resigned at the end of May 2016.

The farewell dinner for Stacey took place at Retha's residence.

Stacey has joined AngulaCo Inc. as a Professional Associate.

We wish her success in her future endeavours and thank her for the work done at the LSN.



- **Professional Affairs**

The positions of the Manager and the Senior Legal Officer, for the Professional Affairs Unit, were advertised last year and again earlier this year. Interviews were held during April 2016.

When Stacey Bock resigned as Manager Professional Affairs, the LSN made offers to a new Manager and a Senior Legal Officer. Unfortunately, after lengthy negotiations, they both declined the offers.

The Director had to absorb some the duties of the Manager Professional Affairs until she could appoint Coline Bazuin (an admitted legal practitioner with 10 years' experience), as a consultant, to assist her with some of the Directorate's work such as research and compilation of agendas / minutes. The agreement commenced on 27 May 2016 from 8h00 to 12h00 weekdays (or such extended hours as may be necessary) for a two-month period with the option to extend, if needed. The agreement was extended for a further period as the position of the Manager could only be filled by 15 September 2016. Coline Bazuin, during this period, also assisted the Director with the Human Resources functions. We thank Coline for her valued assistance.

Jo-Mari Koekemoer was since appointed as the Manager Professional Affairs and commenced employment at the LSN on 15 September 2016. We hope that she will have a successful career at the LSN. Now that the Manager is appointed, the positions of the 2 Senior Legal Officers will be filled in due course.



- **Risk & Compliance Unit (RCU)**

Total Law Firms: 136 consisting of:

- Sole Proprietors: 70
- Partnerships: 37
- Incorporated: 28
- Included in the above: 17 branches and 2 satellite offices

Firms on RCU (RASS): 74

- Sole Proprietors on RCU: 38
- Partnerships on RCU: 20
- Incorporated firms on RCU: 16
- Firms using Independent Auditors: 61
- Legal practitioners practising with exemption certificates (excluding Society of Advocates): 7
- 338 Legal practitioners are practising at firms.

- **Risk & Compliance (RCU)**

Over the past year, the Director absorbed some the responsibilities of staff members who have resigned in this unit, in addition to her own workload, until new appointments could be made. This happened again when Zelda de Villiers resigned at the end of April. The RCU staff complement could, for a while, not service the ever increasing demand of firms joining RCU and an unfortunate backlog developed. The LSN went through a period of uncertainty as to the viability and future of the RCU, and numerous discussions took place in this regard and the RCU was reviewed.

The RCU employees were appointed for a limited period (not more than 36 months) in order to review the structures and operations of RCU. A retreat between the LSN, RCU and the LPFF were held on 24 August 2016. Vincent Faris facilitated the discussions and recording of the entire process of the RCU from A-Z. In attendance were Habo Gerdes, Vincent Faris, Carla de Klerk, Brigitte Mack, Isabel Mwazi and Retha Steinmann. During this meeting it was decided that the RCU will for now remain in the LSN offices.

Isabel Mwazi is presently the Acting Manager RCU. With guidance from the Director, Isabel has taken control over the unit and we have already seen a lot of positive developments.

Isabel Mwazi is assisted by 3 Senior Inspectors namely: Consetha Haradoes, Thabo Makhurane and Hilma Eiki. Further appointments will be made in due course should the need arise.

**I am also happy to report that the Risk & Compliance Unit is not closing, but is in fact well and alive and rapidly catching up with the backlog.**

Vincent Faris conducted training for the RCU team twice during 2016.

Carla de Klerk is still assisting the unit in a consultancy capacity. The Attorneys Fidelity Fund in South Africa is in consultation with Carla de Klerk on ways and means to implement electronic fidelity fund applications forms as from 2017.

We shall keep you informed of developments.

- **Risk & Compliance**

**Zelda de Villiers**

Zelda was employed for a year as the Manager RCU. She resigned at the end of April 2016. The Council and Directorate presented her with a beautiful Protea arrangement as a 'thank you' gift at her last Council meeting attendance. Zelda has continued to assist the LSN's new staff in the RCU with guidance, whenever possible for her.

We wish her good luck with their future endeavours.



**New Appointments - RCU**

Thabo Makhurane commenced employment as Senior Inspector on 15 June 2016.

Hilma Eiki commenced employment on 1 August 2016 as a Senior Inspector.

We wish them both successful careers at the LSN.



- **Finances and Human Resources**

Last year the bookkeeper resigned on short notice.

We first appointed auditors to assist with the task, but they could only attend to the LSN finances for a limited number of hours per day / week.

Subsequently, Ralf Kotzle, of RGK Accounting CC, was appointed as consultant to assist with the LSN finances and his contract expired at the end of August 2016.

Based on the increased membership, projects, the needs and requirements for more detailed information and risk advice to be furnished to Council, the position was re-evaluated and we came to the conclusion that the position of the LSN bookkeeper should be changed to Manager Finance and Human Resources. The position was advertised, various interviews were held during July 2016, and offers were made. Unfortunately, the position is still vacant. In the meantime, Council has also decided to advertise a further position in the department for a Senior Finance Officer. Both positions were subsequently advertised.

Indigo Consulting (on a part time basis) and an intern, Nicole Goldbeck (who has a B Comm Law degree), are presently assisting the LSN with the finances.

I am glad to report that we have already seen a huge improvement with the controls and structures, to the extent that we have once again received an unqualified audit report on our financial statements.

The Chairperson will elaborate on the budget, in respect of projects, for the 2016 – 2017 year.



## **Chairperson's Report and LSN Commemorative Book November 2005 to November 2016**

During 2006, the LSN published a Commemorative Book. Two year books were published in November 2013 and 2014. Last year, we issued a Chairperson's report, similar to this one, and received a lot of positive feedback from our members.

Retha Steinmann is working on another Commemorative Book to celebrate the LSN's achievements since 2005 and is assisted by Gys Reitz of Parrot Communications, who was also involved in our 2014 yearbook. The publication will cover the period since the 2006 Commemorative Book up to this Chairperson's Report. From then onwards we will try to publish year books. However, due to capacity issues at the LSN, Retha also had to stand in for other staff members and could unfortunately not manage to have the book published for distribution at the AGM. However, early in 2017 a special general meeting will be held and we trust that the book will then be ready for distribution.

The invitation to advertise in the Commemorative Book was forwarded to the members during May 2016. Interns, Wilhelm Amukoto and Carmen Visser, did a splendid job to sell enough advertisements to cover the costs of the publisher and the printing of the book. When Wilhelm had to focus on doing JTC and his attachment at a firm, a new intern, Ute Dentlinger, assisted Carmen. We thank them all for their hard work.

We also thank all of you who supported this initiative by booking advertisements, which will make it possible for us to distribute the book to more than 1000 legal practitioners, stakeholders and advertisers, free of charge.

The LSN also embarked on a process to obtain photographs of each legal practitioner for publication in the Commemorative Book. This has been a challenge but with a lot of perseverance Carmen and Ute, to date, managed to get publishable photographs of almost 450 out of the 769 members. Four photo sessions were also arranged at the LSN boardroom for members to have their photographs professionally taken by Gys Reitz. During the same process, Carmen and Ute also verified the correct contact details of the members to update the information on the LSN database, which will be very helpful with the Change Project. As we would want to publish a book with photographs of ALL our members, we will give members a last opportunity, at the AGM, to have their photographs taken by Gys for inclusion in the publication.

We thank all our members for your participation. The photographs will probably also be used for the new membership cards.

To manage this process took a lot of time and effort. This is Retha's 'pet project' and she worked tirelessly, mostly behind the scenes, after hours and over weekends, on the selection of information and photographs to be included in the publication.

The publications are not only showcasing the achievements of the LSN but is also a reference document of the history and growth of the LSN as an organization.

## **IT Audit**

**Due to some problems experienced with our e-mails and internet, especially last year, the LSN conducted an IT Audit with the assistance of Alan van Rooyen of June 21.**

**Various proposals were made and is presently under consideration subject to budget limitations.**

## **Office Renovations**

The Director had to manage the process of relocating offices and staff within the limited office space of the LSN to accommodate RCU and create more office space for Professional Affairs, revamping the boardroom, kitchen and library, consulting with the architect and builders. These changes were limited to budget constraints and had to be done over a period of time. Office renovations are disruptive and not conducive to a tranquil working environment.

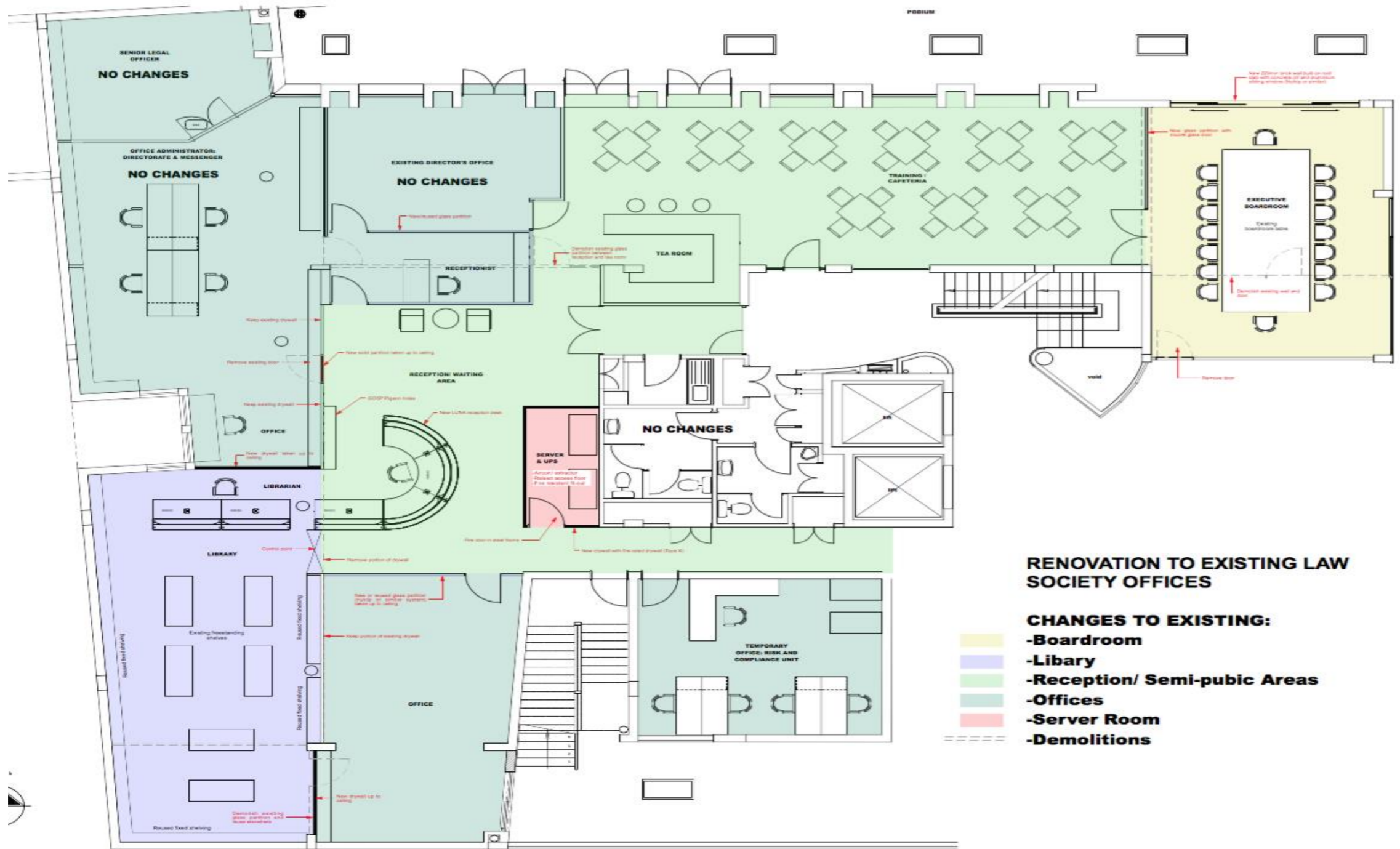
At the end of November 2015, the LSN suffered water damage when a pipe burst in its kitchen. The damaged furniture and flooring should still receive attention. This caused a lot of disruptions, and additional issues, whilst the Director was also on sick leave at the time.

As floor space has become available, the installation of the new flooring is delayed to ensure that the floors are installed once the extension of the office is done. This process must be managed properly in line with funds available, so that work can be done once off and not piece meal.

Furthermore, as the LSN will be in need of more office space once more staff members are appointed for the Directorate, a lot of time and effort also went into the re-design of the office space to accommodate all the staff of the Directorate, including the RCU staff.

**The Director furnished Council with the revised floor plan / layout and renovations will commence soon.**

**We intend improving the boardroom facilities in order to make it more rentable – this will result in more income for the LSN.**



SENIOR LEGAL OFFICER  
**NO CHANGES**

OFFICE ADMINISTRATOR  
DIRECTORATE & MESSENGER  
**NO CHANGES**

EXISTING DIRECTOR'S OFFICE  
**NO CHANGES**

RECEPTIONIST

TEA ROOM

PODIUM

TRAINING CAFETERIA

EXECUTIVE BOARDROOM

RECEPTION WAITING AREA

**NO CHANGES**

SERVER & UPS

LIBRARIAN

LIBRARY

TEMPORARY OFFICE RISK AND COMPLIANCE UNIT

OFFICE



## **Umbrella Medical and Pension Schemes**

During 2003 / 2004, we reported on the introduction of an affordable medical aid scheme for legal practitioners and their employees. This was a LSN Directorate initiative. Even though aimed at improving the benefits for staff at the LSN, it also enabled members of the Law Society to obtain group scheme contribution rates, rather than individual rates, which were / are prohibitively high.

A number of firms / members have since joined the LSN's medical aid group scheme. However, it seems that many firms and individual members are not aware of the medical aid group scheme.

To correct the situation, the LSN Directorate arranged a consultative meeting with the consultant from NHP to discuss the medical aid scheme and / or to answer any questions members had regarding the scheme and benefits. The meeting took place on 18 July 2016. A number of legal practitioners, since, indicated interest to join the scheme.

A circular, to give guidance on the process to be followed, went out to all in this regard.

The LSN is presently enquiring about pension fund options and will inform Council once proposals / quotations have been obtained and / or a consultative meeting has been arranged.

## Farewell Message from Peter Koep

*Dear Colleagues,*

*When I completed my studies at UCT at the end of 1977, I came back to Namibia in order to attend to my articles here with the intention to return to Cape Town thereafter. Little did I then realize that I and my wife would spend 38 years here, have four daughters and be part of such an amazing experience as this has turned out to be! The opportunities that Namibia offered us we took with both hands and participated in so many activities and developments that thinking back to everything that we did and were involved in becomes muddled and confusing.*

*When I started out on my own in March 1982 we were five people, I was personally involved in debt collection, conveyancing, commercial law as well as civil and criminal litigation! The practice at the time of my departure employed more than 30 staff and the lawyers there tend to specialize in specific fields of law from an early stage as is the case in most practices today.*

*As a concerned citizen I also became actively involved in fighting injustices perpetrated against the majority of citizens in this country as well as working towards its independence from South Africa in terms of United Nations Resolution 435 as well as the 1978 Principles, which today forms the backbone of our Constitution. I am proud to have, in whatever small way, been part of that process!*

*I have now decided that the time has come for me to put myself and my family first and as a consequence of this I will be spending more time in Cape Town. We will keep our home in Swakopmund, where I was born, and commute between CT Swakopmund and Windhoek to the extent that this is required.*

*I have enjoyed my time as an active lawyer in Namibia and will take with me very special memories. I wish that all of you will make your contribution to the improvement of the society in which we live .*

*Thank you for your camaraderie!*

On behalf of the Council, Directorate and Members of the LSN, we would also like to thank Peter for all his contributions over the years, especially his willingness to share his knowledge with the legal profession, always willing to present the training free of charge. We wish you a fulfilled 'retirement' and hope that you will remain in contact with the LSN. And if you get tired of retirement you are always welcome to assist us with commercial training. We wish you and your family well!

## **Acknowledgements**

Document compiled by Wouter Rossouw and Retha Steinmann and electronically distributed by June 21 Internet Marketing.

Photographs: Retha Steinmann, Gys Reitz, Stacey Bock, Coline Bazuin.

Proofreading: Jo-mari Koekemoer.

Disclaimer: Although reasonable effort has been taken to verify the accuracy of the information to ensure that the information published in this work is accurate, the compiler takes no responsibility for any loss or damage suffered by any person as a result of the reliance upon the information contained herein.

For further information contact:

The Director

The Law Society of Namibia

PO Box 714

Windhoek

Tel: +264 61 230263