



**THE LAW SOCIETY**

**O F N A M I B I A**

Chairperson's Report  
November 2018 to November 2019

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## Foreword

### Message from Stacey Bock, Chairperson November 2018 – November 2019

It is unbelievable to think that I was elected President in November 2018 and that I am almost at the end of my two-year term, serving on Council. This year's AGM is taking place on Friday, 22 November 2019, at **Droombos** (next to Vineyard). The provisional programme for our AGM and continuing professional development (CPD) programme is as follows:

#### Thursday, 21 November 2019

14h00 – 17h30: CPD - Cyber Security and Wellness for the legal profession  
18h30 – 20h30: Cocktail reception

#### Friday, 22 November 2019

08h00: Registration and establishment of quorum  
09h00: Commencement of AGM  
JP Karuaihe Trust Legal Excellence Awards Ceremony  
CPD – continuation - Wellness for the legal profession

We sincerely wish to thank our sponsors, for their support, which will make it possible for us to hold our AGM at Droombos, at minimum costs to ourselves:

- Bank Windhoek
- Ghost Practice
- PPS Insurance
- JUTA
- Lexis Nexis

I wish to invite the members to attend and participate.



## **It was all coming back to me .....**

Some of you may know that I worked at the Law Society as the Manager Professional Affairs, a few years back. So, when I stood for election in 2017 I had a very good idea of how hectic life at the LSN can be. But little did I know exactly how hectic until I was elected as Chairperson at the AGM held on 23 November 2018.

I wish to thank the Vice Chairperson, Meyer van den Berg, Councillors and the Directorate for their continued support and belief in me during my term as Chairperson. It certainly was not an easy task to be a wife, a mother, to serve on the Council and to juggle my day-job. In addition to all the preparation and attendance of meetings, we, as a Council, was faced with so many challenges and therefore had to make unpopular decisions, often involving our members. These decisions, to act against legal practitioners who are either allegedly acting unprofessional, unethical, unworthy or those with trust account contraventions, are guided by the Legal Practitioners Act and the Rules of the LSN.

Having been a former employee of the LSN I also know the workload of the Directorate, the demands of the members, stakeholders, Council and staff matters. In a small organisation, such as the LSN, the Director and staff often have to work long hours, sometimes under severe pressure, to get the work done. In recent years we have also seen more curator bonis appointments, as well as more trust account contraventions, which added to the already demanding workload on the Director, staff and Council. I wish to thank the Council and every staff member of the LSN. Please know that I truly appreciate all that you have done.

The memory that 'hit me in the face' was the manner in which some legal practitioners deal with the LSN and with other members. Having seen the way the Council and Directorate operate (from both the perspective of a staff member, a Councillor and a member), I am somehow still, on an almost daily basis, shocked by the obvious disregard of a few members of our governing legislation and how aggressive and insulting the members can be towards the staff of the LSN, not only verbally but also in writing.

I want to urge the members to work with the Council and the Directorate so that we can achieve better results. Too often members who are not happy with a decision or course of action, 'play the person instead of the ball'.

The LSN is a regulatory and representative body. As a representative body it is hard to please all the members, especially because our members are spread across various fields within the legal fraternity - but we will keep on trying. As a regulatory body the LSN often have to refer complaints to the Disciplinary Committee and on occasion also bring applications against members and non-members alike or apply for the appointment of a curator bonis. This is certainly not a pleasant experience for either the Council or the Directorate. Over the past few years the legal profession has suffered some reputational damage and we urge all our members to conduct themselves professionally and as prescribed by the governing legislation. The legal profession is an honourable one and we ALL need to protect the image of the profession and the integrity of the legal practitioners at all costs.

This year we have made it one of our goals to be more inclusive. Our members have definitely proven that this approach can be very fruitful and they have stepped up and assisted us in every call we made. I wish to thank all the members for their dedication and hard work. I wish to especially thank the Namibia Law Association (NLA), the Society of Advocates, the Namibian Women Lawyers Association (NWLA) and the Corporate Lawyers Association. Please know that your assistance and cooperation throughout the year is highly appreciated. I was extremely proud seeing how members worked together towards the success of the LSN. THANK YOU!

Members will soon receive an invitation to serve on the LSN's standing committees. Committee members serve on the committees on a voluntary basis and often spend hours to consider matters in order to make recommendations to Council. Attached to this Agenda you will find the reports of the Legal Officers in the Professional Affairs department dealing with , inter alia, with the committee work. We wish to thank all the committees for the work done during the year and the recommendations made to Council. Your input and hard work made the task of the Council so much easier. I also wish to urge our members to make themselves available to serve on our committees. Without the support and assistance of our members the LSN would not be able to achieve all it should. So, please let us work together to make the LSN an absolute success.

My good intentions, to issue 3-monthly Chairperson's Newsletters, were overtaken by other pertinent matters that had to be dealt with. However, the LSN shared a lot of information with you during the year, via e-mail. We circulated the monthly De Rebus digital, kept our members informed of the moves in the profession, of tender advertisements / expressions of interest for legal services, invitations for nominations to serve on statutory bodies, presentations and attendances of meetings and conference opportunities and vacancies at firms and other institutions.

During my term I had to make approximately 11 appointments in respect of arbitrators, liquidators, receivers, etc. This process has been very time consuming as we do not have enough legal practitioners with the necessary skills and experience, who made themselves available for our briefing list. Members are kindly requested to respond when the LSN request them to show interest to be placed on the LSN's briefing list.

I hope that this report will assist you in having a better understanding of the work done by the LSN and the challenges faced. The report that follows, is based on some of the highlights and events during my term. It is not by a far shot as comprehensive as it should be, but I hope that it will give you a glimpse of the activities of the LSN.

We hope that you will enjoy special and quality times with your loved ones and that you will return safe and sound after the festive season with renewed energy to tackle the challenges and opportunities that 2020 will have installed for us.

Merry Christmas and a Prosperous New Year.

**NOVEMBER 2018**

## AGM 23 November 2018 Judge JP Karuaihe Trust – Legal Excellence Awards

Councillor Ramon Maasdorp officiated the awards ceremony.

It was the **19th Anniversary** of the Judge JP Karuaihe Trust and the **12th Annual JPK Trust Legal Excellence Awards**.

For the **sixth** time the JPK Trust Legal Excellence 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 its members to be present when future legal practitioners and their peers are awarded for their achievements.



**AGM 23 November 2018  
JPK - Legal Excellence Awards**

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

With regard to the human rights and social responsibility awards many of the LSN members contribute to society but they do not always 'advertise' their good deeds. The LSN thanks them for their contributions to society and trust that the good deeds will continue in future.

The LSN invited nominations for the awards from its members.

No award for Human Rights was handed out at this ceremony.

**Best JTC Student 2017**

Stefanie K Busch achieved an average of 72% respectively in all 11 subjects.

Ngamane Karuaihe-Upi (Judge JP Karuaihe Trust – Director) on behalf of the JPK Trust, presented Stefanie Busch with the trophy.

Chairperson Meyer van den Berg, on behalf of the LSN, presented Stefanie with a LSN voucher in the amount of N\$3,500.00.

**Best LLB Final Year Student**

Chairperson Meyer van den Berg accepted the award on behalf of Vilho Kadumo Mbangi, who achieved an average of 71% in the LLB programme, from Ngamane Karuaihe-Upi.

**Legal Excellence Award for Social Responsibility**

Florian Beukes, on behalf of Metcalfe Attorneys, accepted the award from Ngamane Karuaihe-Upi and Chairperson Meyer van den Berg.







**AGM 23 November 2018**  
**Judge JP Karuaihe Trust – Legal Excellence Awards**

Meyer van den Berg (Chairperson), Saima Nambinga (Vice Chairperson), Umbi Karuaihe-Upi,  
Ramon Maasdorp, Ngamane Karuaihe-Upi,  
Florian Beukes (Legal Excellence Award for Social Responsibility).

Absent: Vilho Kadumo Mbangu and Stefanie Busch.



### **AGM 23 November 2018**

Both Lexis Nexis and Ghost Practice contributed towards the costs of the AGM and we sincerely thank them for their generosity and continued support.

Left: **Rene Grimmbacher** of Lexis Nexis.

Right: **Matthew Spagnoletti** of Ghost Practice made a presentation at the Annual General Meeting on the Science of Billing and he highlighted the '3 Myths versus the 3 Rules'.



**AGM 23 November 2018  
The Ghost Practice Team (above):**

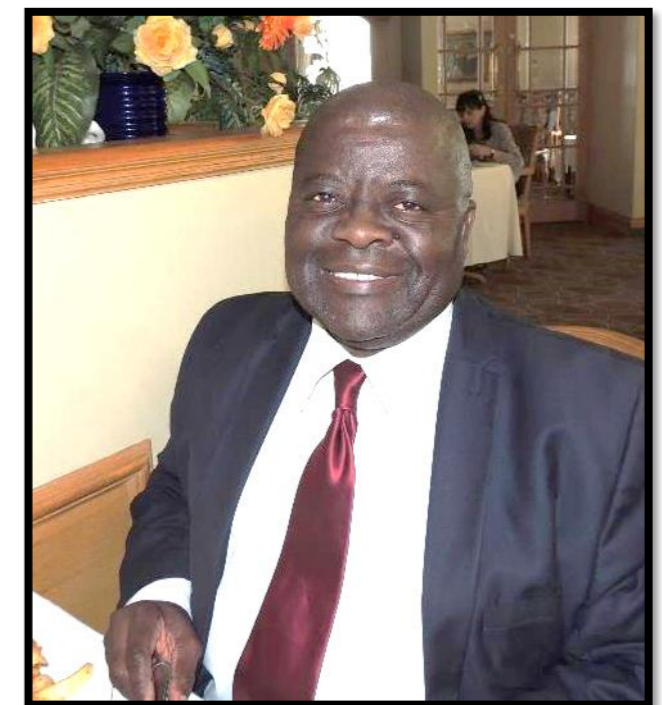
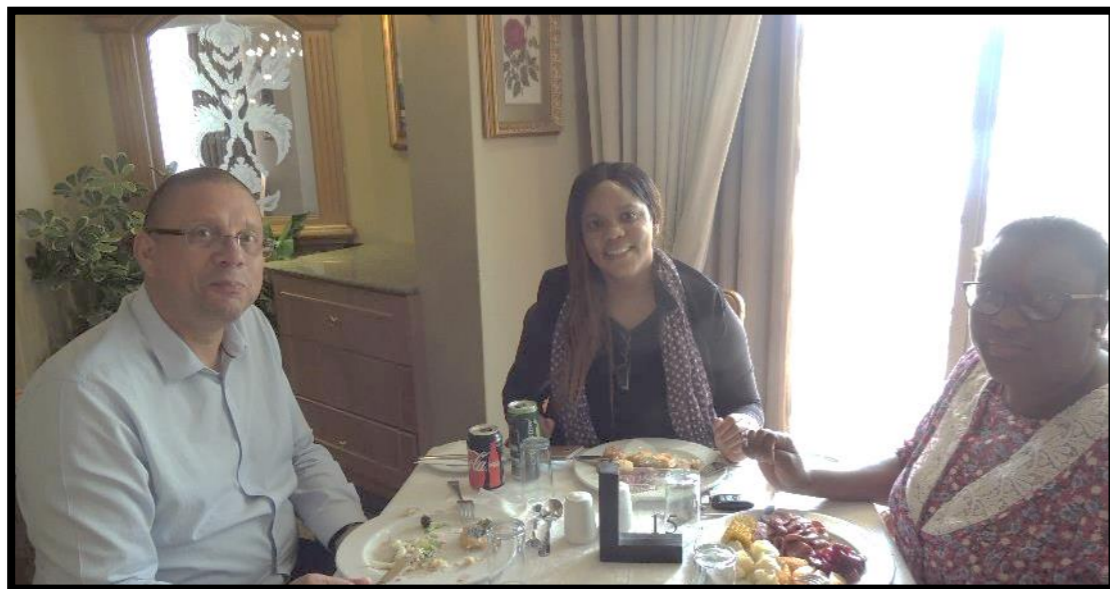
Desiré Nel – Business Development Management  
Chané Dobbin – Data Conversion Specialist  
Yolandé de Jager – Implementation Consultant  
Matthew Spagnoletti – Head of Sales  
Shaun Matthews – General Manager





**AGM –  
23 November 2018**





**AGM – 23  
November 2018**



**AGM –  
23 November  
2018**



**AGM – 23  
November 2018**





**AGM – 23 November 2018**



## AGM 23 NOVEMBER 2018

The AGM was a lively event, mainly due to the the motions relating to the increase in membership fees, the security of title and the Risk & Compliance Unit.

**Motion on membership fees:** The resolution of the 2018 AGM, reads as follows:

*Membership fees for the period 2019/2020 will remain the same as for the period 2018/2019 and; Council will appoint a committee that will investigate on what amounts to a reasonable increase of members' fees; with due consideration of members' financial ability to pay any such increase.*

*The committee shall consist of both Council and non-Council members and they shall present their findings and/or proposal, to the Council on or before 31 March 2019. Council shall thereupon call an SGM no later than 30 April 2019, at which the increase of membership fees will be determined. The aim shall be to struck a balance between the LSN's budgetary needs and members' ability to pay prescribed fees.*

In January 2019, members were advised of the resolution. An invitation was extended to all legal practitioners, interested in serving on this committee. Invitations were also extended directly to the NLA, the NWLA, the Society of Advocates and the Corporate Lawyers to nominate their members to serve on this committee.

At date of writing this report the Ad-hoc Membership Fee Committee (in no order of preference) consists of:

- Nawala Kamati-Unger (NWLA)
- Taswald July (NLA)
- Uno Katjipuka (NLA)
- Stephanie de Klerk (NWLA)
- Hiilya Herman
- Reinhard Totemeyer (Society of Advocates)
- Eva Shifotoka (Society of Advocates)
- Bryan Eiseb (Corporate Lawyers)
- Thomas Nekongo (Corporate Lawyers)
- Eben de Klerk ( Change Project Steering Committee)
- Meyer van den Berg (Council)
- Eliaser Nekwaya (Council)
- Appolos Shimakeleni (Council)
- Retha Steinmann (LSN Director)

Stacey Bock, Vanessa Boesak and Margaret Bennett (who served in her capacity as Manager Finance until her resignation at the end of April 2019) were replaced by Eldorette Harmse and Jeremy Cloete (in his capacity as the newly appointed Manager Finance & HR), respectively. When Ramon Maasdorp resigned from the committee he was replaced by Tiaan Bazuin (in his capacity as the Chairperson of the Audit & Risk Committee).

This committee had five meetings for the year 2019 to work on and to establish the reasonable membership fee charges. They further established a sub-committee, which consisted of a few members from the main ad-hoc committee to look in depth at the calculations pertaining to membership fee increases. The sub-committee on 23 June 2019 prepared a guideline on costing functions for the ad hoc committee and on 02 August 2019 they had a meeting where they prepared and proposed models for membership fee calculations.

The model (prepared by E de Klerk) sets out the modelling methodology used to cost services/functions for the LSN, compares the costing with different incomes and lastly, provide a summary observation. These models were an outline and needed to be further developed.

Council, at its meeting held on 19 July 2019, considered a memorandum received from the Ad-hoc Membership fees Committee, dated 11 July 2019, with regard to the deadlines as resolved at the November 2018 AGM.

Subsequently members were advised of the resolution and that in view of the above mentioned that a special general meeting will not take place between then and the AGM in November 2019.

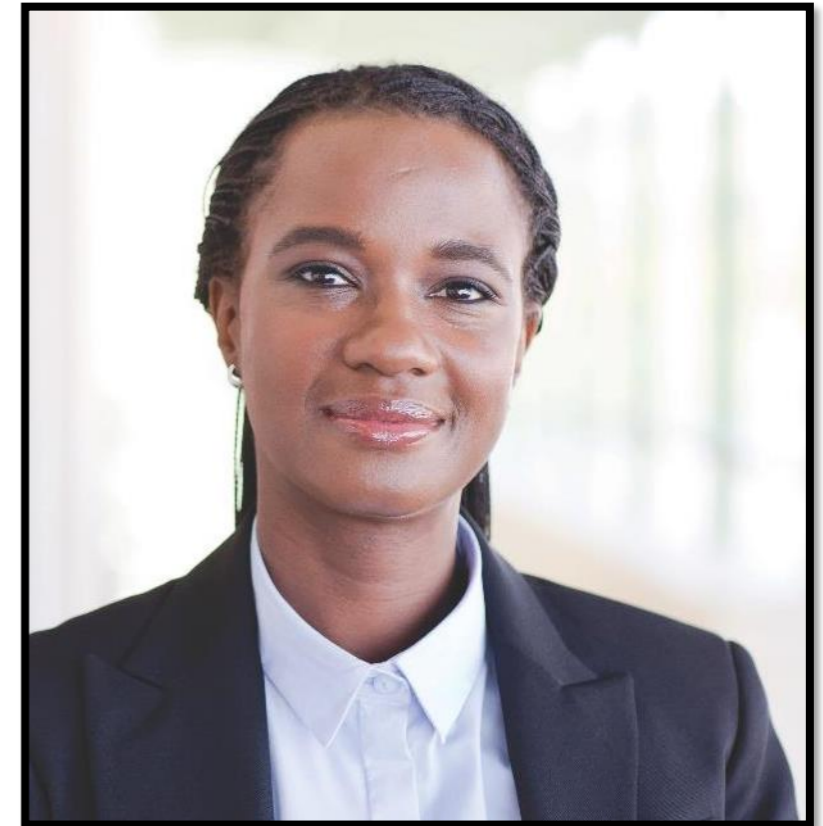
The committee did some exceptional groundwork in analysing the services offered by the Law Society, identifying the different group of beneficiaries and costing the different services offered. Based on this, the committee concluded that approximately 60% of the membership fees income should come from practising legal practitioners and 40 % should come from the non-practising legal practitioners. The committee therefore recommended to Council that a membership fee model be adopted, which allocate 60% of the fee income to the practising legal practitioners and 40% to the non-practising legal practitioners.

While the LSN Council appreciates the outstanding work done by the committee and recognise the value in the recommendation, Council is of the view that the Committee is yet to achieve its mandate of looking specifically at the issue of affordability.

It is a work in progress and the members will not be asked to vote at this stage, but the proposals are submitted to the AGM obtain the members' input and comments and the input will be taken forward by the ad-hoc committee and then a special general meeting can be arranged.

Members are therefore informed of the proposal made by the committee, which will be presented at the AGM by the Chairperson, **Nawala Kamati-Unger**.

Therefore, it would be prudent to extend the mandate of the committee to give them the opportunity to consider further input from members; the topic of affordability; and to explore other sources of income for the LSN. Members would then be invited to submit comments by the end of February 2020. The committee will be required to make proposals to the LSN Council by the end of April 2020 to ensure that a special general meeting can be arranged by the end of June 2020.



## AGM 23 November 2018

**Motion on Security of Title:** The motion was approved at the Annual General Meeting of the LSN held on 23 November 2018:

*"The Law Society as the representative body of Legal Practitioners is to engage the Namibia Government and its functionaries, specifically, but not limited to, the Ministry of Justice, the Attorney General, the Ministry of Land Reform and all banking institutions, financial institutions and relevant private sector stakeholders in order to advance the point of view that the current formulation of section 9 and if necessary section 47 of the Deeds Registries Act, Act 14 of 2015 and the proposed regulations thereunder will have negative economic and legal repercussions for the security and credibility of registered title for all Namibians and the Namibian economy;*

*The Law Society as the representative body of Legal Practitioners, acting in the best interest of the Namibian legal profession and in the public interest, is to institute and defend such legal action as may be necessary in order to safeguard the security of registered title at the Namibian Deeds Registry and to ensure that section 9 and if necessary section 47 of the Deeds Registries Act, Act 14 of 2015 and the proposed regulations thereunder, does not dilute such security of title; provided that the LSN shall not be obliged to carry the costs of such action."*

In order to give effect to the motion an ad-hoc committee should be established to make recommendations to Council.

An Ad Hoc Security of Title Committee was established. The initial members of this committee were: Heiko Stritter, Meyer van den Berg, Abe Malherbe, Christa de Wet, Jens Roland and Paul Botha.

This committee had nine meetings for the year 2019, wrote various letters via the LSN and stakeholder meetings also took place with the Minister of Finance on 18 April 2019, the Deputy Governor of the Bank of Namibia on 16 May 2019 and the Deputy Registrar of Deeds on 05 June 2019.

The committee, in an attempt to address the concerns of the members, has engaged all the relevant Ministries by sending correspondences to that effect, as approved by the LSN. Letters were sent out to the Minister of Justice and the Minister of Land Reform dated 19 March 2019, the Minister of Finance dated 09 May 2019 as well as a letter to the Registrar of Deeds dated 11 June 2019.

The committee had on numerous occasions requested a meeting with the Ministers of Land Reform and Justice to address the issues and concerns properly, however, there has been no positive feedback in relation to securing such a meeting.

At this stage the committee has exhausted its options and has prepared a final letter, for consideration by Council, to the said Ministers, in another attempt or request for a meeting.

The committee is of the view that they will be able to properly express themselves and enlighten the Hon. Ministers on a clear understanding of the issues raised in respect of the new Deeds Act.

Should the meeting request still not be fruitful, the committee has recommended and proposed that a legal opinion be sought by the LSN Council from an Advocate / Senior Counsel on the prospects of success, should litigation be the only option left, seeing that all “soft approaches”, embarked on by the committee over the year, have proven to be futile.

**Heiko Stritter** chaired the committee and will provide the AGM with more information.

This committee also met on 05 November 2019. Council will consider the committees recommendation and will thereafter report to members on the way forward.





**AGM 23 November 2018  
LSN Council 2018 / 2019**

Vanessa Boesak  
Gilroy Kasper  
Stacey Bock (Chairperson),  
Meyer van den Berg (Vice Chairperson)  
Etuna Josua  
Appolos Shimakeleni.

Insert:  
Eldorette Harmse & Eliaser Nekwaya.





**27 – 30 November 2018**

**Fact Finding Mission - Goethe University Frankfurt am Main (Institute for Law and Finance)**

The group was in Windhoek from 27 November 2018 to establish an academic relationship between the Goethe University and the University of Namibia. Meetings also took place at the LSN on Tuesday, 28 and Wednesday, 29 November 2018.

Attending the meeting on 28 November 2018:

Appolos Shimakeleni, Dr. Christine Hofmann, Prof. Dr. Hanns-Christian Salger, Vincia Cloete, Dr. Michael Griem (President of the Bar Association Frankfurt), Beate Christine Hofmann, Dr. Manfred Wandt, Sam Amoo, Philip Balhao, Retha Steinmann, Gushi Hjarunguru.



### **27 – 30 November 2018: Fact Finding Mission Goethe University Frankfurt am Main (Institute for Law and Finance)**

The meeting on 29 November 2018 was attended by Stacey Bock, Retha Steinmann, Gushi Hjarunguru, Prof. Dr. Salger, Prof. Dr. Wandt, Dr. Hoffman and Ms. Hofmann.

The group also visited the Human Rights and Documentation Centre and met with Dr. Chiku Mchombu and Philip Balhao.

### **Bar Organisation - Frankfurt am Main**

During 2009, the Bar Association of Frankfurt am Main and the LSN agreed to a relationship of amicable cooperation between the two bodies:

- Keep mutual exchange of information about our respective legal systems, and assist to look up the law issues when necessary.
- Hold legal conferences and seminars on the mutual interests and present papers if and when appropriate.
- Reciprocal visit and training to the law firms of each organisation and exchange experience.
- Recommend appropriate lawyers and firms to set up a steady relationship between the two cities to facilitate the economic development.

Previously this relationship was not used to its full fruition and a renewed effort has been made as from 2016. Meetings already took place on 27 October 2016 at Olive Exclusive Restaurant and on 7 February 2017 at Hotel Thule.

DECEMBER 2018



### **3 December 2018 Icelandic Bar Association**

The Icelandic Bar Association group, consisting of 23 lawyers and spouses, arrived in Windhoek on Sunday, December 2<sup>nd</sup> for an educational trip. They reserved Monday for educational purposes before travelling to other destinations in Namibia.

The LSN was requested to arrange an event on their behalf in order to meet Namibian legal practitioners. The event took place on Monday, 3 December 2018 at Vintage Coffee Shop & Restaurant.

As only a limited number of legal practitioners could be accommodated, invitations went out to the chairpersons of standing committees, present Councillors, past Council chairpersons, steering committee and other committee / board chairpersons.

Top: Meyer van den Berg (Vice Chairperson), Stacey Bock (Chairperson), Vanessa Boesak (Councillor) & Berglind Svavarsdóttir (Supreme Court Attorney/Managing Partner, Chairperson of the Icelandic Bar Association).

Bottom: Anielle von Finkenstejn, Ingamar Ingason, Esther Shigwedha, Caitlin Quinn.



### 3 December 2018 Icelandic Bar Association

As to the agenda points, the Icelandic Bar Association group was, inter alia, interested to get some information on the:

- Legal system in Namibia, in general.
- Legal education.
- Requirements to become a legal practitioner.
- Court system, number and level of courts, number of judges, etc.
- Role of the LSN, number of members, distribution etc.

Courtesy of Hartmut Ruppel of Lorentz Angula Inc (ENS) a small group also had the opportunity to visit a firm prior to the lunch.



Left: Ingamar Ingason (CEO of the Icelandic Bar Association) with Retha Steinmann (Director LSN).  
Right: Meyer van den Berg (LSN Vice Chairperson who officiated the event) with Ingamar Ingason and Berglind Svavarsdóttir (Chairperson of the Icelandic Bar Association).

**3 December 2018  
Icelandic Bar Association**



**3 December 2018**  
**Icelandic Bar Association Group**

- Mrs. Berglind Svavarsdóttir - Supreme Court Attorney/Managing Partner, Chairperson of the Icelandic Bar Association
- Mr. Ingimar Ingason - CEO of the Icelandic Bar Association & Gudrun Margrét Hannesdóttir
- Mrs. Lára V. Júlíusdóttir - Supreme Court Attorney/Managing Partner & Þorsteinn Haraldsson
- Mr. Valgeir Pálsson - Supreme Court Attorney CEO Office TM (Insurance Company) & Margrét Magnúsdóttir
- Mr. Ingi Tryggvason - Supreme Court Attorney/Managing Partner & Inga Margrét Skúladóttir
- Mrs. Dögg Pálsdóttir - Supreme Court Attorney/Managing Partner & Jóna Theódóra Viðarsdóttir & Ragnheiður Gunnardóttir
- Mrs. Elín Árnadóttir - Supreme Court Attorney/Managing Partner & Magnús Örn Friðjónsson
- Mr. Jón Rúnar Pálsson - District Court Attorney for SA-Confederation of Icelandic Employers
- Mrs. Katrín Hilmarsdóttir - Lawyer at the District Prosecutor Office
- Mrs. Kristrún Kristinsdóttir - Judge in District Court of Reykjavik
- Mrs. Hjördís Björk Hákonardóttir - Former Supreme Court Judge
- Mrs. Ingridur Lúðvíksdóttir - Judge in District Court of Reykjavik
- Mrs. Sólveig Pétursdóttir - Lawyer, former Minister of Justice and former member of Parliament
- Mrs. Anna Mjöll Karlsdóttir - Chief Legal Counsel, the Financial Supervisory Authority of Iceland.
- Mrs. Eyrún Ingadóttir - Tour leader, Service Department of the Icelandic Bar Association & Arni Björn Vladimarsson

**Namibian Group**

- Stacey Bock – Chairperson
- Meyer van den Berg – Vice Chairperson
- Vanessa Boesak – Councillor
- Eliaser Nekwaya – Councillor
- Retha Steinmann – Director
- Gushi Hjarunguru – Legal Officer
- Ramon Maasdorp – Chairperson Change Project
- Bonita da Silva – Honorary Consul for Iceland to Namibia
- Arlette Kalvelagen
- Matilda Jankie
- Carli Schickerling
- Vincia Cloete
- Esther Shigwedha
- Anielle von Finkenstein
- Athalia Wallace-McNab
- Caitlin Quinn
- Nawala Kamati-Unger



## Appointments: Board of Control of the Legal Practitioners Fidelity Fund:

Section 56(1) of the Legal Practitioners Act, 1995, provides as follows with regard to the constitution of the Fidelity Fund Board of Control:

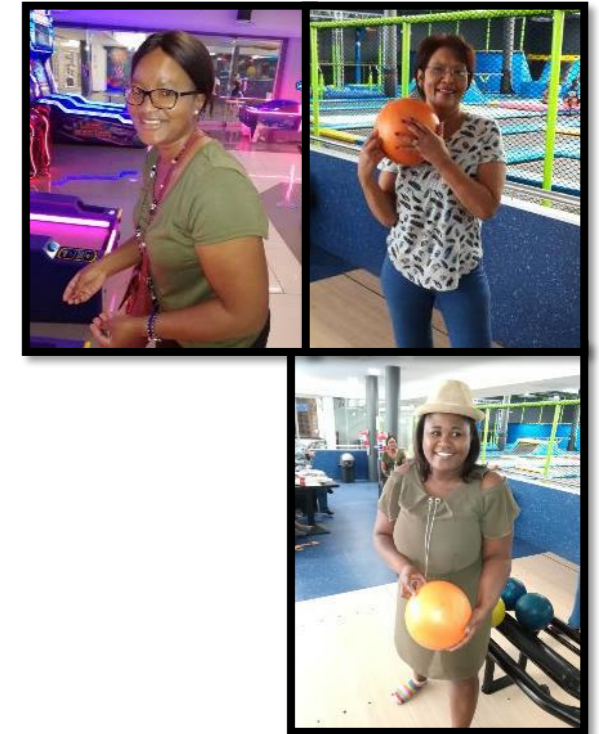
(1) The board of control shall consist of –  
a) the chairperson of Council; and  
b) three legal practitioners appointed **annually** by the Council, of whom at least two shall be legal practitioners who are not members of the Council, and at least two are persons who have been engaged in private practice for a period of not less than five years.

(2) The Council may appoint an alternate member from among its number to act in the place of the chairperson of the Council during his or her absence or inability to act as a member of the board of control.

Council, at its meeting held on 6 December 2018, resolved to appoint **Elize Angula (photo from Eagle FM – The Eye)** to fill the position of H Gerdes (as from 1 January 2019) and **Marvin Katuvesirauina** to fill the position of U Etzold (as from 1 February 2019). **S Bock** is the ex-officio member as from 23 November 2018.

The LSN sincerely thanks the former Board of Control members for their commitment and sound business principles.





**LSN Directorate / Staff Function - 17 December 2018:** The 2018 staff year-end function took place at the Bowling Alley. Even though this event could not be attended by all staff members, due to the work that still had to be done in respect of the issuing of fidelity fund certificates, those who attended enjoyed the outing.

**Fidelity fund certificates (FFC):** When the LSN offices closed in December 2018 a large number of FFCs were not yet issued, due to non-compliance of firms with the lawful requirements.

Those firms who failed to comply with the lawful requirements were required, by Council, to apply in affidavit form for such relaxation, showing why Council should relax the lawful requirements, which affidavit had to be properly substantiated with documentary proof.

If satisfied, Council then made the appropriate recommendations to the Director, who issued the fidelity fund certificates.

The non-compliance had the unfortunate result that the Director had to work over the festive season in an attempt to issue the outstanding certificates and Council had to consider the affidavits in order to make recommendations to the Director.

In respect of the 2019/20 only 8 applications for fidelity fund certificates were not submitted on the deadline.

This is a huge improvement from the situation last year and I thank all the firms for your cooperation.



### **Recruitment of Commissioners: Electoral Commission**

Under the Electoral Act, 2014 the Chairperson of the LSN is the deputy Chairperson of the Selection Committee. The LSN Chairperson was invited, by Lydia Kandetu, Secretary: National Assembly, to the first meeting of the Selection Committee, which took place on 28 December 2018 at the National Assembly building.

**Stacey Bock** attended the meeting and also meetings that continued in January 2019.

The Selection Committee was tasked to select two Commissioners from a list of 13 candidates.

(Photograph: Denver Kisting)

# JANUARY

# 2019





### **Directorate / Staff – Contracts expired**

The fixed term contracts of employment at the LSN for the two Senior RCU Inspectors, **Consetha Haradoes** and **Thabo Makhurane**, came to an end on 31 December 2018.

At the AGM, held on 23 November 2018, the Legal Practitioners' Fidelity Fund informed the members that it would no longer fund the RCU.

On 13 December 2018 the LSN Chairperson, Director and two of the Staff Portfolio members, met with the two Senior RCU Inspectors and the Manager RCU. Council, having considered the feedback from the Chairperson, based on the discussions with them, agreed to consider a consultancy agreement for a limited period of 3 months (January, February and March 2019) to give them an opportunity to seek alternative employment.

However, in January 2019, they both declined the terms of the temporary consultancy agreements.

The LSN wishes them all the best in their new endeavours.

**Council Retreat - 19 January 2019:** The Council retreat took place at Fresh n Wild Utopia on Saturday, 19 January 2019. The bulk of the discussion focused on the staff structure and future activities, as well as the outstanding fidelity fund certificates / applications.

**Position of the Director:** At the 2018 AGM, Meyer van den Berg reported that Council reached an agreement with the Director to terminate her employment as from 31 January 2019 and to re-appoint her for a fixed term period from 1 February 2019 until 30 November 2020.

## **Appointment: Committee (DC):** **Disciplinary**

The term of the DC members, Charmaine van der Westhuizen, Ruth Herunga, Ingrid Husselmann and Silvanus Nepunda came to an end. The LSN thanks them for their efforts.

The LSN, on 30 January 2019, appointed 4 legal practitioners to serve on the DC for a two-year term: Ruth Herunga, Matilda Jankie, Grace Mugaviri and Bryan Eiseb.

Amber Coerecius was subsequently (11 March 2019) appointed as the Secretary to the DC, by the Minister of Justice. The DC's term is two years.



## Audit & Risk Committee



Council re-appointed Saima Nambinga and Tiaan Bazuin. R Maasdorp declined.

The appointment of the auditor on ARC stood over.

Meyer van den Berg and Eliaser Nekwaya were appointed as the additional members on ARC.

**Tiaan Bazuin** was elected as Chairperson at the first meeting of ARC.

ARC met 4 times this year to, inter alia, consider the LSN's budget for 2019/20, the LSN's audited financial statements for the year ending June 2019, ICAN's proposal on a revised audit report format and the LSN's budget for 2020/21.

February 2019



## **Legal Year Opening (LYO): 6 February 2019**

The LYO took place on 6 February 2019 at the Supreme Court.



### **Council 2018/2019**

Eldorette Harmse, Stacey Bock (Chairperson), Meyer van den Berg (Vice-Chairperson), Vanessa Boesak and Retha Steinmann (Director).  
Gilroy Kasper, Eliaser Nekwaya, Etuna Josua, Appolos Shimakeleni.

Photograph: [Litchi Photography](#)

**Council Farewell / Welcoming Dinner  
8 February 2019**

On this occasion the newly elected Councillors, **Etuna Josua and Eliaser Nekwaya**, were welcomed and we bid farewell to Ramon Maasdorp and Saima Nambinga.

**Saima Nambinga**

Elected on Council November 2014 and served until November 2018 = 4 years.  
Commonwealth Lawyers Association Councillor – elected 2017.  
Represented the LSN at CLA conferences, LSSA meeting and various meeting with stakeholders within Namibia.  
Chairperson of the Audit & Risk Committee past two years.  
Served on the Change Project Steering Committee.  
Elected Vice Chairperson of the LSN for the term 2017/18.



**Ramon Maasdorp**

Elected on Council November 2012 and served until November 2018 = 6 years.  
Elected Vice President for the term 2015/16. Elected President for the term 2016/2017.  
After his trip to Canada to attend the International Regulators' Conference he prepared the Change Project document that forms the basis of the process followed thus far.  
Change Project, approved by Council in January 2016 – Chairperson of the Steering Committee.  
LPFF board of control, as appointed member, alternate as well as in an ex officio capacity,  
Member of the Audit & Risk Committee.  
Represented the LSN on SADC Lawyers Association and the International Bar Association and attended various conferences, such as SADC LA, IBA and LSSA and other meetings locally with stakeholders.



Both were thanked for their commitment, dedication and contributions to the achievements of the LSN.







**Council Farewell / Welcoming Dinner  
8 February 2019**

Ramon Maasdorp (left) and Saima Nambinga (right) with the Council, Director and Managers RCU, Finance and Professional Affairs at the dinner at Am Weinberg.

Photograph: [Litchi Photography](#)



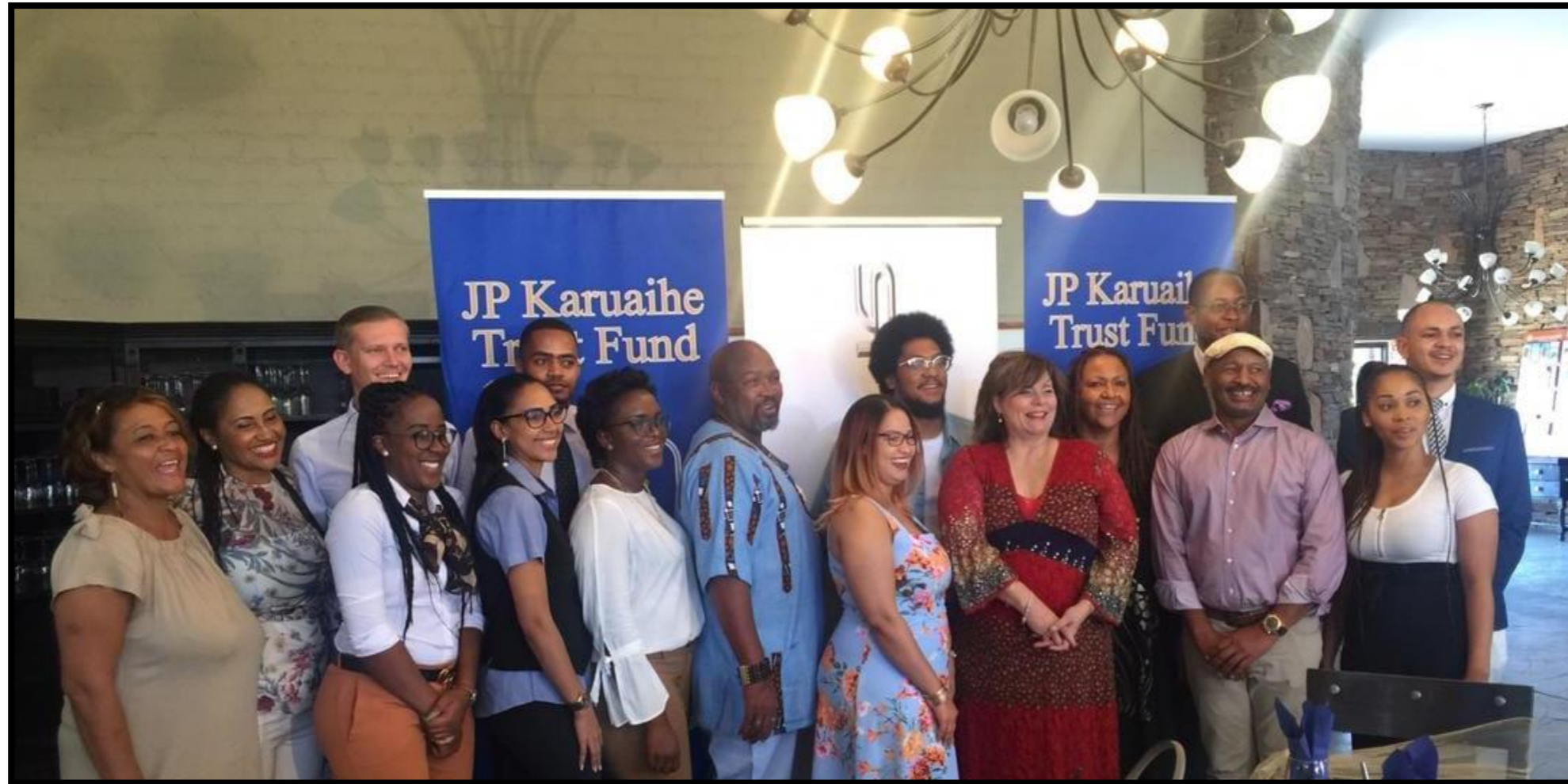
**Nomination: National Consultative Committee on Trade in Services:** On 31 January 2019, the LSN received a letter from the Acting Permanent Secretary of the Ministry of Industrialisation, Trade and SME Development, Ms Bernadette MK Menyah-Artivor, inviting the LSN to nominate a main and alternate member to serve on the National Consultative Committee on Trade in Services.

Nominated on 15 February 2019: **Katja Klein** and **Laura Pack** (as alternate member).

**Double your income seminar – 15 February 2019:** The LSN circulated an invitation of a training session arranged by ICAN and Capricorn Group on “Double your income”.

**ICAN, LSN and LPFF meeting: 18 February 2019:** The meeting took place at the office of the Institute of Chartered Accountants with ICAN CEO Koos du Toit to discuss possible risk management options. Also in attendance were Elize Angula, Stacey Bock, Retha Steinmann and Margaret Bennett and Brigitte Mack.

**Invitation to the Director by NCHE to the 2017 National Graduate Survey Result Dissemination and the Commencement of the 2018/19 National Graduate Survey Data Collection:** The Director attended the launch at the Nampower Auditorium, on behalf of the LSN on 27 February 2019.



**JP Karuaihe Trust Fund – Corporate Sponsored Breakfast 21 February 2019 – River Crossing Lodge:** The event, sponsored by Lexus Pupkewitz Toyota, was attended by Alumni, representatives of the JPK Trust, the LSN Chairperson, Vice Chairperson and Director. The Director was requested to make an impromptu presentation on the relationship between the LSN and the JPK.

## Directorate / Staff - Resignation

The Manager Risk & Compliance, **Isabel Mwazi**, resigned at the end of February 2019 and has taken up employment at NAMCOR.

The LSN wishes her all the best in her new endeavours.

With the funding received from the LPFF early 2019, in respect of the salary of the Manager RCU which was not fully utilised when the Manager resigned at the end of February 2019, independent consultants were appointed by the LSN to finalise the trust account inspections and audit investigations that remained outstanding.

The LSN and the LPFF are presently in consultation with the regard to risk management.



## **SADC Lawyers' Association Council meeting and Training 28 February and 1 March 2019**

Bar Presidents, CEOs and SADC-LA Councillors were invited to attend a Council Meeting held on 1 March 2019 at the Holiday Inn Johannesburg OR Tambo Hotel. As usual SADC LA utilised the opportunity of funds provided for a training that took place at the same time.

SADC-LA was able to sponsor one delegate per law society (**Gilroy Kasper** the LSN's SADC LA Councillor) as well as **Vincia Cloete** who is the other LSN SADC LA Councillor and SADC LA Executive Committee member.

Both attended the Natural Resource Litigation Training held on 28 February and 1 March 2019 for Attorneys from the SADC Region – “Training and Systems Approach to hold the extractive Industry Accountable”.

Apart from discussing the state of rule of law relative to our Bar Associations, the meeting addressed the intent of the incoming Strategic Plan drafted by the SADC-LA Exco with the help of an organisational development expert.

The Natural Resources Litigation Training is part of the skills building meant for the pro bono and public interest law programme.



**MARCH 2019**

**Amendments to the Legal Practitioners Act:** On 1 March 2019, in line with the AGM resolution, the LSN submitted the proposed interim amendments to the Hon Minister of Justice. Receipt of the letter and proposals were acknowledged but no further correspondence or invitation for a meeting was received.

**Administration of Estates Amendment Act, Act 22 of 2018:** The Administration of Estates Amendment Act came into operation on 31 December 2018. Section 3 of the Amendment Act brings about an insertion to section 87 of the principle legislation – Act 66 of 1965 – in respect of the “Payment of certain moneys in respect of minors and persons under curatorship. In light of the practical implications brought about and the timelines set therein, the Minister of Justice invited the affected stakeholders to a consultative meeting in order to discuss practical modalities of the implementation process on 12 February 2019 at Windhoek Country Club. It was the LSN’s intention to submit input and / or proposals for amendments to the Administration of Estates Amendment Act on or before 12 March 2019 and the input of the members were required, via the Standing Committee on Liquidations, Trust and Estates.

**International Human Rights Law and Constitutional Democracy in Africa: 6 – 8 March 2019:** The LSN was invited to the conference on “The Impact of International Human Rights Law on Constitutional Democracy in Africa” - focusing on Namibia, South Africa, and Botswana.

This two-day workshop, was organised by Professor De Wet of the University of Pretoria, together with academics from UNAM, and brought together senior judges, academics, and practitioners to Windhoek, Hilton Hotel.

The organisers regarded this as an excellent opportunity to have a more representative dialogue that includes the Namibian practitioners who are at the forefront of the application of international human rights law in our courts and also reached out to the Law Society to nominate a legal practitioner to attend the two days of the workshop.

The topics were, inter alia:

- The status of international law in domestic legal order
- The right to life: balancing individual freedom, human dignity and State security
- Parliamentary control over the ratification from and withdrawal of treaties
- The right to asylum: balancing individual freedom, human dignity and State security

**Toni Hancox** attended on behalf of the LSN.





## National Association of Democratic Lawyers (NADEL) Conference and Annual General Meeting: 14 – 17 March 2019



The National Association of Democratic Lawyers Association (NADEL) hosted its Annual General Meeting and National Conference from 14 to 17 March 2019 at the Emperors Palace in Johannesburg.

The theme of the conference was “*Poverty, Inequalities & Corruption Symptoms of a State in Gradual Collapse*”.

On Saturday, 16 March 2019, NADEL held its 2<sup>nd</sup> Annual Pius Langa Memorial Lecture and Gala Dinner.

**Etuna Josua** represented the LSN.

He is photographed on the left at the conference with Fazoe Sydow, NADEL’s National Coordinator and on the right at the dinner with Thuli Madonsela.

NADEL covered the cost of accomodation, meals and the provision of other logistical support.



**Meeting with the Judge President to discuss the framework for the development, selection and mentoring of prospective judges for the High Court of Namibia - 13 March 2019:** The LSN attended a meeting on 13 March 2019, in the Judge President's boardroom, to discuss ways in which the LSN and other voluntary organisations could be of assistance to the Judiciary in actualising the vision of the Judiciary.

This meeting focused on the recruitment of judges, the appointments to the bench, the training to be administered by the High Court, standards and aptitude.

The meeting was attended by Judge President Damaseb, Deputy Judge President Angula, Deputy Executive Director of the Office of the Judiciary T Namiseb, representatives of the NLA, the Society of Advocates, the Office of the Judiciary and the LSN - S Bock, G Kasper, V Boesak and R Steinmann.

## Law Society of South Africa (LSSA) AGM and Conference 28 – 30 March 2019: Maslow, Time Square, Pretoria

**Stacey Bock** and **Retha Steinmann** attended the LSSA's AGM and conference at the Maslow, Time Square, Pretoria from 28 to 30 March 2019. The conference topic was: "The war against corruption – Can the legal profession reasonably contribute to restoring confidence in the Rule of Law?"

The conference topics included, inter alia:

- Key achievements – facing the challenges forward.
- Keynote address by Adv Shamila Batohi, National Director of Public Prosecutions.
- A Professional membership association: What do members really want?
- Q & A on the Legal Practice Council and the Legal Practice Act.
- Getting to grips with the new dispensation – Section 35 of the Legal Practice Act (costs).
- Young lawyers.
- Conveyancing examination and access to the profession
- Community service and pro bono.
- Addressing risk in your practice.
  - Cyber security risks.
  - The risk of not marketing.
  - Managing business risk.



**APRIL 2019**



**21<sup>st</sup> Commonwealth Law Conference (CLC)  
8 – 12 April 2019  
Avani Hotel, Livingstone, Zambia**

**Stacey Bock and Retha Steinmann** represented the LSN at the conference. The theme of the conference was: “The Rule of Law in Retreat? Challenges for the Modern Commonwealth”.

The International Institute of Law Association Chief Executives (IILACE), partly sponsored Retha’s attendance, in her capacity as the President of IILACE.

The CLA General Meeting took place on 8 April 2019 and one of the items on the agenda was the election of Office Bearers and Council for 2019 – 2020.

Stacey Bock’s nomination was uncontested and she was elected as the representative for Southern African (Botswana, Lesotho, Malawi, Mozambique, Namibia, St. Helena, Swaziland, Zimbabwe, Zambia).

The closing dinner took place on Thursday, 11 April 2019.

Stacey participates in regular Zoom / teleconferences of the Council.

Closing Reception: **Stacey Bock** with Brian Speers of the Law Society of Northern Ireland (newly elected President of the CLA) and Santhaan Krishnan (the outgoing President of the CLA).



## Commonwealth Law Conference

The Commonwealth Law Conference took place in Livingstone, Zambia from 8 – 12 April 2019 at the Avani Hotel, Livingstone.

- The welcome reception was held on 8 April 2019 and the Opening Ceremony took place on Tuesday 9 April 2019.
- The opening address on 9 April 2019 was made by His Excellency Edgar Lungu, President of Zambia and the Keynote Address was delivered by the Right Honourable, The Lord Burnett of Maldon, Lord Chief Justice of England and Wales.
- The keynote address on Wednesday, 10 April 2019 was delivered by the Commonwealth Secretary General, The Right Honourable Patricia Scotland QC.
- The keynote address on Thursday, 11 April 2019 was delivered by Senator Sekai Holland.
- The keynote address and plenary session “Fighting Corruption – the way forward” on Friday, 12 April 2019, was lead by Alan Bacarese, Director - Integrity and Anti-Corruption at African Development Bank Group.
- Linda Kasonde - past President of the Law Association of Zambia, chaired the session.
- Other speakers were Justice Madan B Lokur (India) and Lawrence Cohen QC (England).

## **Commonwealth Law Conference**

### **A Corporate & Commercial Stream**

The following topics were addressed in Stream A:

- A1 Bribery versus compliance –how to change the culture
- A2 Good faith in contractual negotiations
- A3 Managing bias in our roles as Lawyers, mediators and arbitrators
- A4 Developments in appellate advocacy
- A5 The need for less competition law across Africa
- A6 Representing clients in international arbitration fora
- A7 Developing transactional lawyering skills
- A8 Cryptocurrency and its place in commerce and crime
- A9 Challenges for protecting client data
- A10 Africa –the rise of the next great superpower bloc?
- A 11 International Trade Law
- A12 Intellectual Property Law

## **Commonwealth Law Conference**

### **B Constitutionalism, Human Rights & the Rule of Law Stream**

The following topics were addressed in Stream B:

- B1 Constitutionalism and the Rule of Law – Obstacles to African development
- B2 Ruggie – the UN Guiding Principles and the Modern Law of Employment
- B3 Latimer House Principles – Two Decades On
- B4 Sexual Harassment and the ‘Metoo’ Revolution
- B5 R (Miller and Santos) v Secretary of State – Lesson in Constitutionalism
- B6 “Girls Not Brides” – a consideration of the finding of a Commonwealth Lawyers Association Research Project
- B7 Religious Freedom – v – minority rights
- B8 Criminalisations of homosexuality
- B9 Democracy, Politics and the Law – the Judiciary as the last line of defence
- B10 Emergency powers in emerging democracies
- B11 The global environment in jeopardy
- B12 Defencing the human rights defenders – resilience building

## Commonwealth Law Conference

### C The Legal Profession and the Judiciary Stream

The following topics were addressed in Stream C:

- C1 The anatomy of a trial –from opening to closing statements
- C2 Legal education – professional uber specialisation and the role of post graduate qualifications
- C3 Innovation as a tool for development – are we killing legal employment
- C4 Judicial appointments – developments in process and transparency
- C5 Judicial accountability – the rise of the watchdog
- C6 Pro bono publico ethic across the Commonwealth – implications
- C7 Walking the tightrope – stress management for healthy lawyering
- C8 Essential components to building a successful law practice
- C9 Lawyers and the fourth estate
- C10 Self-represented litigants – the real cost to parties and the community
- C11 CLEA Commonwealth Moot Final
- C12 Judicial case management – efficiency or interference

## Commonwealth Law Conference

### D Contemporary Legal

The following topics were addressed in Stream D:

- D1 Commonwealth responses to indigenous rights and aspirations
- D2 Commonwealth leadership to end modern slavery and human trafficking
- D3 Law Reform: Law in progress, not retreat
- D4 Social media and the modern law firm
- D5 Slavery reparations – the case for and against
- D6 Brexit and its implications
- D7 Freedom of expression – v- fake news
- D8 The death penalty in the Commonwealth
- D9 From trial by ordeal to conciliation
- D10 “One Belt, One Road” – the legal implication
- D11 Best practices in regulation, entry and exit procedures to the Bar
- D12 “A monstrous event” – reflections on a massacre after 100 years.





**Commonwealth Law Conference – CEO Forum  
Sidebar Symposium for Law Association Chief Executives  
Thursday, 11 April 2019**

Retha Steinmann participated in her capacity as the LSN Director and President of IILACE.

**Commonwealth Law Conference – CEO Forum  
Sidebar Symposium for Law Association Chief Executives  
Thursday, 11 April 2019**

Convenors-conference host: CEO Edward Sakala, LAZ  
Session Chairpersons: CEO Donald Deya, PALU and CEO Stanley Nyamanhindi, SADCLA

**The Business and Economic Incentive for the Rule of Law**

Thabo Molefe - Commercial Director, LexisNexis: South Africa  
Optimum services for association members – how to add value to members’ subscriptions – and receive the credit for it

Ntakisha Kyalusanza - Business Development Manager LexisNexis: Africa

What 2019 IILACE - Tokyo Conference Promises  
Retha Steinmann - CEO, Law Society of Namibia and President of The International Institute of Law Association Chief Executives

Continuing professional development for lawyers: Is it a profit centre or a loss leader?  
Mercy Wambua, CEO, Law Society of Kenya

Law reform and political lobbying – harnessing members’ influence and creating strategic partnerships  
Alan Hunter, CEO, Law Society of Northern Ireland

Shrinking Civic Space and the role of lawyers’ associations  
Irene Petras, Legal Advisor – Africa, International Centre for Not-for-profit Law (ICNL)

Presentation about CLA’s new membership  
Brigid Watson, Secretary General- Commonwealth Lawyers Association

An Ideal Law Society CEO – Leadership lessons  
Joyce Nalunga, CEO, Uganda law Society

CEO leadership session. Knowledge sharing – of some of the most innovative development ideas from their organisation.



## **Appointments / Nominations**

**LPFF Board of Control:** The term of **Deidre Sauls-Deckenbrock** was from 1 July 2018 to 30 June 2019. D Sauls-Deckenbrock tendered her resignation before her term came to an end. Council, at its meeting on 16 April 2019, accepted her resignation. The LSN sincerely thanks Dee for her contributions.

**Ramon Maasdorp** was appointed in the interim until the end of June 2019 and subsequently he was also appointed to serve as from 1 July 2019.



### Directorate / Staff - Resignations

We had a few resignations during this term, which had the unfortunate result that the Director again had to stand-in, directly or indirectly to absorb the work of those vacant positions and/or to take over some of their responsibilities, such as facilitating meetings, preparing agendas and drafting minutes, until such vacancies could be filled. We therefore thank the Director for her commitment to work extra long hours and over weekend in an attempt to ensure that things do not fall on the ground. But if some of it had fallen, I can assure you that it was not due to a lack of trying on her part.

The former Manager Finance & HR, **Margaret Bennett (left)**, resigned at the end of April 2019. She remains in touch as her clients are the law firms who are the users of the Ghost Practice software for the trust bookkeeping. Whilst in the employ of the LSN she assisted the curator bonis, as agent. The workload often resulted in working after-hours and over weekends. A number of matters could not be finalised before her resignation. In her free time she continued to assist the curator bonis, as agent, with certain bookkeeping tasks.

The former Manager Professional Affairs, **Jo-mari Koekemoer (middle)**, relocated to the coast and resigned at the end of April 2019. She is now working at Ugene Thomas Legal Practitioners. Whilst in the employ of the LSN she assisted the curator bonis, as agent. The workload often resulted in working after-hours and over weekends. A number of matters could not be finalised before her resignation. In her free time, she continued to assist with the finalisation of some outstanding matters / minutes, which could not be completed whilst employed at the LSN.

**Ngutijua Hjaranguru (right)**, former Legal Officer who assisted the Manager Professional Affairs department, resigned when she was offered a position at NUST at the end of April 2019. Before her resignation she also assisted the assisted the Curator Bonis.

The LSN appreciates the commitment, and continued efforts in assisting, and wish them all the best with their new endeavours.

**Nominee to serve as part of the Insol Africa round table, 2019 organising committee:** The LSN received a letter from the Hon Minister of Justice, S Shanghala, dated 4 April 2019, advising that this year Cabinet has endorsed Insol's decision to host ART 2019 in Swakopmund, and that the LSN was to provide a nominee to form part of the organising committee for ART 2019.

Nominated on 16 April 2019:  
**Valmary van Rooi.**

The INSOL International / World Bank Group Africa Round Table will be held on Thursday and Friday 21-22 November 2019.

The LSN will be represented by Councillor Eliaser Nekwaya.





**Appointments: Board for Legal Education (BLE):** The LSN appoints 3 legal practitioners to serve on the BLE. When **Pieter de Beer** resigned earlier this year in April 2019, **Vanessa Boesak** was appointed in his place on 16 April 2019.

The LSN's representatives on the BLE are Deidre Sauls-Deckenbrock, Anne-Doris Hans-Kaumbi and Vanessa Boesak. Alternate members have not been appointed.

The LSN sincerely thanks Pieter for his service and commitment over many years to the work of the BLE.

**Framework for the development, selection and mentoring of prospective Judges for the High Court of Namibia:** Council, at its meeting held on 16 April 2019, considered the nominations for the Judge President's Advisory Panel on the Training Programme.

Subsequently, the Judge President's Advisory Panel on the Aspirant Judges Training Programme took important decisions to move the process forward and it agreed on an Action Plan:

- To commence with course content development;
- To identify course material producers;
- The creation of two sub-committees, to wit -
  - Criminal Law and Procedure
  - And
  - Civil Procedure and Practice
- for the purpose of deliberating on the aforesaid, to invite the organised legal profession to nominate candidates to serve on the sub-committees and for possible selection by the Judge President to serve on the Advisory Panel, under which the sub-committees will carry out their mandates;
- For the sub-committees to report back to the Advisory Panel on their work on a date after end of April 2019, to be advised by the Office of the Judge-President.

**Financial Intelligence Centre:** In April 2019 the LSN was requested to solicit input from the members, on the draft guidance note on the implementation of a Risk Based Approach by the FIC. As per resolution taken by the Anti-money laundering and combating the Financing of Terrorist Proliferation Council the National Focal Committee the LSN was advised on the mock evaluation of Namibia's compliance with the Financial Action Task Force International standards on 1 – 31 August 2019 and that the evaluation and action plans must be completed by 15 September 2019.

**Peace and Security Fellowship for African Women:** Members were advised of the Peace and Security Fellowship for African Women, which is designed to expose professional African women at early stages of their careers to the complexities of conflict, security and development using particular leadership approaches and analysis. The exposure is to equip them for careers in this field by developing their expertise to generate African-led ideas and processes of change for addressing challenges on the African continent. The Fellowships aim especially to ground this expertise on peace and security in integrity and the pursuit of excellence. The LSN shared this information with its members on 28 April 2019.

The Law Society of Namibia received a letter from the Hon. Minister of Justice regarding the proposed amendments to the **High Court Act & Magistrates' Courts Act in Respect of the Sale of Immovable Property**, 2019. The Bill was circulated on 9 April 2019.

The LSN has been requested by Zenobia Barry, Deputy Director: Legal, Policy & Enforcement, to share the '**Guidance Note on the treatment of politically exposed persons**' to the accountable or reporting institutions falling under our domain. This information was distributed to the members.





## **Nominations / Appointments**

**Search for industry expert to search for industry expert to serve on the Review Panel for the diploma in Police Management at the University of Namibia, March - May 2019:** The LSN, based on the letter from the Deputy Executive Director of the National Council for Higher Education, Sylvia Demas, informed members that the NCHE, was planning to conduct a review exercise for academic programmes at UNAM during the period March to May 2019. The Diploma in Police Management, NQF level 5 is one of the programmes to be reviewed. The NCHE Secretariat solicited nominations of industry specialists in the afore stated programme.

Nominated on 16 April 2019: **Sylvanus Nepunda** and **Lovisa Indongo-Namandje**.

**MAY 2019**

## Directorate / Staff - Appointment:

**Jeremy Cloete** commenced employment as the Manager Finance & HR on 8 May 2019.

He is responsible for the finance and HR departments and also assists the Director with risk & compliance matters.

He has also been instrumental in the facilitation of the finalisation of all the outstanding trust audits / inspections.

We welcome him and wish him a fulfilled career at the LSN.



(Photograph - Litchi Photography)

**Framework for the development, selection and mentoring of prospective Judges for the High Court of Namibia:**

On 9 May 2019, the Judge President also advised that he made the following appointments:

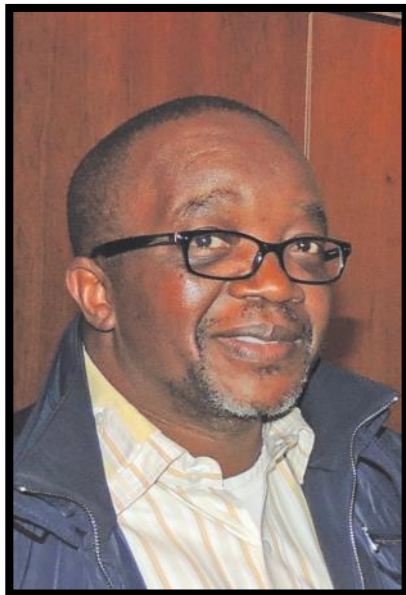
**Gerson Hinda SC** – Advisory Panel chaired by the Hon. Petrus Damaseb, JP

**Eliaser Nekwaya** – Civil Procedure Committee chaired by the Hon Hosea Angula, Deputy JP

**Daan Small** – Criminal Procedure Committee chaired by the Hon C Liebenberg

**Jolanda van der Byl** – Civil Procedure Committee chaired by the Hon. Hosea Angula, Deputy JP

The **Director** was requested by the Judge President to serve on his Advisory Panel, to which she agreed and her appointment as a member of the Advisory Panel chaired by the Hon Petrus Damaseb, Judge President, was confirmed.



**ICC Namibia Arbitration Day - Under the auspices of the ICC International Court of Arbitration  
9 May 2019, Hotel Thule**

A dinner was held at Stellenbosch Restaurant on 8 May 2019.

The ICC International Court of Arbitration hosted their 1st ICC Namibia Arbitration Day, in association with Koep & Partners, which brought together leading practitioners from Namibia and abroad to discuss key issues in domestic and international arbitration. Topics discussed included 'Innovations in ICC Practices', 'Best practices in international arbitration', 'latest developments in Southern Africa' and 'overview of the current framework for arbitration in Namibia'. This conference also provided participants with a first-hand experience and understanding of the ICC Arbitration procedure through practical and interactive sessions.

The session was well represented by legal directors and corporate counsel from companies involved in international commercial arbitration, practising lawyers, and other legal professionals. The programme was as follows:

Arbitration as a Catalyst for Economic Growth on the Continent (Des Williams & Eliaser Nekwaya)

- Developments in Southern Africa, including the new International Arbitration Act and the adoption of the Model Law: Reforming Arbitration law and practice in Southern Africa – an update
- Introduction and overview of the current framework for arbitration in Namibia

Modernising Namibian Arbitration Law: A prerequisite to playing an active role in International Commercial Arbitration (Lovisa Ihalwa & Joachim Kuckenbug)

Advantages of international arbitration

- Drafting of the arbitration agreement
- Seat of arbitration
- Financial consequences of choosing arbitration

Rising cost of arbitration and the increasing complexity and depth. A cog in the wheel of the arbitral process? How will the continent respond? (Meyer van den Berg & Joos Agenbach)

- A Namibian Perspective?
- Specificities of proceedings involving States and Public Entities

Discussing Arbitrators' appointments, practicalities of arbitration proceedings and drafting and scrutiny of arbitration awards (Herman Steyn & Tunde Ogunseitani)

The session was sponsored by **Koep & Partners and Mineral and Energy Law Trust (MELT)** and it was supported by the LSN.

## **Namibia Medicines Regulatory**

**Council:** In terms of subsection (2) of Section 3 of the Medicines and Related Substance Control Act, 2003 (Act 13 of 2003), on the written request of the Minister of Health and Social Services, the Honourable Minister of Justice, S Shanghala, requested any interested body to submit in writing, within 30 days of publication of the notice in the Gazette, the names of suitably qualified legal practitioners for appointment as member of the Namibia Medicines Regulatory Council in terms of subsection 1(d) of that section. Nominated 24 May 2019: Tinashe Chibwana, Eben de Klerk, Kennedy Haraseb and Alvine Samuel.

The Hon. Minister subsequently appointed **Tinashe Chiwana**.





## **International Bar Association (IBA) Bar Issues Commission (BIC) conference and meetings 22 – 25 May 2019**

Meyer van den Berg, in his capacity as the LSN's BIC Councillor, attended the 14<sup>th</sup> Annual Bar Leaders' Conference and Bar Leaders meetings in Corinthia, Budapest, Hungary.

The conference topics included:

- Professional indemnity insurance.
- How can bars help young lawyers develop soft skills?
- All is fair in love, war and trade? What is "fair trade" in legal services?
- Does this profession reward bullies? What is the bar response?
- Opening the window on lawyer wellness and mental health – the intersection with legal regulation.



**Dinner hosted in honour of Hon Justice DF Smuts on his election to the American Academy of Arts and Sciences: 28 May 2019**

The American Academy of Arts and Science was founded in 1780 with the mission to honour leaders from various fields who address issues of importance to the world. It also aims “to cultivate every art and science which may tend to advance the interest, honour, dignity, and happiness of a free, independent, and virtuous people.”

The Academy not only recognises and celebrates its members and their excellence, but it also serves as a research centre convening leaders from across disciplines, professions, and perspectives to address significant challenges.

It is therefore with profound honour and great respect that the Law Society of Namibia congratulated **Justice Smuts** for his election as a member of the American Academy of Arts and Science. This is indeed a remarkable and noteworthy achievement, not only for Justice Smuts, but for the Namibian legal system as a whole.



Stacey Bock and Retha Steinmann attended the dinner at Hotel Furstenhof, on invitation of the **honourable Chief Justice PS Shivute** (top right).

Bottom left: Stacey Bock, Matti Asino and Retha Steinmann.

Bottom right: Stacey Bock, Retha Steinmann and Sylvester Bock.

(Photograph of Judge Smuts – The Namibian)





**JUNE 2019**

## Directorate / Staff - Appointments:

**Hendrik Mauyoma** commenced employment as Senior Legal Officer on 3 June 2019.

He is, inter alia, responsible for all matters relating to membership, legal ethics, continuing professional development, public legal education, free legal advice days and circles meetings.

We welcome him and wish him a fulfilled career at the LSN.



(Photograph - Litchi Photography)

## Directorate / Staff - Appointments:

**Julia Gideon** commenced employment as Junior Legal Officer & Assistant to the Director on 3 June 2019.

She is, inter alia, responsible for corporate governance, data base updates, preparation of minutes and agendas.

We welcome her and wish her a fulfilled career at the LSN.

(Photograph - Litchi Photography)



**Workshop on Graduate Employable Attributes – 6 June 2019:** The Commonwealth of Learning (COL) in conjunction with the University of Namibia (Unam) hosted a half day workshop on employability attributes for the legal profession on Thursday, 6 June 2019 as from 09:00- 13:00 at the Big Video Conference Room, Library Building, Unam Main Campus. The workshop identified employability attributes of graduates for the LL. B programme. The workshop was attended by officials of the Ministry of Justice (in particular the Chairperson of the Law Reform Development Commission, Office of the PG, Attorney General, Government Attorneys, Legal drafting, Training Division), Academics of the Unam, Law Society of Namibia etc. Hendrik Mauyoma attended the event on behalf of the LSN. More about this workshop can be read in the attached report.

**Consultative Workshop on the Draft Trade in Services Policy – 6 June 2019:** The LSN received an invitation, from Steve Katjiuanjo, Executive Director of the Ministry of Industrialisation, Trade and SME Development, dated 8 May 2019, to a consultative workshop on the draft Trade in Services Policy. Laura Pack (attended partly) and Julia Gideon attended on behalf of the LSN.

**Prosecutor General meeting on backlog of cases (M vd Berg & E Harmse) – 7 June 2019:** In furtherance of an efficient, effective, accountable and fair justice process for the public, a committee of stakeholders, under the auspices of the Office of the Prosecutor-General was established to inter alia address the backlog of criminal cases in the Magistrate and Regional Courts. The committee of stakeholders comprises of representatives from the Office of the Prosecutor-General, the Magistracy, NamPol, Ministry of Justice and the Law Society of Namibia. The purpose of this Committee is to come up with recommendations to make inroads into the backlog of criminal cases. The stakeholders agreed, during a meeting held in June 2019, to launch a project in September 2019 to address the backlog. As part of the project, additional venues, Magistrates and support staff will be made available to conduct additional courts in addition to the ordinary courts currently in session. These additional courts will be utilized for criminal cases that have been trial-ready, but pending for more than a year. All cases that fall within the ambit of the aforementioned criteria will be brought forward to be heard on an earlier date, commencing September 2019. Prosecutors will be contacting legal practitioners to arrange for the dates. In this regard, the LSN urged that all Legal Practitioners cooperate with Prosecutors to give effect to the project. For the project to be implemented successfully, it is necessary for all stakeholders to provide their cooperation.

**Development Bank of Namibia Legal Services Panel:** The LSN was requested by Adda Angula, Company Secretary and Legal Services at the Development Bank of Namibia, to distribute documentation to the members. The LSN shared this information on 5 June 2019.

**Standard Bank:** The LSN was requested by Undjii Kaihiva, Legal Services / Legal Manager at Standard Bank, to distribute an expression of interest for legal services document to the members of the LSN. This opportunity was circulated to members on 10 June 2019.

**Namibia Football Association:** In accordance with Article 8 of the FIFA Statutes, the Bureau of the Council decided on the 08 February 2019 to appoint a Normalization Committee for the Namibia Football Association (the “NFA”) with immediate effect. In lieu of the abnormal state of affairs and the non-existence of an Appeal Committee to hear appeals, the NFA invited members of the public to form part of an Appeal Committee to be constituted in terms of Article 58 (5) of the NFA Constitution. The LSN circulated this information to its members on 19 July 2019.

**Economist Businesswomen Breakfast meeting – 21 June 2019:** The Director attended a breakfast meeting at Roof of Africa. The presentation was made by Tracy Eagles, Chief Marketing Officer at FNB on the topic: “We see things as we are – Leadership Thoughts”.



**Nominations: Faculty of Law Advisory Committee:**  
The LSN was requested, by Prof Baloro, to nominate a legal practitioner to serve on the above mentioned advisory committee of the Faculty of Law. Nominated on 14 June 2019: **Meyer van den Berg** and **Maoko Holla Mwaaneule Vicky Kapuka** (as alternate member).

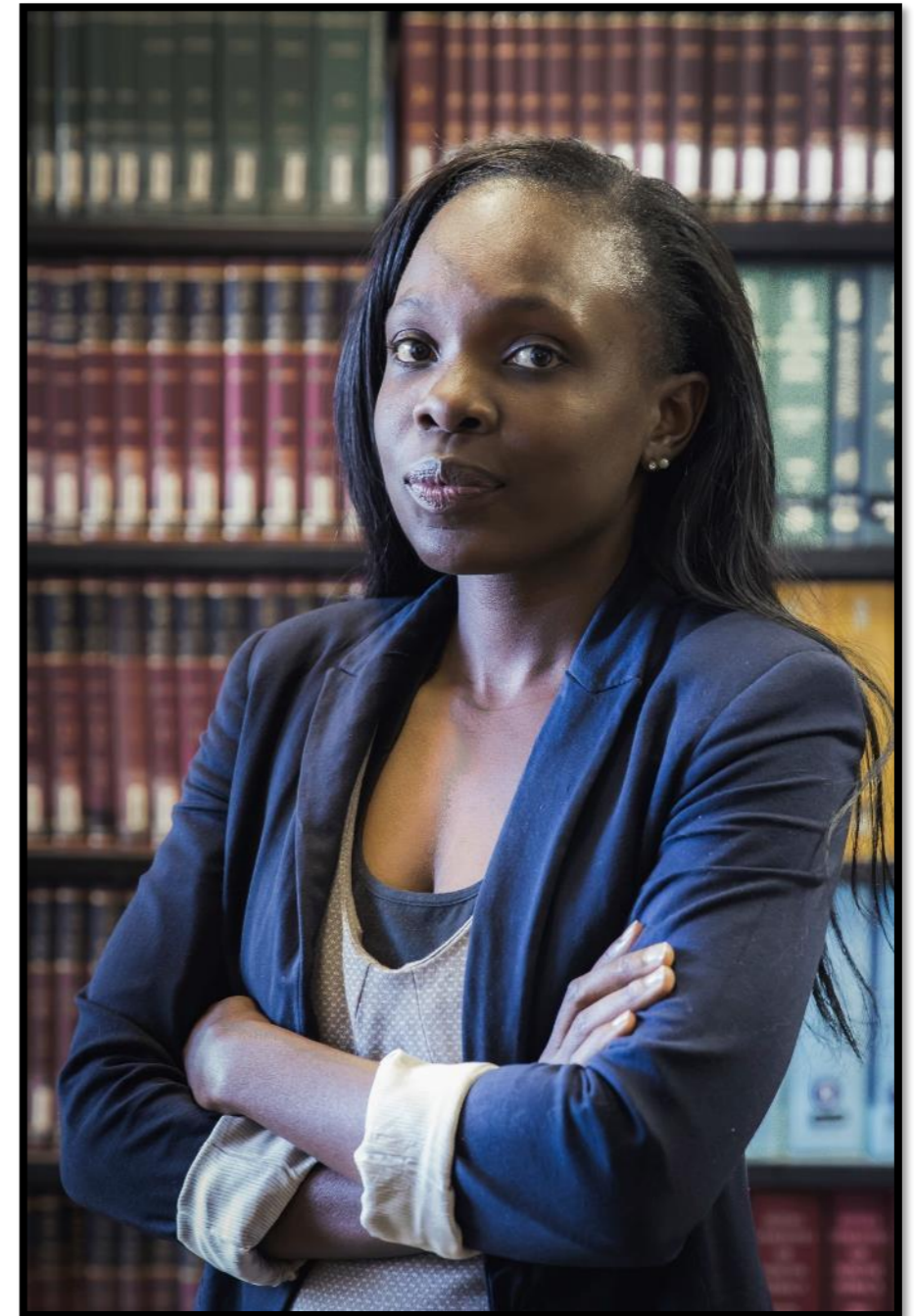
## Directorate / Staff Appointments:

**Granny Paulus (bottom left)**  
commenced employment as  
Legal Officer on 17 June 2019.

She is, inter alia, responsible for  
all matters relating to the  
standing committees.

We welcome her and wish her a  
fulfilled career at the LSN.

(Photograph - Litchi Photography)





**Workshop of BDO Namibia: Meet the Hacker – 26 June 2019:** This workshop was a presentation and demonstration of cyber-attacks by hackers through various methods they deploy. Staff members: Charles Rose, Hendrik Mauyoma, Ivy Pretorius, Emillie Konstantin, Granny Paulus and Julia Gideon attended the workshop. A report on their attendance is available.





**Trial Advocacy Training for Prosecutors  
24 – 28 June 2019**

Lawyers Without Borders and the United Nations Office on Drugs and Crime worked together to develop a five-day program to train 35 prosecutors in Namibia. The program, took place in Windhoek, and aimed to build capacity among prosecutors through LWOB's Support Through Trial Advocacy Training (STTAT) program. In addition to developing advocacy skills that are transferable across cases, the training contained a focus on combating gender-based and domestic violence. Judge Ann Claire Williams (Ret.) is the lead trainer, and three U.S. judges, a law school professor, and attorneys from several law firms served as faculty. The Director attended a reception for the Support Through Trial Advocacy Training (STTAT) program on 25 June 2019, by Ambassador Lisa Johnson of the US Embassy.

Geraldine Sumter was part of the NITA faculty that assisted the LSN and the NLA in 2003 with a Trial Advocacy Training training.

Photograph: Taswald July, Geraldine Sumter, Olivia Mutjavikua, Zenobia Barry & Retha Steinmann.



**Appointments: Deeds Registries Regulation Board:**  
Appointed on 27 June 2019: Caricia Basson and Philip  
Swanepoel (alternate member).

**July 2019**



**China-Africa Legal Professionals Exchange Programme  
17 June to 7 July 2019  
in Guangzhou, Shenzhen, Jinhua and Beijing, China**

Adda Angula and Etuna Josua were nominated to participate in the programme.

The China Law Society covered the costs of food, accommodation and domestic transportation for each participant in China during the course, but the participants paid for the international flight fees.



# China-Africa Legal Professionals Exchange Programme

17 June to 7 July 2019  
in Guangzhou, Shenzhen, Jinhua and Beijing, China.





## **Advancing Rights in Southern Africa programme 9 July 2019**

The American Bar Association is running a program called "Advancing Rights in Southern Africa" in partnership with Freedom House, PACT and Internews.

As part of program implementation, the team members visited Namibia to meet with partners and introduce the program. One of the meetings took place with the LSN.

Retha Steinmann with **Yolanda Tarisayi Radu, Faith Munyati and Roshnee Narrandes**, Senior Program Officer Advancing Rights in Southern Africa (ARISA)

**Invitation to stakeholder consultation – Administration of Estates Act, Act 22 of 2018 – 10 July 2019:** The LSN members were invited to the consultative meeting held on 10 July 2019. Hon. Minister of Justice, Sakeus E. T. Shanghala welcomed everyone present at the meeting and he thereafter gave the floor to Elsie Beukes (Master of the High Court) to present on the purpose of meeting. A full and detailed report of this meeting is available at the LSN. Granny Paulus attended on behalf of the LSN.

**BIPA meeting - ICAN, NIPA, LSN and BIPA:** Retha Steinmann attended this meeting held on 10 July 2019 at NIPA's offices, standing in for Meyer van den Berg.

**Invitation to serve as a member of the National Risk Assessment NRA Committee – 12 July 2019:** Namibia is going to be evaluated by external people from January 2020- 2021, whereby such evaluators will embark on asking random people in Namibia about the national risk exposures and whether they are actively involved. Therefore, the outcome of the NRA project will have to be made public and cabinet would similarly have to be advised on importance of same. Granny Paulus attended the first meeting, whereafter she reported to Council and appointments were made of members to serve on the committee. A detailed report of this meeting is available at the LSN.



**Appointment: National risk Assessment (NRA) Committee:** The Financial Intelligence Centre (FIC) is coordinating all efforts to execute the country's NRA project. The object of the NRA activity will mainly entail working with various stakeholders to assess the national Money Laundering, Terrorist and Proliferation Financing risk exposure. It follows that risks would have to be assessed at sectoral level and such would be aggregated to arrive at the national position on risk. In the same vein, the NRA activity equally needs to draft recommendations geared towards enhancing measures to address identified risks. It was anticipated that the project could last for several months from July 2019. Project team members will be expected to attend working engagements and work in sub groups to produce certain deliverables. Being a key stakeholder in the Anti-Money Laundering, Combatting the Financing of Terrorism and Proliferation sphere, the LSN was invited to appoint two legal practitioners to form part of the NRA project team.

Appointed on 19 July 2019: **Eben de Klerk** and **Sylvia Kahengombe**.



## **Judge President's Advisory Panel on the Aspirant Judges Training Programme:**

After the meeting, attended by Retha Steinmann, as a member of the Judge President's Advisory Committee, she reported at the 19 July 2019 Council meeting that input is required on the curriculum of the civil and criminal programmes. The following e-mail was circulated to the Criminal and Civil Litigation committees:

*The following persons were in attendance:*

- *Judge President P Damaseb*
- *Deputy Judge President H Angula – who is chairing the Civil sub-committee*
- *Judge C Liebenberg – who is chairing the Criminal sub-committee*
- *Gerson Hinda*
- *Andrew Corbett – Society of Advocates*
- *Retha Steinmann – Law Society of Namibia*
- *Gerson Narib – Society of Advoates*
- *Yvonne Dausab – Law Reform and Development Commission*
- *Taswald July - NLA*
- *Tinana Matjila – Office of the Judiciary and who will be tasked to link on undertakings.*
- *Elizabeth Rhode – personal assistant*

*The JP explained that the advisory committee is the overarching committee, who will be overseeing the entire planning of the programme. Two sub-committees were created. The criminal committee is chaired by Judge Liebenberg and civil committee by Deputy Judge President Angula. He thanked the members who accepted the invitation to be appointed to the Advisory Committee.*

The Action Plan, the draft curriculum for the Criminal Stream, the draft curriculum for the Civil Stream, as well as the minutes of the meeting held on 1 July 2019 were shared. The JP requested comments and input from the various representatives by 26 July 2019.

**Disciplinary Committee: 25 July 2019:** The Law Society of Namibia convened a stakeholder meeting with the Disciplinary Committee. The meeting was attended by the Vice Chairperson, Meyer van den Berg; DC Chairperson, Ruth Herunga; Secretary of the DC, Amber Coerecius; Director of the LSN, Retha Steinmann and H. Mauyoma.

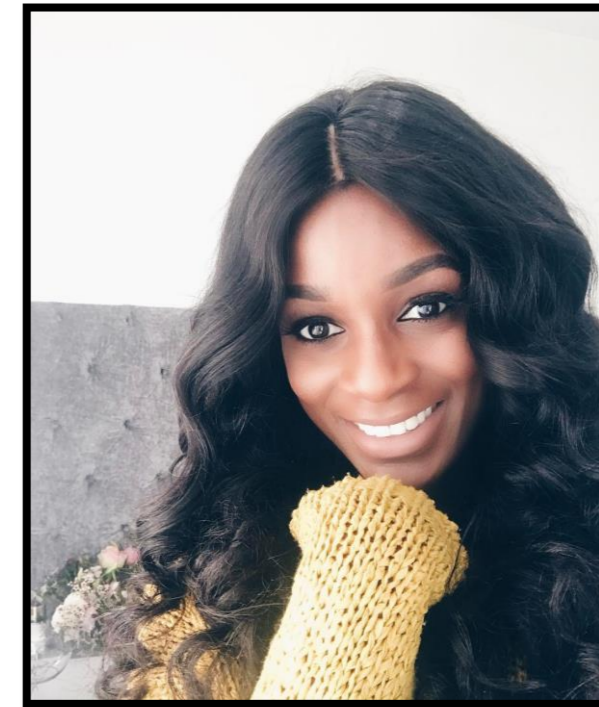
The meeting was arranged to address, inter alia, the following issues regarding the Disciplinary Committee:

- Current status of Disciplinary Committee matters;
- Budget constraints;
- Challenges with initiators to prosecute cases on behalf of the Disciplinary Committee;
- Administrative prescription of Disciplinary Committee cases;
- Matters that involved trust funds;
- Legal practitioners that allegedly mislead the court during court proceedings, and referred by Judges to the DC and/or the LSN;
- Cases against Advocates / members of the Society of Advocates;
- Transparency of DC matters against legal practitioners; and Status of criminal complaints.

**AUGUST 2019**

## Economist Businesswomen Conference - 8 August 2019

The Economist Businesswomen Club, in association with Sara Elago, Patron of the Economist Businesswomen Conference and Businesswoman of the Year 1999, hosted the twentieth conference on the 8th of August 2019 in Ongwediva for women in the North.



All female legal practitioners in the far north were invited to show interest to make a presentation at the conference on a topic relating to 'legal issues'.

Kauna Angula (of AngulaCo Inc) represented the LSN as a speaker at the conference. Her presentation dealt with "Legal protection for the business owner in case of default or high court application for liquidation by creditors."



**20<sup>th</sup> Annual SADC Lawyers' Association Conference and General Meeting  
Elephant Hill Resort Hotel, Victoria Fall, Zimbabwe - 8 – 11 August 2019**

The theme of the conference was: “Supporting strong institutions for equal access to justice for all.”

The SADC-LA Council has passed the following resolution at its last Council meeting as a means of involving members:

**Sponsorship / contribution towards costs:** Council, at its meeting held on 19 July 2019, considered its attendance of the SADC LA conference and AGM, scheduled to take place from 8 to 11 August 2019 at the Elephant Hills Hotel, Victoria Falls, Zimbabwe. The LSN enquired from the voluntary associations whether a representative intends on attending the SADC LA Conference. In the event that such representative attends the Conference, the LSN would contribute an amount of N\$5,000.00 towards his/her costs.

In light of the aforesaid, the voluntary associations were also requested to provide the LSN with the name of the legal practitioner, who is in good standing with the LSN and attending the SADC LA conference, to enable the LSN to make a contribution of N\$5000.00 towards the costs of such legal practitioner. It was also stated that this contribution is conditional upon the attendee providing Council with a report on his/her attendance.

**SADC LA Regional Working Committees:** In an earlier email LSN also alerted that SADC LA is in the process of establishing Regional Working Committees to work on the special events at the Conference in Victoria Falls. In this regard the LSN was requested to propose at least two names (Male and Female) in the following categories:

- Women Lawyers Forum
- Men Lawyers Forum
- Young Lawyers Forum
- Student Lawyers Forum
- Magazine Editorial Committee
- Student Human Rights Essay adjudication panel

The voluntary associations were invited to furnish the LSN with the name and CV of one or more legal practitioner(s): in good standing with the LSN; with the necessary knowledge and experience; interested to be considered for nomination to one of the Regional Working Committees.



**20<sup>th</sup> Annual SADC Lawyers' Association Conference and  
General Meeting  
Elephant Hill Resort Hotel, Victoria Fall, Zimbabwe  
8 – 11 August 2019**

Vincia Cloete (in her capacity as the LSN's SADC LA Council and member of the Executive Committee of SADC LA), Gilroy Kasper (LSN's SADC LA Councillor), Etuna Josua, Adda Angula and Yvonne Dausab represented Namibia in various capacities.

Adda Angula was nominated by the NLA to attend.

Yvonne Dausab was there in her capacity as Director of the Law Reform & Development Commission, chairing a session and Bryan Eiseb attended on behalf of his employer.



**20<sup>th</sup> Annual SADC Lawyers' Association  
Conference and General Meeting  
Elephant Hill Resort Hotel, Victoria Fall,  
Zimbabwe  
8 – 11 August 2019**

**Programme - 8 August 2019**

Registration  
Women Lawyers Round Table  
Male Lawyers Round Table

Welcome Cocktail at A Zambezi River Lodge  
Welcome remarks – SADC-LA President &  
LSZ President  
Guest of Honour: Chief Justice of Zimbabwe,  
Luke Malaba.

**Programme – 9 August 2019**

Opening Ceremony  
Welcome Address and Opening Remarks -  
Co-Chairpersons, SADC Lawyers  
Association & Law Society of Zimbabwe,  
Messrs. Maxwell Xolani Boqwana and  
Thandaza Masiye Moyo  
Live performance (Rule of Law Poem)  
Official Opening Address - His Excellency  
President of the Republic of Zimbabwe, Mr.  
Emmerson Dambudzo Mnangagwa

Plenary Session -Human Rights and the  
Rule of Law session - State of the Rule of  
Law, Democracy and Governance in the  
SADC Region and the role of institutions  
that support democracy.

Stream 1 The role of legal counsel in  
structuring public private partnerships and  
infrastructure development  
(deals: Transport, other non-power  
infrastructure, and services)

Stream 2 - Threats to the independence of  
the Legal Profession and the Judiciary – A  
candid assessment and discussion of  
coping mechanisms.

Stream 1 – Embracing Artificial Intelligence  
& Technology in Legal Practice –  
Opportunities for business in crypto  
currency & other tech tools.

Stream 2 – State capture, an emerging  
threat to access to justice – various  
commissions of inquiry and the role of the  
legal profession in supporting the state to  
fight state capture.

SADC LA Young Lawyers Forum

## **Programme – Saturday, 10 August 2019**

Stream 1 – Illicit financial flows, anti-money-laundering regulations and the role of bar associations in relation to central bank control – the conflict and international best practice.

Stream 2 – The role of the Electoral Management bodies in strengthening electoral democracy in the SADC region.

Stream 1 – Cross border practice, free movement of goods, services and people in the SADC Region – key protocols and procedures, what lawyers can do.

Stream 2 – Shrinking civic space and the role of the legal profession in facilitating democratic participation in key governance and civic processes.

Stream 1 – The case for entrenching commercial arbitration rules for the SADC Region.

Stream 2 – Using the law to protect persons with albinism in the SADC region – The role of lawyers and the Bar Associations.

Closing Gala Dinner (life time contribution to the development of SADC LA, recognition of past Presidents of SADC LA and announcing the SADC Women in Law Award).





**Invitation to stakeholder consultation – Administration of Estates Amendment bill – 2019: 14 August 2019:** The Hon. Minister briefly discussed the purpose of the meeting and outlined that it is imperative for the attendees to focus on the provisions of the circulated draft Bill. He further pointed out that there will be no room to entertain things that have already been decided upon as it was the final consultative meeting. The Hon. Minister assured everyone that after the meeting the drafters will attend to drafting the final Amendment Bill which will be circulated to all interested stakeholders such as the Banking Institutions, GIPF, LSN, NAMFISA etc for final inputs before same is put before the Cabinet. Granny Paulus attended on behalf of the LSN. The report for this meeting is available at the LSN.

**UNAM Faculty of Law Awards Ceremony - 21 August 2019:** The LSN was invited to attend the UNAM Faculty of Law awards ceremony, where top achieving students were awarded for the preceding academic year. Hendrik Mauyoma attended the event on behalf of the Law Society of Namibia.

Photograph: **Hendrik Mauyoma and Prof Baloro.**

**Webinars by Chartered Secretaries Southern Africa:**

- Effective minute taking presented by Karen Robinson: Staff members - Hendrik Mauyoma, Granny Paulus, Julia Gideon and Retha Steinmann participated in the webinar on 19 August 2019.
- The potential of the social and ethics committee and key trends, presented by Sibani Mngomezulu: Retha Steinmann participated in this webinar on 26 August 2019.



### **Invitation to the first Namibia Quality Assurance in Higher Education Conference 2019: 27 – 29 August 2019:**

The Law Society of Namibia received an invitation to attend a three-day conference on *The Role of Quality Assurance Systems in Enhancing Higher Education Outcomes in Namibia*. The invitation came from the National Council for Higher Education (hereinafter “NCHE”) which is established in terms of the Higher Education Act, Act 26 of 2003 and amongst others is mandated by the said Act to promote quality assurance in higher education.

The aim of the conference was to bring together practicing local and international Quality Assurance (hereinafter “QA”) practitioners and researchers to share experiences and good practices that promote the culture of quality in Higher Education Institutions (hereinafter “HEIs”). The conference also aimed at attracting QA practitioners beyond the borders of Namibia, while reviewing the progress made over the past 10 years of the implementation of the QA system, the conference further aimed at identifying challenges and opportunities, and mapped the way forward regarding the QA system for Higher Education in Namibia. Granny Paulus and Katuna Kamuhanga attended on behalf of the LSN. A full report of this conference is available at the LSN.

Photograph: **Granny Paulus** and **Katuna Kamuhanga**.



**Appointments: G5 Committee:** The G5 committee is a forum originally established by mutual agreement between the Ministry of Finance, ICAN and NIPA as a forum at which to discuss issues related to the tax system raised by the profession directly with the Ministry of Finance. The CEO of the Institute of Chartered Accountants (ICAN), Koos du Toit, invited the LSN to provide the ICAN Secretariat with the names of two representatives to serve on the G5 committee.

Appointed on 22 August 2019: **Mercy Kuzeeko** and **Joos Agenbach**.

**Anti-Money Laundering and Combatting the Financing of Terrorism and Proliferation Council:** Leonie Dunn advised the LSN that Elize Angula's term of office for appointment to the Anti-Money Laundering and Combatting the Financing of Terrorism and Proliferation Council has lapsed and suggested, in view of the projects presently undertaking by the council that she be re-appointed.



Appointed on 22 August 2019: **Elize Angula.** The alternate should be appointed in due course.

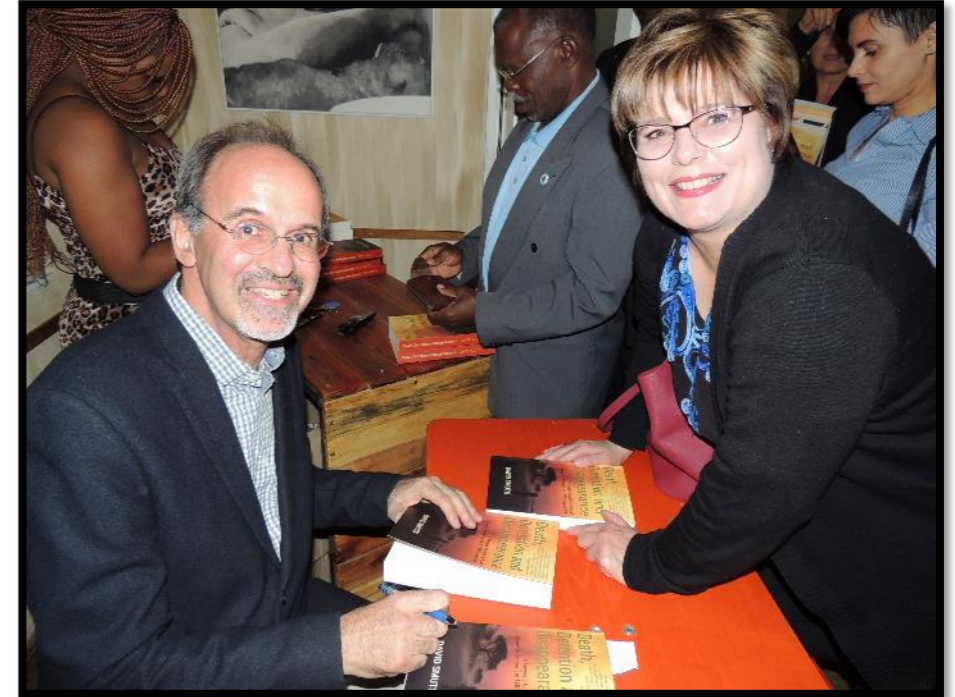
**Audit & Risk Committee: Heinrich Jansen van Vuuren,** who is a qualified auditor and legal practitioner was appointed as a member of ARC and he started attending meetings as from October 2019.



**Request for submission by members regarding the review of Conveyancing and Notarial Fees:** Members were informed of the Deed of Settlement entered into between Mr Stolze (as Applicant) and the Honourable Minister of Land Reform (as 1st Respondent) and the Registrar of Deeds (as 2nd Respondent) on the 10th of April 2019, which was made an order of court on the 15th of April 2019.

Members were advised that the first meeting of the Deeds Registries Regulations Board, appointed in terms of Section 9 of the Deeds Registries Act, 1937 (Act No. 47 of 1937) (“the Board”) was held on Wednesday the 7th of August 2019.

The LSN was informed that in terms of the provisions of Clause 3 (three) of the Deed of Settlement, mentioned above, the Board must complete the review process as to the fees and charges of conveyancers and notaries public on or before the 30th of August 2019.



### **Hon Justice DF Smuts – book launch: 29 August 2019**

The Honourable Justice David Smuts of the Supreme Court of Namibia released, on 30 August 2019, his new book on the life and work of an attorney in the 1980's in the then South West Africa. The book is published by South African publishing house, Tafelberg under the title "Death, Detention and Disappearance: A lawyer's battle to hold power to account in 1980's Namibia" and will be featured at the Open Book Festival in Cape Town in September 2019.

Justice Smuts was the founding director of the Legal Assistance Centre, established to provide legal representation to political leaders before Independence. His continuous struggle as a lawyer to protect human rights in general, and the rights of opponents of the South African occupation, in particular, forms the fabric of the narrative that he captures in his new book.

Retha Steinmann attended the book launch on 29 August 2019 at the Wine Bar and had her copy signed by Justice Smuts.

**SEPTEMBER 2019**

**Position Paper on Legal Practitioners and CLP Accused of criminal offences:** Between 2016 and 2017, the LSN consulted its members on a proposed position paper to create certainty and uniformity on the approach the LSN should adopt upon learning that a candidate or admitted legal practitioner has been accused of a crime that reflects on their being fit and proper to practice as a legal practitioner, where the criminal case has not been finalized.

A revised draft of the policy, that focuses on the implementation, was considered by the Ethics committees at their respective meetings and the LSN shared the position paper with the members for comments on 5 September 2019. The LSN has not received any comments as to date hereof.

**Conveyancing Examination:** The Board for Legal Education (the Board) has resolved to delink the upcoming and future conveyancing examinations from the examination in conveyancing offered by the Law Society of South Africa. Towards that end, the Board will no longer request the Law Society of South Africa to provide the Justice Training Centre with Examination question papers.

All prospective candidates for the examination in conveyancing were required to register at the Justice Training Centre from 09 to 23 September 2019 for 2019 intake of the examination against the payment of the prescribed fee. Thereafter, all registered candidates were required to attend compulsory tutorials, offered by the Justice Training Centre, with the focus on past examination papers to give candidates practical guidelines on how to answer examination questions. A registered candidate must obtain a minimum tutorial attendance of 80% before being permitted to sit for the conveyancing examination. Candidates who proceed to write the examination in conveyancing will be required to write two examination papers on the same day.

An invitation was also forwarded to the legal practitioners to show interest in conducting tutorials, setting and marking the conveyancing examination papers.



### Anton Lubowski – Memorial Lecture - 12 September 2019

On the 12<sup>th</sup> September 1989, 30 years ago this year, a colleague of ours, Anton Lubowski, was assassinated outside his home in Windhoek. At the time of his death, he was a member of the Windhoek Bar.



The late Anton Lubowski was also an alumnus of the University of Stellenbosch. This institution arranged a public memorial lecture on 12 September 2019, to celebrate the life of the anti-apartheid activist and advocate, **Anton Theodor Eberhard August Lubowski (3 February 1952 – 12 September 1989)**, on the 30th anniversary of his death.

Speakers included political commentator Max du Preez, Judge Albie Sachs and Dr Leslie van Rooi, Senior Director: Social Impact and Transformation at Stellenbosch University (SU).

The Memorial Lecture was presented by the SU Faculty of Law, in collaboration with the Development and Alumni Relations Division, Simonsberg Residence and the Frederik van Zyl Slabbert Institute for Student Leadership Development.

The LSN informed its members that this event would be available on video.

Photo (left): Sun.ac.za

Photo: Charl Adams, Max du Preez, Albie Sachs, Prof Nicola Smit and Dr Leslie van Rooi at the first Anton Lubowski Memorial Lecture. (Photographer: Anton Jordaan)



**Consultative workshop on the 2020 stakeholder priority fields of study, Namibia Students Financial Assistance Fund (NSFAF) – 10 September 2019:** On the 27<sup>th</sup> of August 2019, the Law Society of Namibia received an invitation from NSFAF to a consultative Workshop in determination of 2020 Priority Fields of Study. The workshop took place at the auditorium of NSFAF Head Office 746 Eros Road, Eros, Windhoek on Tuesday, 10 September 2019 from 08:00 to 16:00. The workshop was attended by a number of identified key stakeholders including the LSN. On behalf of the LSN Hendrik Mauyoma (Senior Legal Officer of the LSN) attended to the first session of the meeting from 08:00 am to 13:00 pm and Granny Paulus (Legal officer of the LSN) attended to the second session of the meeting from 14:00 pm to 16:00 pm. A report is available.

**Invitation to attend the presentation and discussion of the draft Public Passenger Transport Act – 12 September 2019:** The Hon. Deputy Minister James Sankwasa welcomed everyone present to the meeting. The Deputy Minister delivered the official opening by starting off with his introduction stating that Namibia has long used the Road Transportation Act of 1977, which was amended by the Road Traffic and Transport Act of 1999, however the latter did not address all the issues and challenges experienced by road users therefore same resulted in the reason of introducing this Road Public Passenger Transport Bill (hereinafter “RPPT”) to attend and cater for those omissions and challenges faced in the transportation industry. The Hon. Deputy Minister further presented that the aim of the Bill is to look at the sustainability of the transportation industry. He emphasised that the RPPT is available for scrutiny from all interested stakeholders to establish a final working document, therefore, he invited everyone present to be actively participant in this exercise for better results. Granny Paulus attended on behalf of the LSN. A report is available at the LSN.

**ICAN, BIPA, NIPA, LSN meeting:** Meyer van den Berg attended the meeting on 18 September 2019.

**Training on Access to Justice for persons with disabilities: 18 – 19 September 2019, Midgard:** Dianah Msipa who is the Programme Officer of the Disability Rights Unit Centre for Human Rights at the University of Pretoria, was the main speaker and she welcomed everyone to the workshop. She stated that the centre for Human Rights is part of the curriculum of law at the University of Pretoria, whereby they do different kinds of projects all over Africa. D Msipa further mentioned that so far in 2019 they implemented their projects in Namibia, Zambia, South Africa and Botswana and that according to how everything goes, they will decide on whether to implement in other African countries come the year 2020. The idea behind this training is to address the specific barrier of persons with disabilities not having access to justice on an equal basis with others. Granny Paulus attended on behalf of the LSN. A report of this training is available at the LSN.

**Photograph: Hilma Mwata (Prosecutor in Okahandja), Granny Paulus and Sarafine Martin (Research assistant at Supreme Court).**



## Free Legal Advice Day (FLAD) 19 September 2019

The Free Legal Advice Days form part of the Law Society's objectives to make legal services more accessible to those members of the public who cannot afford legal services. It also provides an opportunity to skilled professionals to give back to their communities.

Since its inception in 2014, the Office of the Ombudsman has been instrumental in the success of the FLAD by supporting this project and assisting the LSN with the venues and advertising the event in the regions.

The Windhoek FLAD took place on Thursday, 19 September 2019 at the UN Plaza Community Hall, Soweto, Katutura, in a revised format. It was held after office hours (from 17h00 – 20h30). The following topics were addressed in the form of panel discussions, where after time was allowed for questions:

- Wills & Estates (presented by J Nghishitende - Office of the Master of the High Court)
- Labour (presented by K Sihlahla - Office of the Labour Commissioner)
- Mal-administration (presented by Ombudsman J Walters – Ombudsman: Namibia)
- Children's rights (presented by I Husselmann – Office of the Ombudsman)
- Domestic Violence and Divorce & maintenance (presented by A-D Hans-Kaumbi – Ueitele & Hans Inc)

The revised format better catered for those members of the public who are employed and cannot necessarily afford the time-off during work hours to attend and long waiting periods for individual consultations, were avoided.

The Honourable Madam Rachel Jacob, Chairperson of Khomas Regional Council, officially opened the event and LSN Council member, Mr Etuna Josua, delivered the welcoming remarks. LSN Senior Legal Officer, Hendrik Mauyoma, officiated the event.

On this occasion eighty-one (81) members of the public benefited from the FLAD and various legal practitioners were also in attendance.

The Chairperson, Council and Directorate of the Law Society of Namibia sincerely thank all involved for their participation and support in making the Free Legal Advice Day project a success.

**FREE LEGAL ADVICE DAY**

**THE LAW SOCIETY OF NAMIBIA**

**OMBUDSMAN NAMIBIA**  
THE OTHER SIDE OF THE COIN

**FREE LEGAL ADVICE DAY**  
A project of the Law Society of Namibia, in conjunction with the Office of the Ombudsman

**Date:** Thursday, 19 September 2019  
**Time:** 17h15—20h00  
**Venue:** UN Plaza Community Hall, Soweto, Katutura

**Free Legal Advice will be given on the following topics:**

- Wills & Estates
- Domestic Violence
- Maintenance
- Divorce
- Labour Law
- Maladministration

**For further enquiries, please contact:**  
Ms Ingrid Husselmann, Tel: 061-207 3227  
Mr Timothy Shengedhi, Tel: 061-207 3218  
Ms Daphne Coetzee, Tel: 061-207 3239  
Office Telephone Number: 061-207 3111  
Mr Hendrik Mauyoma, Tel: 061-228263



## Free Legal Advice (FLAD) 19 September 2019





**Nominations: Medicines and Related Substance Appeal Committee:** The Namibia Medicines Regulatory Council (NMRC) is a statutory body established by the Medicines and Related Substances Control Act, Act 13 of 2003. The NMRC is mandated to control the use of medicines and medical products in Namibia. The Act also makes provision for persons aggrieved by a decision of the NMRC to appeal to the Minister on the matter. The Minister of Health and Social Services is required to appoint an Appeal Committee in terms of Section 34(2), which must be chaired by a judge or a lawyer with at least five (5) years of experience.

Nominated on 13 September 2019: **Antonius Shapumba** and **Eliaser Nekwaya**.

## International Institute of Law Association Chief Executives (IILACE) Conference - Tokyo Japan

**Retha Steinmann**, in her capacity as the President of IILACE attended the conference in Japan from 18 – 22 September 2019. Her attendance was partly sponsored by IILACE.

The programme covered the following topics:

- At a Crossroads – competition or Synergy?
- Out of the Shadows: Mental Health and Substance Abuse in the Legal Profession – Tackling Stigma and Taking Action.
- How to Cope with a Communication Crisis – Best Practices and Case Studies for Developing External Communication Strategies.
- Organisational Development
- Retaining Key Staff and Measuring their Performance
- Succession Planning for CEOs
- How to be a better CEO?
- What Keeps you up at Night?
- Annual General Meeting
- Post conference trip to Kyoto.

Retha participates in monthly teleconferences of the IILACE Executive Committee and the IILACE Programme Committee.

Retha's term as President will come to an end in November 2020. The conference is coming to Africa in 2020 and the LSN has been requested to host the 2020 IILACE conference, which will take place in Swakopmund.





**International Bar Association Annual Conference – 22 – 27 September 2019: Seoul, South Korea**

**Retha Steinmann** attended the **Bar Executives meeting** on Tuesday, 24 September 2019 at the Korean Bar Association and the 3-day BIC programme of the IBA from 25 – 27 September 2019 at the COEX in Seoul.

**Group photograph:** Bar Executive Officers Committee Meeting, Seoul, South Korea – 24 September 2019.

This programme was offered to the chief executive officers, bar association chief executives, international liaison officers and others who are responsible for the day-to-day running of their association and international project work. The President of the Korean Bar Association, Chan Hee Lee, welcomed all. The meeting topic focused on ‘What can Bars and Law Societies do to improve the image of the legal profession?’ The keynote speaker was Paul Tennant OBE Chief Executive of the Law Society of England & Wales.

This **3-day Bar Issues Commission programme**, held from 25 – 27 September 2019, focused on:

- BIC Bar Leaders’ Forum.
- BIC Showcase: Collapse of the middle – the different impacts of modern populism in and within bars and the legal profession.
- Exaggerated reports of death: The place of the small firm in international practice.
- To regulate or not to regulate – or somewhere in between? A conversation about legal services sector disruptors.
- Rule of Law Symposium: The global view – threats to the independence of the legal profession, the rule of law and access to justice.
- Rule of Law Symposium: Best practices to address the persecution of lawyers and judges and threats to the independence of the legal profession – what we can do.



**OCTOBER 2019**



**FIC: Capacity Building needs assessment // criminal investigation of proliferation & related offences:** 2 October 2019: Mbushandje Ntinda was nominated to attend on behalf of the LSN at the Hilton Hotel.

**Invitation to the launch of the Round 8 Afrobarometer Survey in Namibia – 16 October 2019:** Christie Keulder from Survey Warehouse was the presenter. He introduced what Afrobarometer is - a Pan-African, non-partisan, non-profit research network that measures citizen attitudes on democracy and governance, the economy, civil society, and other topics. He further stated that the goal is to give the public a voice in policymaking by providing high-quality public opinion data to policymakers, policy advocates, civil society organisations, academics, news media, donors and investors, and ordinary Africans. Granny Paulus attended on behalf of the LSN. A report is available at the LSN.

Hendrik Mauyoma attended the session 13 November 2019 – a presentation by Survey Warehouse on **Public perceptions on Government's Performance**. The workshop was attended by at least 10 delegates of which most were from the media and as a result most of the questions were posted by the media house on perceptions on Government's performance.

**Cornastone Platinum Celebration dinner: 24 October 2019:** The Director was invited and attended the event at Droombos.

## Free Legal Advice Day – Tsumeb: 24 October 2019

The **2nd** Free Legal Advice Day took place in Tsumeb at the Benjamin Kheimseb Community Hall, Nomtsoub on 24 October 2019 where about between eighty and ninety members of the public were in attendance and benefitted from the FLAD.

The Chairperson, Council and Directorate of the LSN sincerely thank all involved for their participation and support in making the FLAD project a success. The event was well attended by a number of identified key stakeholders such as The Mayor, His Worship, Mr. Mathew Hangula officially opened the event and President of the Council of Law Society, Stacey Bock, delivered the welcoming remarks. LSN Senior Legal Officer, Hendrik Mauyoma officiated the event.

Presentations were also made by:

Olivia Mutjavikua of the Office of the Master of the High Court on ‘Wills & Estates’.

Ingrid Husselman, Children’s Advocate at the Office of the Ombudsman on ‘Children’s Rights’ and ‘Mal-administration’;

Wilke van Greunen on ‘Labour’;

Maronel du Plessis on ‘Domestic Violence’ and ‘Divorce and Maintenance’.

On this occasion between 80 and 90 members of the public attended and benefitted from this Free Legal Advice Day.

### FREE LEGAL ADVICE DAY



**FREE LEGAL ADVICE DAY**  
A project of the Law Society of Namibia, in conjunction with the Office of the Ombudsman

**Date:** Thursday, 24 October 2019  
**Time:** 16h30—20h00  
**Venue:** Benjamin Kheimseb Community Hall, Nomtsoub—Tsumeb

**Free Legal Advice will be given on the following topics:**

- Wills & Estates
- Domestic Violence
- Maintenance
- Divorce
- Labour Law
- Maladministration
- Children’s Rights

**For further enquiries, please contact:**

Ms Ingrid Husselmann, Tel: 061-207 3227  
Mr Timothy Shangadi, Tel: 061-207 3218  
Ms Daphne Coetzee, Tel: 061-207 3239  
Office Telephone Number: 061-207 3111  
Mr Hendrik Mauyoma, Tel: 061-230263  
Ms Ivy Pretorius: Tel:061 230 263



## Free Legal Advice Day - 24 October 2019 Tsumeb

Top FLTR:

Ingrid Husselmann – Office of the Ombudsman and The Mayor, His Worship, Mr. Mathew Hangula.

Wilke van Greunen and Stacey Bock, - LSN Chairperson.

Olivia Mutjavikua – Office of the Master of the High Court.

Bottom FLTR:

Tjitja Harases, Maronel du Plessis, A Metengu (Ministry of Labour) and Wilke van Greunen.  
Hendrik Mauyoma (Senior Legal Officer), Kenneth Siambango (Legal Aid) and Stacey Bock.



## **Mid-north Circle Meeting – Tsumeb: 25 October 2019**

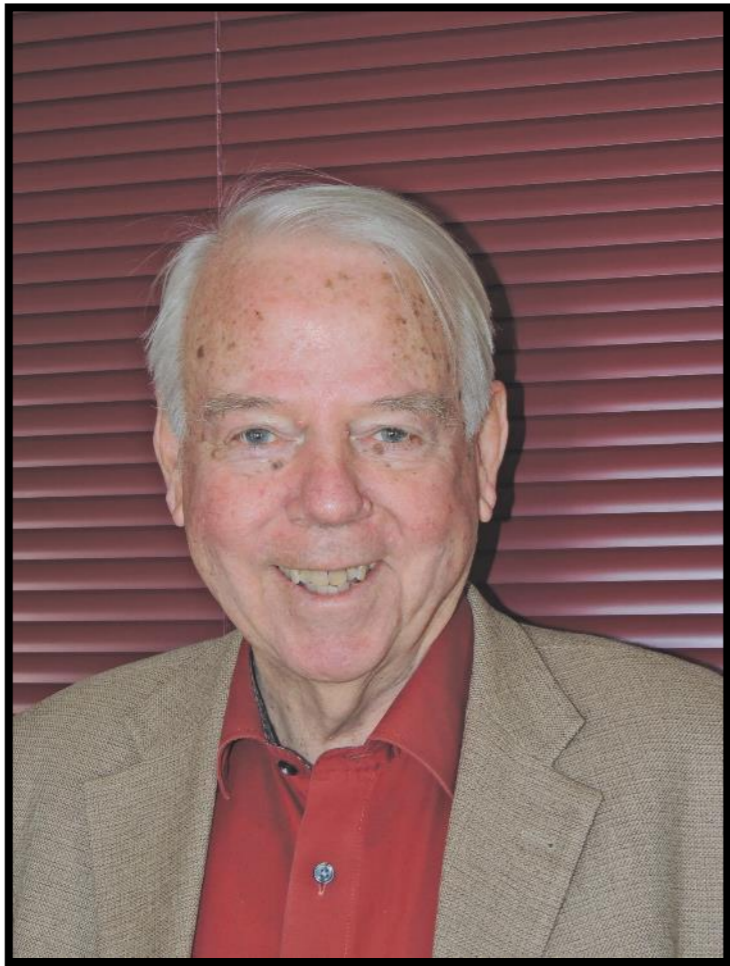
Back:

Wilke van Greunen, Cornelius de Koning, Charlie Bodenstein, Francois Pretorius, Kenneth Siambango, Hendrik Mauyoma (LSN Senior Legal Officer)

Front:

Maronel du Plessis, Stacey Bock, Tjitja Harases

**NOVEMBER 2019**



**Nominations: Proposed Changes to Rules of the Court and Assessment of Progress made in implementation of case management in the High Court:** On the request of the Honourable Judge President, the Judges of the High Court, assisted by the Registrar, have proposed some amendments to the Rules of the High Court. In addition, the judges have drafted proposed rules for the creation of a Commercial List. The Hon Judge President has begun to study the two sets of rules with the view of improving them, but however feels that the process will be incomplete without the benefit of the views of the practising profession. The LSN was required to assign four practitioners willing to sacrifice time to study the draft rules and to critique them. The Honourable Judge President intends to convene a meeting with the nominated candidates in either November or December 2019 to agree on a work program. In addition an opportunity will also be afforded to selected members of the profession to share experiences with case-management since its introduction and to make proposals on how the system can be improved.

Nominated on 31 October 2019: **Andreas Vaatz**. Nominated on 11 November 2018: **Yoletta Campbell**.

Members interested to be considered for nomination should advise the Director as soon as possible.

**Financial Overview:** The Law Society's operating surplus for the year ending 30 June 2019 was N\$1,159,957.00, or 12% of total revenue. The surplus was driven by cost savings and certain expenses of a 'capital nature' that were budgeted for but not utilised during the year. These under-utilised expenses will be carried forward to the new budget.

The balance sheet was strengthened this past year as net assets increased from N\$6.4 million to N\$10 million. The increase in net assets was driven by investment of surplus funds.

The LSN received an unqualified audit report for the financial year - 30 June 2019.

**Risk & Compliance:** The protection of trust monies, held by practitioners in private practice forms an integral part of the protection of the integrity of the legal profession. The LSN plays a pivotal role in protecting such public funds by assisting firms in complying with the rules and regulations regarding the keeping of trust monies, by providing services to address risk management and by conducting regular inspections to ensure that firms do comply.

**Background: Reform Audit Support System (RASS) / Risk & Compliance Unit (RCU):** The pilot Reform Audit Support System (RASS project), was adopted from the KwaZulu Natal Law Society, at the time, and was a meaningful, helpful, educational and constructive alternative to trust account audits in Namibia. It was initially provided to the firms, who volunteered to be part of the project, free of charge and was more focused on the newly established firms.

The compelling reason to implement the project in Namibia was that it had the potential to reduce costs (for firms and the Legal Practitioners Fidelity Fund – LPFF) and for the early detection of defalcations. It was not intended to eradicate dishonesty nor deter members from stealing from their client's trust monies, but certainly it helped the overwhelming majority of honest and ethical members to arrange their own affairs effectively.

SEP  
L  
SEP

This project was initiated to, inter alia, reflect a remedial approach by providing on-site guidance and recommendations aimed at helping a firm to correct minor deficiencies with its bookkeeping practices before they lead to serious non-compliance or misconduct issues. [L T L] [SEP SEP] It also assisted members and guided legal practitioners to make the right choices prior to opening a law firm or accepting the appointment as a partner/director and ensured that the lawful requirements were adhered to by the time that the Director had to consider the application for a fidelity fund certificate. [L T L] [SEP SEP] The LPFF, which initially carried the expenses, requested the LSN to recover part of the expenses and a subsidised fee was implemented after 2012. [L T L] [SEP SEP] RASS was subsequently renamed Risk & Compliance Unit (RCU) and additional staff members were employed to cater for the increased workload generated by the trust account inspections. [L T L] [SEP SEP] However, even with a larger staff complement, various factors hampered the timeous completion of the trust account inspections and efficiency of the unit. [L T L] [SEP SEP] **Recent Events:** The LPFF, who contributed towards the expenses of the RCU decided, approximately two years ago, to appoint consultants to investigate and advise it on the efficiency and effectiveness of the unit. At the end of 2018 the LPFF advised that it would no longer be funding RCU. This caused a predicament for the LSN, who does not have the funds to sustain the RCU on its own. [L T L] [SEP SEP] Furthermore, the contracts of the RCU Senior Inspectors came to an end on 31 December 2018 and the Manager: RCU resigned at the end of February 2019. [L T L] [SEP SEP] From the above mentioned it is evident that without resources (financial and staff), it was not viable for the LSN to continue with the RCU, in its current format. [L T L] [SEP SEP] **Interim Arrangements as Resolved by Council – April 2019:** Due to the huge number of outstanding trust account inspections and audits the LSN received the consent of the LPFF to utilize the remainder of funding provided by the LPFF for RCU, towards working off the backlog in the Risk & Compliance Unit. [L T L] [SEP SEP]



To that end, the LSN requested proposals and appointed Consultant(s) from Windhoek, Walvis Bay, Swakopmund, Mariental, Oshakati, Ondangwa, Otjiwarongo and Tsumeb to conduct trust account compliance inspections / audits at law firms who are participating in the Risk & Compliance programme of the Law Society of Namibia to assist, inter alia, in:

- finalising closing down, outstanding and pending trust account compliance audits / inspections in terms of adopted standards and methodologies and strict timelines;
- preparing written inspection reports on potential and imminent risks, lack of internal controls and procedures at the firms and non-compliance with the Legal Practitioners Act (15 of 1995), the Rules of the Law Society and any other legislation that impacts on the legal profession, i.e. Financial Intelligence Act, Competition legislation and the Usury Act;
- discussing the reports with the legal practitioners and obtain their written explanations on non-compliance / qualifications;
- ensuring submission of the abovementioned detailed inspection reports and responses, in respect of audits / reviews / inspections, to the Law Society Director and Council;
- processing audit refunds; and
- assisting with curator bonis Agent functions, if necessary.

During this interim period the fees charged to the law firms remained the same as charged for the RCU trust account inspections, namely N\$3,360-00 per practitioner (excluding VAT). Firms, who were due for a RCU trust account inspection (including closing down inspections and pending inspections) were therefore advised to have their trust books of account ready. The LSN entered into contracts with the chosen Consultants, where after the dates for the inspection was arranged with the firms, subject thereto that it must fall within the period 20 May 2019 to 30 June 2019. These dates were not realistic and all the outstanding audits for February 2019 were completed by September 2019.

Newly established firms, who applied to be part of the RCU programme and who have not yet been inspected by RCU, were advised that their application for participation in RCU could not be accepted at the time and they were advised to appoint an independent auditor and ensure that the audit is completed within 6 months after financial year-end.

**Long Term Arrangements:** The LSN is currently involved in discussions with the LPFF and other regulatory bodies to establish the future and viability of a unit dealing with risks and compliance and to explore all options in ensuring the LSN and LPFF comply with its statutory duties. Members shall be kept updated on any developments made herein.

**Regional and International Representation:** You may have noticed that we have attended various international and regional conferences. One of the objects of the LSN (Section 41(k) of the LPA) is to co-operate with the representative bodies of other professional bodies.

In terms of Section 71 (a)(iii), the LPFF, with the approval of the Council make grants on such condition as the board of control may determine with such approval - to assist in the representation of members of the Law Society in participating in the activities of any international or regional association of legal practitioners where such participation is, in the opinion of the board of control, in the interest of the Law Society of the administration of justice in Namibia, or of education in the science of law or in legal practice, and may, with such approval, at any time revoke such grant or a part thereof.

It should be noted that:

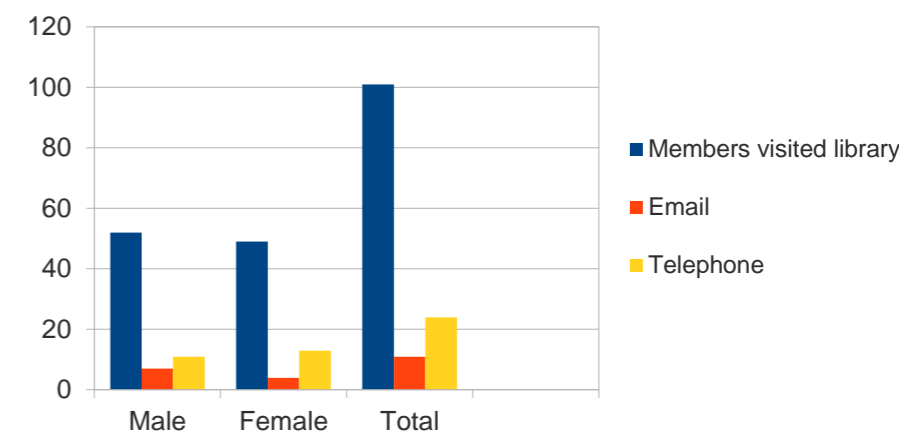
- Legal professional bodies are complex organisations and we face complex challenges and have a unique perspective.
- By attending conferences, we meet other bar leaders and CEOs of law associations from various jurisdictions.
- No matter how small a law society is, we share common goals and experience similar issues.
- We discuss topics, which are relevant to law societies across the globe.
- It sensitises us to issues, which might not yet be relevant in our jurisdictions, but which might become relevant.
- It informs us of world trends and developments in the legal environment.
- It provides relevant training to bar leaders and CEOs of law societies, which is important for personal development and empowerment.
- It provides information, training and guidance, which we can implement in any size law society.
- It provides a better understanding of our structures, Council, staff and members.
- It helps the elected leaders and CEOs to make better decisions relating to our associations on policy matters and to practically, effectively and efficiently manage our organisations in the best interests of our members and in the public interest.
- Exchange of views and information of common interest to the legal profession, locally, regionally and internationally.
- It supports the role of law societies and bar associations and promotes the rule of law.
- Networking opportunity and interaction with other specialists in their fields and experienced chief executives of law societies and bar associations from around the world, doing essentially the same job only in different cultures, conditions and parts of the world, who are willing to share their knowledge, problems, solutions, expertise and experience.
- As Council often send new people to the conferences, it is difficult to build long lasting relationships or to be elected on the councils of the international and regional boards. It is therefore important that the elected representatives should attend the conference.
- Whenever possible, we apply for sponsorships and bursaries to curtail the costs involved in attending conferences.
- It is further required, that legal practitioners, who represented the LSN at the various conferences should submit attendance reports with action points, which action points are then shared with the relevant committees and Council for implementation or consideration.

**Office Renovations:** At the end of 2015 the LSN’s office was damaged due to a water pipe burst in the kitchen. The LSN was insured against the damage and the insurance company paid an amount of N\$ 473,269 for the replacement of certain damaged equipment, furniture and flooring. The LSN has since considered various options, not only to replace the equipment and furniture, but also do a total revamp of the offices and to change the layout to accommodate the various departments and staff members. A tender process was followed to appoint a Project Manager, Manda Bakkes, to manage the renovations and subsequently she issued tenders for the selection of the contractor. The renovations are due to start renovations as from the middle of January 2020.

**General Officer for Serving of Process (GOSP):** The Law Society provides a general office for the serving of processes to 103 Windhoek firms. This service is provided to participating firms.

**Library:** We believe that the library, in its current location, does not provide the necessary tranquillity and privacy for users to comfortably do research or even study. As part of the renovations the library will move to an area which can provide more privacy to the users. The Law Society, with the assistance of LPFF, spent N\$178,065.00 on new publications for the past year.

The Library User Report (right) for the last two months, shows the number of members who made use of the library facilities. We anticipate that these numbers will increase once the library is moved and renovated.



02 September 2019 to 30 September 2019				
	Members Visiting	Email enquiries	Telephonic Enquiries	Total
Male	52	7	11	70
Female	49	4	13	66
Total	101	11	24	136

01 October 2019 to 31 October 2019				
	Members Visiting	Email enquiries	Telephonic Enquiries	Total
Male	44	10	12	66
Female	45	10	18	73
Total	89	20	30	139

**Namlex Chambers – Body Corporate:** The LSN owns the first floor in Namlex Chambers, which is the LSN’s most valuable asset. The Director is the representative of the LSN on the Namlex Chambers Body Corporate and served as its Chairperson for the past year. The AGM of the Body Corporate will be held in January 2020.

**Judicial Service Commission:** The LSN is represented on the JSC by **Uno Katjipuka-Sibolele**.

On various occasions the LSN distributed information on judges vacancies and interviewed potential candidates. The candidate is required to possess an underlying understanding of various principles of substantive and procedural law in the stream in which he or she is nominated. The candidate is further required to display skills profile necessary to use the law as a tool for social transformation. Furthermore, the Judicial Service Commission reserves the discretion to not shortlist candidates who were previously nominated but found not suitable for possible appointment.

**Acting Judges List:** The Acting Judges list of the LSN, as from 18 April 2018 to 09 July 2019, consists of: Leezhel van Wyk; Matti Asino; Lotta Ambunda-Nashilundo; Ileni Velikoshi; Wouter Rossouw; Jackson Eixab & Sandra Miller.



## Change Project

The LSN, with the financial assistance of the Namibian Legal Practitioners' Fidelity Fund (LPFF) and the Namibia Legal Practitioners' Trust (NLPT), and the input of its partners and stakeholders in the Namibian legal profession, embarked on the Change Project in 2016. With the goal of making the Namibian legal profession more relevant and responsive to the society it serves, and ensuring the profession maintains international standards and best practices in the Namibian context, the Project critically assessed all aspects of the Namibian legal profession. The assessment highlighted comprehensive, evidence-based recommendations for change to the legal profession's key stakeholders.

The Project's two main research studies were completed towards the end of 2017. First, using a survey research methodology designed by Namibian experts (and one Canadian expert) and approved by the relevant Namibian authority, Survey Warehouse conducted in-depth interviews with key stakeholders, and completed quantitative surveys of numerous Namibian companies, 360 individual users of legal representation throughout several regions, and 370 legal practitioners. Secondly, the Legal Assistance Centre was contracted to conduct desktop research on regional and international best practices on relevant topics. The reports, produced by Survey Warehouse and LAC, were made available to the Hon. Minister of Justice, the Hon. Attorney General and all legal practitioners toward the end of 2017.

The Council of the LSN subsequently deliberated on recommendations from the Steering Committee. These recommendations were then cast in proposed policies, rules and legislative amendments by procured legal drafters. The draft Bill was submitted to the Hon Minister of Justice and the idea was to also make it available for wide consultation with the LSN's partners and stakeholders.

Some matters were further deliberated early in 2019 by smaller groups of the Steering Committee. Subsequently, the revised version of the Bill was submitted to the Hon Minister of Justice.

The idea was that once the Minister provides the Steering Committee and Council with feedback, the members and other stakeholders will be consulted.

In a press release issued by the Minister of Justice on 4 November 2019, it was stated that the Legal Practitioners Act, 1995 will be overhauled in 2020. The section regulating the Board for Legal Education will be made into a separate Act and the Minister will be given greater oversight in the functioning of the Disciplinary Committee.

The Steering Committee shall provide the members with an update on the status of the Change Project at the AGM.

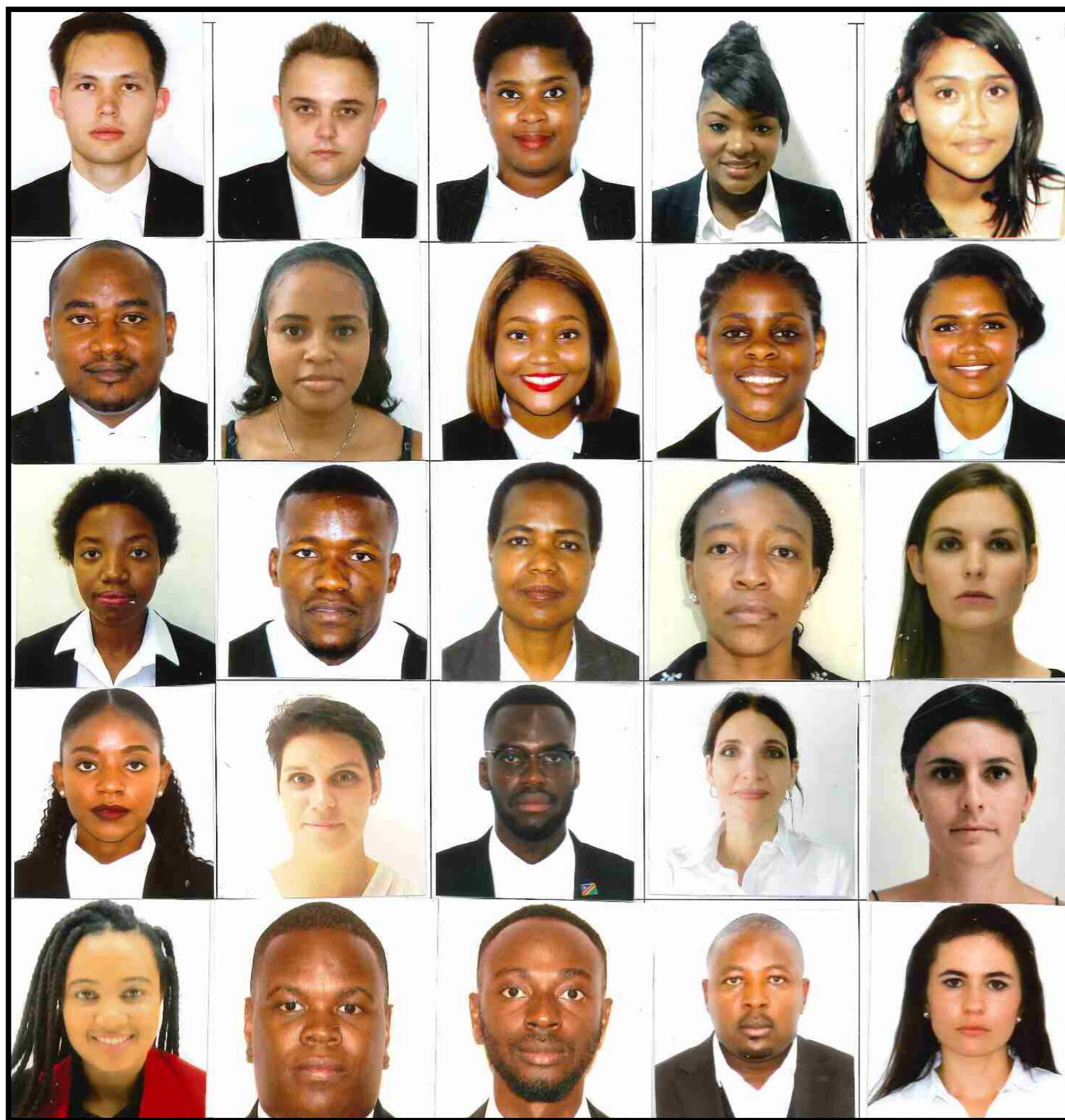


**The Change Project - Steering Committee:** Saima Nambinga, Toni Hancox, Stacey Bock, Eben de Klerk (Project Manager), Ramon Maasdorp (Chairperson) and Director Retha Steinmann met on 13 November 2019. Anne-Doris Hans-Kaumbi was not present.

## Statistics as at 8 November 2019

All recorded members	998
Active	912
Male members	451
Previously disadvantaged males	241
Previously advantaged males	210
Female members	461
Previously disadvantaged females	314
Previously advantaged females	147
Practising at firms	416
• Sole Practitioners	108 firms
• Incorporated	33 firms
• Partnerships	26 firms
Society of Advocates	36
Elsewhere employed	456
Unknown	40

The newly admitted members, since the President's Report for the 2018 AGM to 8 November 2019 are:



**Row 1:**

Marko Himmel – LSN No. 936  
 Petrus Liebenberg – LSN No. 937  
 Shumirai Nyashanu – LSN No. 938  
 Hambeleni Heita – LSN No. 939  
 Carmen Strauss – LSN No. 940

**Row 2:**

Antonius Shapumba – LSN No. 941  
 Luchandre Zimmer – LSN No. 942  
 Waldeline Simson – LSN No. 943  
 Elizabet Manasse – LSN No. 944  
 Andi Janke – LSN No. 945

**Row 3**

Sara Kandume – LSN No. 946  
 Himeekua Ketjijere – LSN No. 947  
 Alice Gawanas – LSN No. 948  
 Celesta Kandanga – LSN No. 949  
 Marion van Dorssen – LSN No. 950

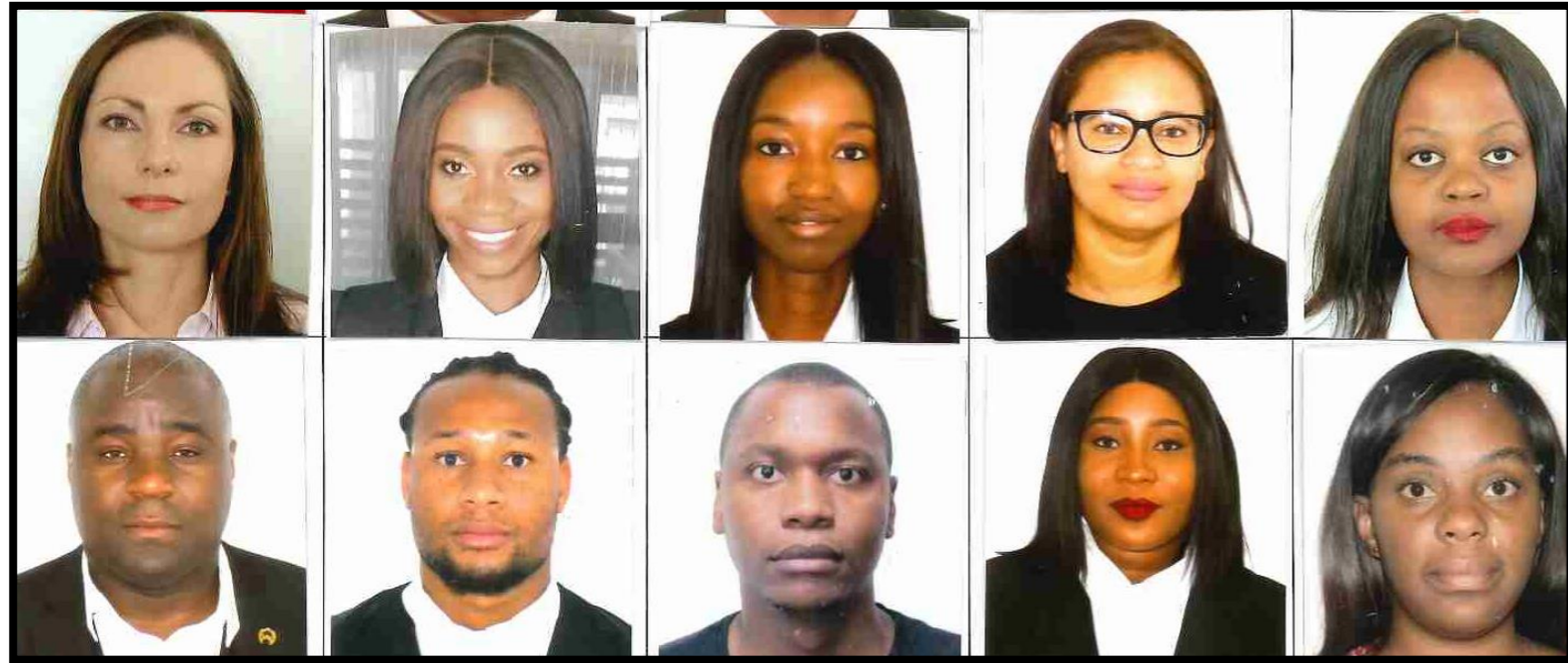
**Row 4**

Alice Makemba – LSN No. 951  
 Suene du Plooy – LSN No. 952  
 Sabianus Newaka – LSN No. 953  
 Esme Fourie – LSN No. 954  
 Corlia Maritz – LSN No. 955

**Row 5:**

Gina Katjivena – LSN. No 956  
 Theodore Thamiseb – LSN No. 957  
 Gottlieb Japhet – LSN No. 958  
 Veiko Alexander – LSN No. 959  
 Tanita van der Merwe – LSN No. 960





**Row 6:**

Sonja de Beer – LSN No. 961  
 Natalia Heita – LSN No. 962  
 Faustinia Nashama – LSN No. 963  
 Azelle Mouton – LSN No. 964  
 Mpule Siyomunji – LSN No. 965

**Row 7:**

Jonas Matheus – LSN No. 966  
 Lloyd Munyungano – LSN No. 967  
 Ndelitungapo Ndaitwah – LSN No. 968  
 Priscilla Nande – LSN No. 969  
 Helvi Hilifilwa – LSN No. 970

**Row 8:**

Magarete van Niekerk – LSN No. 971  
 Leandri Lambert – LSN No. 972  
 Riaan Bruyns – LSN No. 973  
 Ndiriraro Kauari – LSN No. 974  
 Sara Nghishidimbwa – LSN No. 975

**Row 9:**

Hesekiel Ipinge – LSN No. 976  
 Tracey-Lee Junius – LSN No. 977  
 Shomany Keister – LSN No. 978





**Row 10:**

Johanna von Wielligh – LSN No. 979  
 Eino Nangolo – 980  
 Iyaloo Hamulungu – 981  
 Undjakuje Rukambe – 982  
 Leon Lochner - 983

**Row 11:**

ZandreDuvenhage – 984  
 Konrad Marais – 985  
 Timothy Olivier – 986  
 Raimund Strzekecki – 987  
 Alexanderie Basson - 988

**Row 12:**

Magano Katoole – 989  
 Ester Embanga – 990  
 Anita Grobler – 991  
 Henry Kapalu – 992  
 Marike Botha – 993

**Row 13:**

Reinette Steyn – 994  
 Kenneth Siambango – 995  
 Ilda dos Santos – 996  
 Utaara Jauch – 997  
 Alex Zambwe - 998

-



### **Directorate / Staff**

Lorraine Naris - General Officer for Serving of Process (GOSP) and Reception; Emillie Konstantin – Librarian, Patresia Afrikaner – Messenger / Cleaner; Charles Rose – Financial Controller; Lorraine Barnes – Temporary Assistant Finance; Ivy Pretorius – Office Administrator Professional Affairs; Granny Paulus – Legal Officer; Jeremy Cloete – Manager Finance & HR; Julia Gideon – Junior Legal Officer & Assistant to Director; Hendrik Mauyoma – Senior Legal Officer; Retha Steinmann – Director.

Photograph – Litchi Photography



## **Directorate / Staff Teambuilding: 9 November 2019**

The staff teambuilding was presented by Cecilia Smith of Pewter Box and took place on Saturday, 9 November 2019 at Magnifique Gifts.

Not only did the staff enjoy this creative and fun session, but each one also left with their own creation – a handmade pewter and wood coat hanger.

## Condolences

Barbara Whittle of the Law Society of South Africa, lost her battle with cancer and passed away on 10 July 2019. She has been in the employ of the LSSA since 1987 where she started of as an Editorial Assistant at the De Rebus and from 2006 she was the LSSA's Communications Manager.

Many of us, who have attended the LSSA's conference and AGM got to know Barbara well. She will be fondly remembered for her kind character; her assistance to the LSN over many years, always willing to go the extra mile; and the warm welcomes and hospitality extended to the Namibian delegations when we attended the LSSA conferences and annual general meetings.

The President, Council and Director of the LSN extend their deepest condolences and heartfelt sympathy to the bereaved family, relatives and friend of the late Barbara Whittle and wish them strength during this period of bereavement.

Photograph top: De Rebus

Barbara Whittle and Retha Steinmann. Photograph taken at the "Bollywood"-themed dinner held in 2011 LSSA conference and AGM held at Zimbali Hotel.



## BURSARIES AWARDED FOR 2019

As part of its policy to promote the education of candidates to gain entry to the profession, the Law Society, on recommendation of its Standing Committee on Bursaries, granted bursaries to a number of students.

The recipients for 2019 are the following (in alphabetical order):

### Bursaries re-allocated:

Cara Allen	LLB	University of Namibia
Cornelia Hausiku	LLB	Rhodes University
Winnie Katjuongua	LLB	University of Namibia
Lahja Nangolo	LLB	University of Namibia
Victoria Naunyango	LLB	University of South Africa
Ethan Sipapela	LLB	University of Namibia

### New Bursaries:

Uzapo Kahuikee	LLB (University of Namibia)
Tjiunavio Kambako	LLB (University of Namibia)
Charmandy Kandjima	LLB (University of Namibia)

The amount spent on bursaries amount to N\$206,000.00.

It would not have been possible for the LSN to award these bursaries if not for the continued financial contributions of the Legal Practitioners' Fidelity Fund (LPFF) and the Namibian Legal Practitioners' Trust (NLPT).

The LPFF contributed 2/3<sup>rd</sup> of the bursary funds in the amount of N\$137,333.00 and the NLPT contributed 1/3<sup>rd</sup> of the bursary funds in the amount of N\$68,667.00.

We thank the NLPT and the LPFF for their continued commitment in investing in the future of our legal profession.

**Top Row:** Cornelia Hausiku (2nd year - Rhodes University, Lahja Nangolo (2nd year – UNAM), Victoria Naunyango (2nd year – UNISA).

**Middle Row:** Ethan Sipapela (2nd year – UNAM), Cara Allen (2nd year – UNAM), Winnie Katjuongua (2nd year – UNAM).

**Bottom Row:** Tjiunavio Kambako (1st year – UNAM), Uzapo Kahuikee (1st year – UNAM), Charmandy Kandjima (1st year students- UNAM).



**Social Responsibility: Blood Donation Clinic:** The LSN again arranged a Blood Donation clinic at the LSN on 25 April 2019.

**Social Responsibility: Santa's Shoe Box Legal Fraternity Wellness Project – Mental Health Forensic Division:** The LSN will also this year assist by receiving the gift packages and to help with the distribution thereof. We ask our legal practitioners to kindly contribute to this worthy course. Please deliver the gifts to the LSN's offices.

The gifts will be handed-out on Friday, 6 December 2019 and those who are interested to participate should inform the Director.

**Closing Remarks:** As previously stated, this report is not comprehensive but it highlights most of the LSN's events and achievements. I hope that the information is of value to the members. Attached please also find two reports prepared by the Legal Officer: Professional Affairs, which forms part of my report.

## Acknowledgements

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**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.

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