

KOVSILEX



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Die Minister van Justisie en Grondwetlike Ontwikkeling open eeufeesvieringe



Mnr Enver Surty, Minister van Justisie en Grondwetlike Ontwikkeling en prof. Johan Henning, Dekaan van die Fakulteit.

Die Minister van Justisie en Grondwetlike Ontwikkeling, mnr Enver Surty, was vol lof vir die Fakulteit Regsgeleerdheid van die Universiteit van die Vrystaat tydens die ope-ningsfunksie van die Fakulteit se eeufees-vieringe vanjaar.

Hy het die Fakulteit onder meer geloof vir sy bydrae om top-gehalte regslui op te lei. "The university can take pride in the fact that, as an institution, you have done so well," het hy bygevoeg.

Surty het ook gesê dat die Fakulteit in die toekoms 'n selfs nog groter rol kan speel in die opleiding van aspirerende regslui van beide geslagte en alle rasse om die regsberoep meer verteenwoordigend te maak.

Volgens hom het die UV die belangrikheid van gemeenskapsbetrokkenheid beseft en het gewys op die belangrikheid hiervan om juriste van 'n kaliber op te lei wat die sosiale en ekonomiese toestande van ons samelewing beter verstaan.

Die Dekaan van die Fakulteit, prof. Johan Henning, sê die Fakulteit het 'n uitsonderlike geskiedenis van uitnemendheid op die gebied van teoretiese sowel as praktiese regsopleiding, wat teruggeneem kan word na die ontstaan van die Grey Universiteitskollege in 1904.

Die eerste LL.B.-grade is in 1918 toegeken aan SP le Roux, destydse Minister van Landbou en "vader" van die Fakulteit Natuur- en Landbou-wetenskappe aan die UV; CR Swart, voormalige Minister van Justisie, Staatspresident en Kansellier van die UV; en W Liebenberg.

Van adv PU Fischer as die eerste genoemde dosent in die Fakulteit, tot vandag, het die Fakulteit aansienlik gegroei en is daar vandag 2700 voor- en nagraadse studente aan die Fakulteit.

Die Fakulteit is trots daarop dat van sy studente en dosente in hul loopbane voortgegaan het om van die hoogste posisies in die land te bekleë. Onder die alumni tel name van staatspresidente, ministers, administrateurs, appèlregters, regters, rektors, professore en dosente aan die UV sowel as ander universiteite, advokate, prokureurs en regsadviseurs in privaatpraktyk, maar ook in diens van die regering," het prof Henning gesê.



Cum Laude Toekennings



Van links na regs: Prof Johan Henning (Dekaan: Fakulteit Regsgeleerdheid), Regter Mpati, Regter Harms en Prof. Teuns Verschoor (Waarnemende Rektor: UVS). Foto: Stephen Collet

Twee Regters is deur die Fakulteit Regsgeleerdheid vereer met cum laude-toekennings. Regter Lex Mpati (Regterpresident van die Hoogste Hof van Appèl) en regter Louis Harms (Vise-Regterpresident van die Hoogste Hof van

Appèl) is tydens die ontbyt vir regters, met die Fakulteit as gasheer, met die toekenning vereer. Die geleentheid maak deel uit van die eeufees-vieringe van die Fakulteit onder die vaandel "Iurisprudentia 100".

Message to alumni

Dear alumnus

The Faculty of Law at the University of the Free State will be celebrating a century of jurisprudence this year under the logo "Iurisprudentia 100".

Should you require more information about the festivities, please contact ms Riekie Viljoen at 051 401 2451 / erasmusr.rd@ufs.ac.za

ufs.ac.za or ms Karina Britz at 051 401 2319 / britz.rd@ufs.ac.za.

The Faculty is also planning a deluxe publication which will give an overview of legal training and research at the UFS over the past 100 years. We invite our alumni to provide us with their inputs by

sending interesting photos, short anecdotes and other interesting documentation before / on March 31 2009 to the persons mentioned above.

Our alumni's input will be appreciated.

We look forward to your joining in our celebrations.

Regter Hefer spreek studente toe



Prof. Johan Henning, Dean of the Faculty of Law at the UFS, Judge Hefer, Siviwe Mateta; back: Prof. Rita-Marie Jansen, Associate Professor in the Department of Private Law at the UFS, and Ludwe Mfudisi, student.

Op 4 Maart 2009 het 'n uitsonderlike geleentheid studente aan die Fakulteit Regsgeleerdheid te beurt geval toe oud-Hoofregter Joos Hefer 'n lesing in Deliktereg by die Fakulteit aan-

gebied het. Hierdie geleentheid is gereël deur prof Rita-Mari Jansen, dosent in Deliktereg aan die Fakulteit, en maak deel uit van die Fakulteit se eeufes-vieringe. Regter Hefer het die stampvol ouditorium

toegesprek oor die ontwikkeling van die Deliktereg oor die afgelope 50 jaar, met 'n kritiese analise van die delikselemente. Die geleentheid is ook deur verskeie akademië en appèlregters bygewoon.

Botesverslag

'n Asseseringsverslag van die LL.B-program aan die UV is in November 2008 voltooi. Hierdie verslag spruit uit omvattende meningsopnames onder LL.B-alumni wat tussen 2000 en 2007 aan die Fakulteit Regsgeleerdheid gegradeer het.

'n Lys van alumni, wat uit 432 individue bestaan het, is vir hierdie doeleindes gebruik. 'n Totaal van 156 persone het deelgeneem aan die opname wat deur 14 professionele navorsers van die Sentrum vir Ontwikkelingsteun gedoen is.

Van die hoofbevindings uit hierdie navorsing is dat byna 80% van die respondente die Fakulteit Regsgeleerdheid as 'n eersteklas-instansie ag.

Ander bevindings wat gemaak is, is dat 7 uit elke 10 respondente van mening is dat klasse verpligtend moet wees en 6 uit 10 het gesê dat deur dit verpligtend te maak, daar bygedra sal word tot beter voorbereiding van studente vir die regsberoep.

Die LL.B-kursus het volgens 40% van die respondente hulle nie goed genoeg toegeerus op die praktyk nie, terwyl 80% 'n hoër graad van integrasie tussen teorie en die praktyk sou wou sien. 'n Totaal van 7 uit 10 respondente glo dat die toelatingskriteria verskerp moet word, terwyl 55% glo dat die slaag van 'n aparte toelatingseksamen in die toekoms vereis moet word.

Engels het 36% steun as verkose onder- rigtaal geniet, terwyl slegs 10% van die alumni moedertaal sprekers van die

Engelse taal is. Afrikaans het 58% steun geniet, terwyl 75% van die alumni Afrikaanssprekend is. Suid-Sotho het geen steun gewerf as onder- rigtaal nie.

'n Totaal van 14,6% van die respondente het aangedui dat hulle nie weer aan die UV se Fakulteit Regsgeleerdheid sou wou studeer nie. Die redes hiervoor is fakulteitsverwant (52%), persoonlik (29%) en polities (19%). 'n Oorweldigende totaal van 80,3% is egter nie spyt dat hulle regsopleiding aan die hierdie Fakulteit ontvang het nie.

Die idee van 'n alumnivereniging word deur 60% van die respondente gunstig oorweeg.

Possible legalisation of greyhound racing

The Department of Trade and Industry appointed a combined research team consisting of members of the Faculty of Law at the University of the Free State (UFS) and the Hotel School (CUT) to investigate the possible legalisation of greyhound racing in South Africa. The team members are prof Elizabeth Snyman-Van Deventer, dr Neels Swanepoel and adv Jaco de Bruin (all UFS) and adv Manie Moolman of the Hotel School (CUT).

The decision to ban greyhound racing in South Africa was made on the assumption that gambling at the time was immoral. The position on gambling in South Africa was since revisited. As gambling is legal in South Africa, the question has been raised whether this kind of racing is still illegal. Animal welfare and protection groups are in support of the ban on greyhound racing. The purpose of this research project is to give an objective overview of the greyhound racing industry nationally as well as internationally. This includes aspects such as animal welfare, social, economical and political issues and the legal framework pertaining to greyhound racing.

The study focuses on the current situation in South Africa and internationally regarding the jurisdictions where the sport is currently active and the legal framework in these jurisdictions. The



research project includes a comparative study of the situation in best practice countries with a focus on the USA, Ireland, the UK, Belgium, Australia, New Zealand, the Czech Republic, Sweden and Lesotho. The research team hosted 10 workshops in all nine provinces to give the public an opportunity to give inputs and share their views.

LL.M-programme in Environmental Law launched

The Department of Constitutional Law and Philosophy of Law has launched the LL.M-programme in Environmental Law for the first time in February 2009.

Environmental Law has only recently been established as a separate branch of the law, being a combination of rules taken from other branches of the law dealing with environmental aspects.

As the environment has become a burning international issue, receiving more and more attention and affecting a broader scope of society than ever before, it is currently a very important part of the modern legal agenda.

Environmental Law consists of a corpus of law which addresses environmental degradation and has an interdisciplinary

framework which draws from a range of private and public law principles.

International environmental law is one of the fastest growing fields of International Law.

The LL.M. in Environmental Law focuses on international and national environmental law, addressing the effect of the constitutional environmental clause on national environmental issues, framework legislation, environmental justice and environmental enforcement. The LL.M. dissertation in Environmental Law commenced in February 2009 whilst the structured LL.M. commences in June 2009.

For more information please contact prof Shaun de Freitas or dr Ilzé Kevvy.

Assistente-werkswinkel

Op 10 Februarie is 'n werkswinkel vir navorsings- en studente-assistente deur mev Hesma van Tonder van die Sasol-biblioteek se Inligtingsdiens aangebied. Hierdie werkswinkel is gemik daarop om assistente binne die Fakulteit meer vertrou te maak met die databasisse en elektroniese bronne tans in gebruik. Ongeveer 20 assistente het die sessie bygewoon.

Two lectures held on Religious Rights

On 8 and 9 December 2008 the the Department of Constitutional Law and Philosophy of Law hosted two lectures. On 8 December Jeffery J. Ventrella (Senior Vice President, Alliance Defense Fund (ADF) in the USA) gave a lecture on the subject "The Alliance Defense Fund (ADF) & the

protection of Religious Rights and Freedoms".

The second lecture was by Iain T. Benson on the "Religious Inter-faith work in Canada and South Africa with particular focus on the development of the Charter of Religious Rights and Freedoms in South Africa".

Faculty logo unveiled to mark celebration



From the left: Prof. Johan Henning, Dean of the Faculty of Law, Prof. Teuns Verschoor, Acting Rector, and Prof. Niel Viljoen, Chief Director: Operations.

The Faculty of Law at the University unveiled its faculty logo recently at the CR Swart Building and the Johannes Brill Building on the Main Campus in Bloemfontein. This occasion coincided with the faculty's celebration of a century of excellence in legal education under the theme "Iurisprudentia 100". The faculty logo provides a clear direction to the faculty's main entrances.

Undergraduate receives bursary



Eljo Roos

The Faculty of Law is celebrating 100 years of jurisprudence, under the theme "Iurisprudentia 100". The celebrations are also beneficial for students. Eljo Roos, an LL.B. student, received the first centenary study bursary awarded by the faculty. It is also the first time that the faculty awards a bursary to an undergraduate student. The bursary, which is based on a student's academic record, will now be awarded annually.

Prof. Amanda Lourens presents workshop

The Faculty of Law hosted a workshop on 13 March 2009 presented by prof Amanda Lourens, Director: Research Support at the North-West University. The faculty, involved in Strategic Academic Cluster 3, namely Transformation in highly diverse societies, is serious about their involvement in research and invited Prof. Lourens to share best practices with them. Amongst others they discussed the positioning and involvement of the faculty in the Strategic Academic Clusters of the UFS as well as the possibility to develop a faculty cluster.



From the left: Prof Lourens, Prof Gerard Fick, Department of Private Law and Prof Loot Pretorius, Department of Constitutional Law and Philosophy of Law. Photo: Leonie Bolleurs

Centenary breakfast for young legal practitioners

The Kowsie Law Alumni recently presented a centenary breakfast for young legal practitioners from the Faculty of Law at the University of the Free State (UFS). The faculty celebrates hundred years of legal education this year. Judge Corné van Zyl was the guest of honour at this occasion. "Grab every opportunity with courage and believe in your own potential," was her advice to the group of young alumni.



From the left, front: Judge Van Zyl, Prof Johan Henning, Dean of the Faculty of Law; back: Mr Charles Moller, clerk at Horn and Van Rensburg Attorneys, Adv Corrie Ploos van Amstel, Chairperson of the Kowsie Law Alumni, Mr Lawrence Manye, pupil at the Bar, and Mr Jan-Harm Steenkamp, clerk at A.P. Pretorius and Partners.

2008 Aktiwiteite van die UV Regskliniek

Die UV Regskliniek op die Vista kampus is ingewy in Maart 2008, maar dit was gou duidelik dat daardie ligging ontoeganklik vir beide studente en kliënte was. Die kliniek het dus na Zastronstraatstraat 142 verskuif vanaf 1 Julie 2008. Die verskuiwing het onmiddellik vrugte afgewerp in terme van toeganklikheid.

Die Departement van Justisie en Grondwetlike Sake Jeugopleidingsprogram is in 2008 voortgesit en 10 kandidaatprokureurs en 2 gekwalifiseerde regslui is aangestel. Die kliniek is besoek deur opleidingsbeamptes van die Departement asook uitvoerende bestuurslede van Aulai in Junie 2008. 'n Verslag is deur die besoekspan opgestel en weerspieël baie positief teenoor veral die opleidings- en evalueringstelsels van die kandidaat-prokureurs. Gedurende die jaar is adv Bezuidenhout en mnr Muller opgelei as assessors in terme van 'n SAQA-geakkrediteerde kursus. 10 Kandidaatprokureurs sowel as Adv. Bezuidenhout is ook gedurende die jaar opgelei as skuldberaders in terme van die Nasionale Kredietwet.

Gedurende die oorsigperiode is aansienlike gratis regsdienste weereens deur die UV Regskliniek aan behoeftige lede van die publiek verskaf. Dit het hoofsaaklik bestaan uit gratis verdediging in strafsake in die distrikshof en 'n groot aantal egskeidings in hoofsaaklik die Vrystaatse Hoër hof. Daar is 'n totaal van 729 sake ingeneem sedert Februarie 2008 tot en met September 2008, waarvan 298 in verskillende stadia van afhandeling is. Kandidaatprokureurs aan die UV Regskliniek het ook regsdienste op deurlopende basis by the Batho Hof gelewer en ook by landdroshowe 13, 25 en 24. 200 Sake wat weens werksdruk by die plaaslike Regshulpraad nie deur laasgenoemde afgehandel kon word nie, is deur die kandidaatprokureurs afgehandel. Afgesien van die 2 deurlopende kandidaatprokureurs by die Batho Hof, is daar 'n

verdere 2 by Hof 30 op deurlopende basis geplaas. 'n Verdere 2 kandidaatprokureurs lewer op deurlopende basis 2 dae per week administratiewe bystand by die Klerk van die Hof.

Die kliniekpersoneel bestaan tans uit die direkteur, 3 gekwalifiseerde regspraktisyns, 1 tikster en 7 kandidaatprokureurs. Agt uit die huidige twaalf van hierdie personeel bestaan uit lede vanuit die voorheen benadeelde groeperings.

Gedurende 2008 is daar 5 interaktiewe skoolpraatjies by 5 verskillende skole in Bloemfontein deur vierdejaar regstude- nte gelewer en die vierdejaar studente het 'n lesing aan mediese studente oor die nuwe Kinderwet gelewer. Die kliniekpersoneel het ook deelgeneem aan 'n openbare inligtingssessie saam met die Departement Maatskaplike Welsyn rakende die Kinderwet. Hierna het die vierdejaar studente in gemeenskapsdiens en -diensleer insette gelewer aan die Departement vir die ontwerp van publieke inligtingspanflette.

Adv Inez Bezuidenhout en me Michelle Karels het 'n kompetisie by Dr Block, Heidedal oor maatskaplike ophef- fing en die voorkoming van vreemdelinghaat aangebied. Eers is daar inligtingpraatjies aan leerders gelewer met betrekking tot hulle bydrae vir die voorkoming van misdaad en die voorkoming van vreemdelinghaat. 'n Kompetisie is toe aangebied waar leerlinge op uitgeknipte hande vyf voor- stelle moes maak vir die bydraes wat die jeug kan lewer ten opsigte hiervan. Die samelewingsdiens- en diensleer studente moes toe die 10 beste bydraes kies en daardie leerlinge het pryse by die skool ontvang.

Twee studente, Andrea Coetzer en Stephen Meshet, het onder leiding van Adv Bezuidenhout in September aan die LexisNexis intervarsitêre simulasihof kompetisie Universiteit Pretoria deelgeneem. Hulle het 'n oorhoofse derde plek verower uit 12 ander spanne.

Symposiums on the rights of women in Africa

Prof Charles Ngwena, W&L Law's 2008-09 Scholar-in-Residence and Professor of Health and Human Rights at the University of the Free State, chaired a symposium on April 3 2009 on the topic of exploring women's reproductive and sexual health as human rights on the African continent in the USA. Human rights scholars from around the world

gathered at Washington and Lee University School of Law for the symposium. Participants explored the implications of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, a human rights treaty that was adopted by the African Union in 2003 and came into force in 2005.

UV bied Erfreg en Boedelberedderingseminaar aan

Die Sentrum vir Boedelbeplanningsreg en die Sentrum vir Finansiële Beplanningsreg in die Fakulteit Regsgeleerdheid aan die Universiteit van die Vrystaat (UV) was onlangs die gasheer vir 'n seminaar oor erfreg en boedelbereddering. Kundige sprekers, insluitend prof Rita Marie Jansen van die Departement Privaatreg aan die UV, adv Wessel Oosthuizen, Sentrum vir Finansiële Beplanningsreg aan die UV, en mnr Dolf Schutte, praktiserende prokureur by Naudés Bloemfontein, asook prof Francois du Toit van UWK en mnr Marius Botha het gefokus op praktiese aspekte van en nuwe ontwikkelinge in onder meer boedelbeplanning, die administrasie van bestorwe boedels, erfreg, gewoontereg en boedelbelasting.



By die seminaar was, van links: adv. Oosthuizen, mnr. Schutte; agter: mnr. Marius Botha, finansiële beplanner van Kaapstad, en prof. Francois du Toit, Universiteit Wes-Kaap. – Foto: Stephen Collet

Messages of congratulations

Dear Johan,

This is an excellent tribute to the hard-work and talent of the faculty members and students of the UFS law school, and to your leadership. My best congratulations

Best wishes
Kern Alexander

Dear Johan,

Massive congratulations! You can be very proud of the achievements of your faculty. Johan, congratulations again. Believe me, South Africa needs very badly, success of this kind.

Alles van die allerbeste
Harry Rajak, Sussex

Dear Prof.

Hope things are well in Bloemfontein and the law faculty is running as smoothly as always. I have no doubt that it will be.

I graduated from the law faculty in 2007. I had a tremendous four years at the University of the Free State. It was truly a rewarding experience to study at such a institution with an engraved tradition of excellence.

I relocated to Pretoria in 2008 to commence my articles at Adams & Adams Attorneys. I have learnt so much, as practise is different to the theory of law. Yet, I have managed to carry over what I learnt at the University into practise and that has been pleasing.

Our University has an extremely respected name up here in Pretoria and in our firm particularly.

I wish you and the rest of the staff at the law faculty of UFS a prosperous new year.

May you excede all your accomplishments of the years behind and continue to strive towards excellence.

Regards
Jean- Paul Rudd

Department assistant moves to Ghent

Daniel Mekonnen was an assistant in the Department of Constitutional Law and Legal Philosophy and obtained a LLD from the UFS. He moved from South Africa to the Centre for Human Rights, Ghent University in Ghent, Belgium, and also spent three months in Lausanne, Switzerland at the Swiss Institute of Comparative Law.



Briewe / Letters
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