



PRETORIA SOCIETY OF  
ADVOCATES

## NOTICE TO ALL MEMBERS OF THE BAR

1. 2023 COMMITTEE OF SILKS
2. NOMINATIONS OF CANDIDATES FOR SENIOR STATUS

The 2023 Committee of Silks who will consider the applications for senior status are PG Cilliers SC (Chairperson), MG Mashaba SC (Deputy Chairperson), JG Cilliers SC, KW Lüderitz SC, SK Hassim SC, FW Botes SC, JG Naudé SC, TP Krüger SC, I Ellis SC, LC Haupt SC, SC Vivian SC, MD Mohlamonyane SC, E Seima SC, JF Grobler SC and JP Van den Berg SC.

1. Nominations of candidates for senior status are herewith invited.
2. The nominations must be submitted to the Chairperson on or before 1 June 2023.
3. Members should please note the procedure and criteria of the Pretoria Bar in respect of the granting of Silk (*the criteria*), as amended at the 2019 Annual General Meeting, with regard to the procedures and contents of the nominations (copy attached).
4. Nominating and supporting silks ought to fully explain why they nominate and support a particular candidate or candidates. A mere reproduction of the criteria is not of much assistance to the Committee of Silks.

PG CILLIERS SC  
CHAIRPERSON

/yb  
30 March 2023



PRETORIA SOCIETY OF  
ADVOCATES

**PROCEDURE AND CRITERIA OF THE PRETORIA BAR  
IN RESPECT OF THE GRANTING OF SILK  
(As amended at the February 2019 Annual General Meeting)**

1. The Chairperson of the Bar Council constitutes a Committee of Silks during March each year which considers nominations of candidates for senior status. The Committee of Silks shall be constituted from the senior members of the Bar Council and four further Silks appointed by the Chairperson.
2. The Chairperson publishes a notice to members on or before 31 March each year in which the names of the members of the Committee of Silks are made known and nominations of candidates for senior status are called for.
3. Nominations must be submitted to the Chairperson on or before 1 June of the relevant year.
4. Every nomination must be signed by three Silks who support the candidate and who are not members of the Committee of Silks. Preferably, the nominating Silks should not all practise in the same building.
5. Every nomination must be accompanied by a statement by the nominating Silks in which criteria mentioned in paragraph 12 below and any other reasons why the nominating Silks consider that the candidate should be recommended for Silk, are addressed. Candidates may also attach written representations to advance their candidacy.
6. Candidates must attach a statement to their nominations which contains the following information:
  - 6.1 Date of admission as an advocate and date on which the candidate became a member of the Pretoria Bar;

- 6.2 How often the candidate has appeared in the Supreme Court of Appeal, the Constitutional Court and the Labour Appeal Court during the past five years. Particulars of each such matter is required;
- 6.3 A list of all reported matters in which the candidate has appeared;
- 6.4 A list of all matters in which the candidate has in the past 3 years:
  - 6.4.1 been led by a Silk;
  - 6.4.2 acted on his/her own against a Silk;
  - 6.4.3 led a junior in a matter.

Candidates are required to give full particulars of when each matter was heard, the nature of the matter, who the Silk was and, in regard to 6.4.3, who the junior was.

- 6.5 An analysis of the type of work the candidate has done over the past two years. Candidates are required to indicate approximately which percentage of their practice was constituted by each type of work;
  - 6.6 Whether the candidate regards himself/herself as an expert in a specialised field of practice. If so, full particulars must be provided;
  - 6.7 Full particulars of the five most complex matters handled by the candidate in the past three years;
  - 6.8 Particulars of any experience outside the Bar which the candidate regards as relevant.
  - 6.9 Particulars of all facts which might reasonably influence the decision of the committee.
7. As soon as possible after 1 June of the relevant year, the Chairperson publishes a notice to members in which:

- 7.1 The names of the nominated candidates in order of seniority are made known;
- 7.2 members' attention is drawn to the fact that all documentation which has been submitted in support of a candidate will be open for inspection in the office of the General Manager during normal office hours; and
- 7.3 members are invited to submit written comment in respect of the suitability of any candidate to the Chairperson on or before 15 June of the relevant year;
8. The Chairperson shall forthwith provide particulars of any positive or negative comment which has been received in respect of any candidate to the candidate concerned. The candidate concerned will be entitled to comment thereon in writing within seven days, or within such further period as the Chairperson may allow.
9. As soon as possible after 1 June, the Chairperson convenes a meeting of the Committee of Silks under his/her Chairpersonship. The quorum of the meeting is six members.
10. Every candidate will be entitled to address the Committee of Silks, and the committee, may require any candidate or nominating Silk to appear before the committee in order to provide further information or to discuss the considerations which may count against the candidate.
11. The members of the Committee of Silks and the persons who appeared before the committee in terms of the foregoing paragraph, may not disclose anything which was said or which took place at such meeting.
12. The criteria which will be taken into account by the Committee of Silks, are the following:
  - 12.1 Competence and stature:

Senior status is only recommended for candidates who are regarded as outstanding by virtue of their competence and the esteem with which they are held in the profession.

## 12.2 Integrity and professional conduct:

Candidates must be of unimpeachable integrity. If any professional or criminal sanction has been imposed on a candidate in the past, or there is any other factor which might reasonably influence the decision of the committee, it must be fully disclosed. If a candidate's estate has been sequestered, at any stage, or if there is a possibility of sequestration, a full disclosure of all the circumstances must be made.

## 12.3 Seniority

Save in exceptional circumstances, candidates with less than 14 years seniority at the Bar will not be considered.

## 12.4 Nature of practice

The practice must be a large one consisting of good quality work. Consideration will be given to the diversity, extent and complexity of the work. Due regard will also be had to the expertise of a candidate in a specialised field of practice. Previous experience outside the Bar may also be taken into account.

13. Decisions of the Committee of Silks are taken by majority vote. In the event of a deadlock, the Chairperson will have a casting vote.
14. After discussion of the candidates with reference to the abovementioned criteria, each member of the committee discloses his/her order of preference of the candidates orally to the Chairperson. The Chairperson keeps record of the orders of preference disclosed, and determines, with reference thereto, the committee's order of preference of the candidates. The committee's order of preference of candidates determines which candidates will be recommended to fill the need for new Silks.

15. As soon as possible after the meeting the Chairperson informs each successful and unsuccessful candidate in writing of the committee's decision. No further particulars are conveyed to the candidate.
16. The decision of the committee is final and there shall be no debate with the candidate or with any other person.
17. As soon as possible after the candidates have been informed of the committee's decision:
  - 17.1 the Chairperson publishes a notice to members in which the names of the successful candidates are made known;
  - 17.2 every successful candidate must provide the Chairperson with a *curriculum vitae* not longer than two pages;
  - 17.3 the Chairperson forwards the *curricula vitae* of the successful candidates to the Judge President under cover of a letter which contains the following information:
    - 17.3.1 the full names of the successful candidates in order of seniority;
    - 17.3.2 the admission date of each successful candidate;
    - 17.3.3 the period which each successful candidate practised at the Bar.
18. If a candidate is not supported by the committee for the conferment of Silk, the candidate shall not pursue the matter. It will be regarded as unprofessional conduct if the candidate applies to the Judge President or the Minister for senior status.