

Professorial Inaugural Lecture of Prof Theo Broodryk

Date: Tuesday, 09 April 2024
Time: 17:30
Venue: Room 1023, Old Main Building,
c/o Victoria Street and Ryneveld Street, Stellenbosch
Engineering Campus, Stellenbosch
Livestreaming: www.sun.ac.za/streaming (from 17:15)

Reflecting on 30 years of class action in South Africa: a people inured to hardship, but not to collective redress?

Class actions allow multiple persons with similar claims against the same defendant to consolidate their cases into a single lawsuit. Class actions promote efficiency by preventing the court system from being overwhelmed with numerous individual cases that address the same or similar issues. They also facilitate access to justice, providing a mechanism for individuals who may not have the financial means to pursue individual lawsuits. In addition, class actions help ensure consistent judgments for similarly situated plaintiffs, can deter persons engaging in unlawful practices, and can catalyse systemic change by addressing widespread issues that affect many people. Despite these benefits, however, there have only been a limited number of class actions in South Africa to date. This inaugural lecture considers why the class action remains underutilised almost 30 years since its introduction into South African law and why a sea change likely awaits the landscape of collective redress in the country.

Short biography

Theo Broodryk is a professor of law at Stellenbosch University (SU) and the manager of the University's Law Clinic. He obtained the degrees BA, LLB and LLD from SU. He is an admitted attorney of the South African high court, having previously practised at Africa's largest law firm. Moreover, Prof Broodryk is a senior researcher at the Lus Commune Research School in the programme "Foundations and principles of civil

procedure in Europe", a Beaufort (Colenso) fellow at St John's College, Cambridge, and previously attended Stanford Law School as a visiting scholar.

He is also a certified arbitrator of the Association of Arbitrators (Southern Africa) and obtained a certificate in advanced labour law from the University of South Africa's Centre for Business Law.

Holding a Y1-rating from the National Research Foundation (NRF), he has authored leading publications in the field of South African civil procedure, including *Eckard's Principles of Civil Procedure in the Magistrates' Courts*. Prof Broodryk is also involved in various international projects, including co-authoring a segment on collective litigation and the protection of non-litigants' interests as part of a compendium of comparative civil justice under the auspices of the Max Planck Institute for Procedural Law. In addition, he currently serves on the South African Rules Board for Courts of Law.

Prof Broodryk has received numerous funding awards, including the MJ & HB Thom research award and an NRF Knowledge Interchange and Collaboration award. In 2020, he was honoured with the prestigious Georg Forster fellowship award of the Alexander von Humboldt Foundation in Germany. His significant contribution to SU's research output in scientific publications accredited by the Department of Higher Education and Training as well as his outstanding work performance have earned him institutional recognition and accolades.