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**IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)**

JUDGMENT

REPORTABLE

Case no: 17538/24

In the matter between:

**THE SOUTH AFRICAN LEGAL
PRACTICE COUNCIL**

APPLICANT

and

DEON JAKOBUS BEUKMAN

RESPONDENT

Neutral citation: *The South African Legal Practice Council v Deon Jakobus Beukman* (Case no: 17538/24) [2025] ZAWCHC (11 July 2025)

Coram: **SLINGERS J AND MAYOSI AJ**

Heard: 18 June 2025

Delivered: 11 July 2025

Summary: In this application, the applicant seeks the striking of the respondent from the roll of legal practitioners of this Honourable Court, as well as relief ancillary thereto.

ORDER

- 1 Deon Jakobus Beukman (**Beukman**) is struck from the roll of legal practitioners of this Honourable Court.
 - 2 Beukman shall immediately deliver to the Registrar of this Honourable Court his certificate of enrolment as a legal practitioner of this Court.
 - 3 In the event of Beukman's failure to comply with paragraph 2 above, the Sheriff is authorised and directed to take possession of the certificate and to hand it to the Registrar of this Court.
 - 4 Beukman shall pay Mr Ian Jacobs the sum of R50 000.00 (fifty thousand rands) no later than 30 November 2025.
 - 5 In the event that Beukman fails to comply with the terms of paragraph 4 above, either the LPC or Mr Ian Jacobs may institute contempt of court proceedings against Beukman.
 - 6 Beukman shall pay the costs of this application on a party and party scale.
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JUDGMENT

Mayosi AJ:

Introduction and relevant background

1 The applicant (**the LPC**) is the regulatory body for the legal profession in South Africa, established in terms of section 4 (read with section 120(4)) of the Legal Practice Act 28 of 2014 (**the LPA**), to exercise oversight over the conduct of both candidate legal practitioners and legal practitioners.

2 The legal interest that the LPC has in bringing this application flows from the LPA Rules and Code of Conduct promulgated in terms of section 36 of the LPA, as well as the common law, in terms of which the LPC is charged with, and is empowered to, *inter alia*:

2.1 promote and protect the public interest;

2.2 determine, enhance and maintain appropriate standards of professional practice and ethical conduct of all candidate legal practitioners and legal practitioners;

2.3 give effect to the provisions of the LPA in order to achieve the purpose of the Act as set out in section 3 thereof;

2.4 exercise disciplinary jurisdiction over all practitioners who are, or are allegedly unprofessional or dishonourable or unworthy; and

2.3 in appropriate cases, and in terms of sections 40(3)(a)(iv) and 44(1) of the LPA, launch an application for the striking off of the practitioner's name from the roll, or the suspension from practice of a legal practitioner if the court is satisfied that the legal practitioner is not a fit and proper person to continue to practice.

3 Prior to the LPA, the Law Society's Rules and the authority of section 74 of the Attorneys Act applied to all attorneys until 1 March 2016, when the Rules for the Attorneys' Profession came into effect. These Rules applied to the conduct of attorneys subsequent to 1 March 2016 until 20 July 2018, when the LPA Rules and Code of Conduct came into effect.

4 These long-established codes of professional conduct, including the applicable statutory duties and prohibitions applicable to legal practitioners, have been interpreted and applied by the courts in a vast number of cases over a long period of time. A legal practitioner, in their conduct, must be guided not only by the Codes of Conduct set out in the statutes and case law, but also by the inherent virtues of integrity, honesty and decency.

5 Turning now to the respondent. He is a 70-year-old who was admitted as an attorney of this Honourable Court on 12 January 1983. He removed his name from the roll on 31 July 1993 and was re-admitted as an attorney on 4 February 1994. In terms of section 114 of the LPA, every attorney that was admitted by the High Court and was authorised to be enrolled as such in terms of the Attorneys Act prior to 1 November 2018 is regarded as having been admitted to practice under the LPA.

6 The facts and circumstances which ultimately led to the LPC instituting these proceedings first came to its attention on 1 July 2021, when a written complaint was received by it from a Mr B Jacobs (**the complainant**) on behalf of his son, Mr Ian Jacobs (**the son, alternatively the buyer**). In the letter of complaint, the complainant alleged that the respondent was appointed as the conveyancer in terms of a sale agreement between his son and a Mr A A Herhade (**the seller**) in which the complainant's son purchased Erf 7[...], Somerset West for R550 000.00.

7 The son paid an amount of R561 921.46 to the respondent and consented to certain funds being paid to expedite the registration of the transfer. The respondent further paid an amount of R41 250.00 to the estate agent, Mr Paul Matthews, for the latter's commission.

8 The seller died on 20 February 2009 before the transfer was registered, and the executor of the seller's estate elected to cancel the sale agreement as the seller's deceased estate was insolvent.

9 On 31 March 2009, the respondent refunded the buyer an amount of R481 653.81 together with interest of R67 895.53. The buyer subsequently issued a summons in the Magistrate's Court against the respondent under case number 3349/2009 in which he claimed an amount of R81 935.34, as the buyer believed that he was entitled to a full refund of the R561 921.46 that he had paid to the respondent, together with interest in the amount of R69 563.22.

10 During the course of the civil proceedings, the buyer's attorney of record contacted the estate agent, Mr Matthews, and enquired as to whether or not the estate agent's commission had been paid over to him by the respondent. Mr Matthews advised that it had been paid over to him. He had refunded the R50 000.00 (the commission plus interest) to the respondent in February 2015 as a result of the dispute between the buyer and the respondent.

11 The respondent did not refund the buyer; nor did the respondent inform the buyer that Mr Matthews had refunded the estate agent's commission.

12 During the litigation process the parties negotiated a settlement in terms of which it was agreed that the respondent would pay the buyer R50 000.00 in full and final settlement of all the buyer's claims against the respondent. This amount was equivalent to that paid by Mr Matthews to the respondent flowing from the failed sale transaction; i.e.; agent's commission of R41 250.00 plus interest. The respondent, however, failed to make the payment to the buyer.

13 One of the respondent's responses to the complaint laid against him with the LPC was that Mr Matthews had refunded him the funds in terms of an indemnity signed by Mr Matthews, and that there was therefore no duty on the respondent to invest the funds in his trust account. He later recanted from this view in his evidence during the disciplinary proceedings, wherein he conceded that the indemnity did not protect him against a claim for money held in trust for and on behalf of his clients, as in the case of the R50 000.00 at issue, which he held in trust for and on behalf of the buyer. Another of his responses to the complaint was to question the complainant's mandate to lay a complaint of alleged unprofessional conduct against him with the LPC. He, moreover, stated that he in any event could not respond further to the complaint as the entire matter was *sub judice*, a position with which the LPC disagreed, correctly so in my view, as recorded in its correspondence to the respondent on 20 October 2021.

14 It is not clear what happened in the matter from this date until 2024. There appears to have been a lull in it.

15 On a date that is not stated in the record, the LPC's investigating committee considered the matter and directed that the case be referred to its Disciplinary Committee (**the DC**) for adjudication. It is not apparent from the record exactly when this referral occurred.

16 The respondent was called to appear before the DC in person, to answer the following charge/s:

"... that he is guilty of misconduct in terms of Clause 2A of the Legal Practice Council's Code of Conduct in that he breached and / or contravened:

Charge 1

Provision 3.15 of the Code of Conduct for all legal practitioners in that he brought the legal profession into disrepute by misappropriating R50, 000.00 which was paid to him by Mr Paul Matthews, and which funds should have been paid to Mr I Jacobs.

Alternatively

Provision 3.8 of the Code of Conduct for all legal practitioners in that he failed to account faithfully, accurately and timeously to Mr I Jacobs for the R50, 000.00 which came into his possession, and keep such money separate from his own money, and retain such money for only as long as strictly necessary."

17 The respondent attended the DC hearing held at the LPC's Provincial Offices on 30 April 2024, representing himself. He initially pleaded not guilty to the charges, however, during his cross-examination he changed his plea to guilty.

The findings of the DC

18 The DC's findings and sanctions, provided on 30 April 2024 were as follows:

18.1 The respondent was found guilty as pleaded to the charge as provided for in Provision 3.15 of the Code of Conduct, i.e., he brought the legal profession into disrepute by misappropriating the R50 000.00 that ought to have been paid back to the buyer.

18.2 It was resolved to recommend to the LPC that this application be launched for an order seeking the striking of the respondent's name from the roll of legal practitioners. This was in keeping with the provisions of section 40(3) (iv)(aa) read with Rule 40.4.1.4.1 of the LPA, as amended, which requires the DC, in respect of a legal practitioner who has been found guilty of misconduct, to advise the LPC to apply to the High Court for an order striking the name of the legal practitioner concerned from the roll.

18.3 The respondent was ordered to pay compensation to the buyer in the amount of R50 000.00 in terms of the settlement agreement entered into between them, within six months of receipt of the LPC's decision.

18.4 The respondent was liable to pay the costs for the DC's hearing.

18.5 The respondent was informed that he had the right to appeal the findings and sanction imposed by the DC.

19 The LPC resolved to institute the current application on 6 July 2024.

20 It contends that the respondent contravened the legal practitioner's Code of Conduct in that he brought the legal profession into disrepute by misappropriating the R50 000.00 paid by Mr Matthews to him, and which funds he did not pay back to the buyer; alternatively that the respondent failed to account faithfully, accurately and timeously to the buyer for the R50 000.00 which came into his possession, and he failed to keep such money separate from his own funds and retain it only for as long as it was strictly necessary to do so.

21 The LPC instituted these proceedings in August 2024, and the application was set down for hearing on 2 May 2025. The respondent initially opposed the application but subsequently withdrew his opposition.

22 On the hearing date, at which the respondent was neither present nor represented, this Court raised with the applicant's counsel some concerns regarding certain information that was absent from the papers, and which it considered necessary in order for the Court to properly exercise its discretion.

23 The Court raised the following issues that were not covered in the papers:

23.1 Whether or not an amount of the magnitude of R50 000.00 warranted the respondent being struck from the roll, given the drastic impact of such an order on his livelihood, about which there was no information on the papers.

23.2 The reasons why the respondent had been removed from the attorneys' roll initially on 31 July 1993, before he was re-admitted on 4 February 1994.

23.3 Whether or not the R50 000.00 had to date been paid back by the respondent to the buyer.

23.4 The reasons for the LPC's delay in prosecuting the complaint to its completion, given that the complaint was made to it on 1 July 2021, was determined by the DC only on 30 April 2024, and ultimately finalised by the LPC on 6 July 2024, more than three years after the complaint had been lodged.

24 The Court postponed the matter for hearing on 18 June 2025, directing the LPC to file a supplementary affidavit addressing these outstanding issues and to serve it on the respondent; granting him an election to thereafter file a replying affidavit if he chose to oppose the matter; and further directing that heads of argument be filed.

25 The supplementary and replying affidavits were indeed filed. Some objection to the respondent's replying affidavit was raised by the LPC in the heads of argument filed on its behalf for the reason that the affidavit constituted an irregular step given that the

respondent had not filed a notice of opposition to the application. Given the contents of the replying affidavit, however, and their materiality and relevance to the striking inquiry that is before this Court, the interests of justice justify the admission of the replying affidavit into evidence notwithstanding the absence of a notice of opposition by the respondent.

26 The LPC's reasons for its internal delay of more than three years in prosecuting the case to completion are not ideal, given the critical oversight role it plays over the conduct of legal practitioners in the promotion and protection of the public interest. According to the deponent to its supplementary affidavit, after the judgement in *Legal Practice Council v Van Wyk* (3920/2013) [2021] ZAWCHC 223, the LPC conducted an audit of all matters that were outstanding and during the course of this assessment, this matter was identified, and its finalisation was prioritised. The LPC has proffered an apology for this delay. However, it must be said that as a regulatory body charged with championing the integrity and dignity of the legal profession in the eyes of the public, it must do better. The importance of its statutory mandate enjoins the LPC to act with the necessary haste in prosecuting complaints that come before it. Although the respondent appears to have had some role to play in the delay, the LPC's own tardiness cannot be lost sight of.

27 From the LPC's supplementary affidavit, the reason that the respondent's name was removed from the roll of attorneys on 31 July 1993 is that he was seeking admission to the Bar. This is confirmed by the respondent in his affidavit. Nothing further is known about that, including from the respondent himself. This Court therefore has no evidence before it that suggests that his initial removal from the roll has a bearing on this application.

28 The respondent addressed his livelihood in his replying affidavit, in response to this Court's questions in that regard. He did so by means of a single paragraph. When regard is had to that paragraph and what he further told this Court about his livelihood

during the hearing, his version can best be described as opaque, if not also contradictory.

29 He addressed his current livelihood in the following single paragraph in his replying affidavit: that the LPC's decision *"had such a dramatic effect on [his] life and relationship with previous attorneys, that [he] had to vacate his offices and relinquish the secretarial services and sharing the fees in Road Accident Fund matters as [he] would have been disbarred from sharing offices and fees with attorneys."* This stands in stark contrast to what he told this Court at the hearing on 18 June 2025, at which the respondent appeared in person. The respondent informed this Court that he is presently sharing fees from RAF matters with at least one attorney, and offices to a limited extent to consult with clients – conduct for which, on his own version, he could be disbarred given the findings of the LPC against him that were arrived at after his admission of guilt.

30 At the hearing, the respondent told this Court that: (a) he is currently running his offices from his home; (b) he is currently working with Raymond McCreath of Raymond McCreath Inc. as a consultant; (c) he helps McCreath to initiate RAF claims (for which he consults with clients at McCreath's offices) and finalise those claims; (d) they share fees in RAF matters on the basis of McCreath paying him 50% of the contingency fees received by him upon finalisation of a RAF claim; and (e) the respondent does not appear in court nor does he handle funds as all of that is handled through or by McCreath.

31 None of this information was in the replying affidavit that he placed before the Court. It was provided upon probing of the respondent by this Court.

32 It is clear from this information that, contrary to what he stated in his replying affidavit, the respondent does indeed share fees in RAF matters and offices to a limited extent for those purposes, at least with this particular attorney.

33 When faced with further probing from the Court regarding his livelihood and how he subsists (given that he told this Court that he could not give an indication as to when he could pay the R50 000.00), the respondent stated that he receives an amount of maintenance from his son who gives him some R15 000.00 per month, plus an additional approximately R12 000.00 per month to cover his life insurance policies. This is an oral loan arrangement with his son, secured by the cession of the proceeds of the respondent's life policy in favour of his son.

34 As with the McCreath arrangement, details regarding the maintenance from the son are not in the replying affidavit. There are no supporting affidavits regarding the oral version given to the Court. This is information which the LPC could not have known. It is also information that is relevant to this Court's exercise of its discretion in relation to both the fit and proper component of this enquiry, as well as what constitutes an appropriate sanction in the event of an adverse finding.

The legal approach to a striking application

35 In determining whether or not the respondent's name should be struck from the roll of legal practitioners, this Court must engage in a three- staged inquiry.¹

36 First, we must decide whether or not the alleged offending conduct is established on a balance of probabilities. This is a factual inquiry.²

37 Second, we must consider whether or not the respondent, in our discretion, is not a fit and proper to continue to practise. This involves a weighing up of the conduct complained of against the conduct expected of an attorney and, to this extent, is a value judgment.³

¹ *Jasat v Natal Law Society* 2000 (3) SA 44 (SCA), at para 10

² *Nyembezi v Law Society Natal* 1981 (2) SA 752 (A) at 756H – 758A; *Kekana v Society of Advocates of South Africa* 1998 ZASCA 54; 1998 (4) SA 649 (SCA) at 654D

³ *Malan v The Law Society of the Northern Provinces* (568/2007) [2008] ZASCA 90 (12 September 2008) at para 4

38 The third leg of the enquiry is the question whether or not, in all the circumstances, the respondent should be removed from the roll of attorneys or whether an order suspending him from practice for a specified period will suffice, in the discretion of this Court.⁴

The offending conduct

39 In the present matter the offending conduct of the respondent is common cause. He has admitted that he is guilty of the misappropriation of trust funds belonging to his client.

40 Such conduct does indeed bring the legal profession into disrepute and can only diminish the public's trust in the legal profession in general, and in legal practitioners in particular.

Is the respondent a fit and proper person to practise?

41 To be clear, the respondent's offending conduct is not confined to the admitted act of misappropriating R50 000.00, which may appear to be an insignificant amount to some, though not to this Court in the context of the issues raised by this application. The respondent's offending conduct is compounded by his further actions which displayed persistent dishonesty; a lack of reliability and called his integrity into question.⁵ It is against this background, set out more fully below, that we exercise our discretion as to whether the respondent is not a fit and proper to practice person to practise.

42 First, the estate agent's commission plus interest was paid by Mr Matthews to the respondent more than ten years ago - in February 2015. Not only did the respondent not pay the money over to his client; he did not even inform his client that the

⁴ *Naylor v Jansen* 2007 (1) SA 16 (SCA) at para 21

⁵ *Vassen v Law Society of the Cape of Good Hope* [1998] ZASCA 47; 1998 (4) SA 532 (SCA) at 538G

commission with interest had been refunded. This lack of transparency and accountability is deeply problematic for a legal practitioner charged with trust funds that do not belong to him.

43 Second, the civil proceedings instituted by the buyer against the respondent for recovery of the funds were settled on the basis of a settlement agreement in terms of which the respondent was to pay the money back to the buyer. He failed to do so. To date, no such payment has been made to the buyer.

44 Third, at his disciplinary hearing the respondent pleaded not guilty to the charge against him, relying on an indemnity signed by Mr Matthews to support his argument that he was not obliged to pay the money to his client. Furthermore, he admitted that he had used the funds to pay for his own legal fees. It was only during his cross-examination, after he was constrained to concede that the indemnity did not absolve him from repaying his client, that the respondent changed his plea from not guilty to guilty. This recalcitrance, in the face of these facts, was not conduct befitting of a legal practitioner.

45 Fourth, the respondent once again failed to make payment to the buyer after the LPC ordered him to comply with the settlement agreement with and make payment; and to do so within six months of receipt of the LPC's decision. The respondent remained undeterred in his refusal to pay the buyer, even in the face of a striking off application contemplated by the LPC, which if granted would curtail his livelihood.

46 The reasons why the funds have not been repaid to the buyer are unacceptable. One is tempted to conclude that the respondent simply did not care, even whilst staring down the barrel of a possible striking off.

47 During the hearing the respondent first informed the Court that he cannot say when he will be in a position to repay the money. He was then pointed to the contents of his replying affidavit wherein he referred to (and attached) letters that he had

addressed to the buyer's attorney of record in September and December 2024 offering to make payment in instalments of R5 000.00 per month starting from 8 December 2024 and thereafter on the 8th day of each month until full payment. When asked by this Court why he had not made the payments that he had offered, his responses were twofold: (a) that he was awaiting a response from the buyer's attorney of record who had responded to him on 2 December 2024 saying he would seek instructions from his client; and (b) he assumed the buyer had abandoned the claim.

48 Both responses are disingenuous and suggest quite strongly that his offers to pay were not made *bona fide*. Taking instructions regarding the manner of payment of a claim owing by a debtor is hardly synonymous with the abandonment of that claim by the creditor; nor is it a get-out-of-jail-free card for a legal practitioner who has misappropriated trust funds, and worse, is already under threat of being struck off the roll. Why the need to await instructions? This is a question that the respondent was unable to answer. The buyer's attorney of record was correct in his strongly-worded response to the respondent dated 22 May 2025 to the effect that there was no justifiable reason why his client should be required to wait months (it has been years, in reality) to receive funds that are rightfully due to him; and that had the respondent not misappropriated funds entrusted to him by Mr Matthews, payment could and should have been made without delay.

49 And that is the crux of the issue – payment could and should have been made a long time ago by an honest legal practitioner with integrity, who had acknowledged his wrongdoing first to his former client and thereafter to the profession at large. The amount of maintenance that the respondent receives from his son is not an insubstantial amount and therefore payment can be made.

50 And it does not lie in the mouth of the respondent to assert, as he did in his replying affidavit, that: *"It was not necessary to come to court for R50 000.00."* The fact that the amount is a 'mere' R50 000.00 as he seems to suggest is an aggravating factor against him, not a mitigating one. In the circumstances of this case, it appears to have

been very necessary to approach this Court in relation to this amount, as all other efforts (including the respondent's undertakings) had failed and this seems to be the only remedy now available to the buyer, and the LPC in the discharge of its mandate. The proverbial run-around that the respondent has been giving the buyer, to this day, regarding the repayment of the funds is a blight on his integrity and honesty that transcends this singular (known) incident of him having misappropriated a client's funds. Integrity and honesty are traits that are crucial to the calling of a legal practitioner, and in this regard the respondent has demonstrated himself to be sorely wanting.

51 These circumstances of the respondent's consistent failure to conduct himself ethically, together with his blatant disregard for upholding his oath as an attorney render him a person that is not fit and proper to continue to practise as an attorney.

The appropriate sanction

52 Having dealt with the two inquiries, I now turn to deal with the third leg of the inquiry, namely whether, in all the circumstances, the respondent is to be removed from the roll of legal practitioners or whether an order suspending him from practice for a specified period would suffice. Each case is to be examined in the light of its own facts and circumstances; the aim being to discipline and punish the errant practitioner, and protect the public particularly where trust funds are involved, as is the case in the present matter.⁶

53 As far as this Court is aware, in all the years that he has been in practice since 1983, no other complaint has been laid against the respondent.

54 The LPC persisted with its submission that the circumstances of this case called for the striking of the respondent's name from the roll, but submitted, however, that if this Court was not so inclined then in that event an appropriate sanction would be the suspension of the respondent from practice for a period of time. A draft order

⁶ Summerly v Law Society, Northern Provinces 2006 (5) SA 613 (SCA), para 19

contemplating the suspension of the respondent from practice for a period of three years, similar to the order that was granted by this Court in *Swartz*⁷, was handed up by the LPC in anticipation that this Court might be inclined to suspend the respondent for a period, rather than to order that his name struck from the roll.

55 This Court is minded to strike the respondent from the roll of legal practitioners, for the reasons set out below as foregrounded in the remainder of this judgment. The respondent's conduct, viewed in its totality, supports a conclusion that he suffers from a character defect that renders him a danger to society and the legal profession. The offending conduct is so gross and egregious that it manifests a lack of integrity such that the respondent is rendered unfit to remain on the roll of legal practitioners.

56 Dealing first with *Swartz*, in which this Court suspended the legal practitioner from practice for three years subject to certain conditions, the facts of the misconduct in *Swartz* are different from those underpinning the misconduct that is before us;⁸ and the facts of that case are further distinguishable from the present matter in the following respects:

56.1 The respondent in *Swartz*⁹ was frank and candid when confronted by the LPC. She did not deny the allegations against her. In the present matter, the respondent denied the allegations against him (notwithstanding that he had earlier settled the civil claim and agreed to pay the R50 000.00) until he was placed in an untenable position where his denials could not be sustained under cross examination, whereupon he changed his plea to guilty.

56.2 The respondent in *Swartz*¹⁰ had never received any funds from the complainant in that matter, and the Court found that her intent was never to cause the complainant any prejudice. That is not the case in this matter. The respondent received funds from the buyer which he persistently failed and/or

⁷ South African Legal Practice Council v Swartz (15857/2023) [2025] ZAWCHC 60 (21 February 2025)

⁸ In that case the respondent had allowed the complainant's claim to prescribe in her hands, and was dishonest to her client about it.

⁹ Para [45]

¹⁰ Para [49]

refused to repay. And furthermore he, admittedly, used these funds for his own personal benefit, i.e., to pay for his legal costs, thereby not only prejudicing the buyer but doing so for his own personal benefit.

56.3 The respondent in *Swartz*¹¹ made significant efforts to address her mistake, as a result of which she endured considerable financial strain by paying an amount of R398 000.00 to the complainant in that matter, which the court found underscored her commitment to rectifying the situation. The same cannot be said about the respondent in our matter. He has persistently refused and/or failed to date, to repay the money that he embezzled.

56.4 Furthermore, the respondent in *Swartz*¹² was still young and a junior attorney when the incident complained of in that matter occurred. She had just established her own practice, was still junior and inexperienced, the court found. Once again the same cannot be said for the respondent. He has been a legal practitioner since 1983. When the sale fell through in 2009, he had been in practice for 26 years. When the R50 000.00 was refunded to him by Mr Matthews in February 2015 and he not only concealed the fact of the repayment but also failed to repay it to the buyer, the respondent had been in practice for 32 years.

57 In the replying affidavit that he placed before this Court, which dealt cursorily and superficially with his personal circumstances, the respondent failed to take this Court into his confidence in such a manner as to persuade it to exercise its discretion in his favour.

58 In all of the circumstances of this case, having read all the documents filed of record and heard, in particular, the respondent in Court, and when regard is had to the nature of the respondent's misconduct including its persistent nature over a lengthy period of time, weighed against the legitimate interests of the profession, the public and their justifiable expectation that this Court will protect their interests in an appropriate and fair manner, this Court is of the view that striking the respondent's name from the

¹¹ Para [50]

¹² Para [53]

roll is the appropriate sanction. In our view, suspension will not achieve the desired effect. As things stand, according to his replying affidavit the respondent has been in some form of self-imposed 'suspension' since the LPC's decision, whereafter he gave up his offices and secretarial services due in large part to the dim view his colleagues in the profession took of him after the LPC's finding. According to him, he does not accept monies from clients; does not handle trust funds; does not appear in court. However, given his lack of candour, this Court is wary of the credibility of his assurances that whatever limited practice he is pursuing can be of no harm to the public.

59 Therefore following order is made:

- 59.1 Deon Jakobus Beukman (**Beukman**) is struck from the roll of legal practitioners of this Honourable Court.
- 59.2 Beukman shall deliver to the Registrar of this Honourable Court his certificate of enrolment as a legal practitioner of this Court within five (5) court days of receipt of this Order.
- 59.3 In the event of Beukman's failure to comply with sub-paragraph 2 above, the Sheriff be authorised and directed to take possession of the certificate and to hand it to the Registrar of this Honourable Court.
- 59.4 Beukman shall pay Mr Ian Jacobs the sum of R50 000.00 (Fifty thousand rands) on or before 30 November 2025.
- 59.5 In the event that Beukman fails to comply with the terms of sub-paragraph 4 above, either the LPC or Mr Ian Jacobs may institute contempt of court proceedings against Beukman.
- 59.6 Beukman shall pay the costs of this application on a party and party scale.

N MAYOSI
ACTING JUDGE OF THE HIGH COURT

I agree, and it is so ordered.

H SLINGERS
JUDGE OF THE HIGH COURT

APPEARANCES

For applicant: Ms Rehanna Parker from RKP Attorneys Inc.

For respondent: In person.