

To Whom it May Concern

Testimonial - Ronald Bobroff

I am a practising barrister and hold a part time academic position at the Law School at the University of Sydney.

I hold the Kim Santo Chair in Law (Social Justice) at the Law School of the University of Sydney and I also am the director of its Social Justice Program.

I was admitted to practice in Victoria in 1975 and initially to the bar in NSW 1982.

For most of my career I have been involved in product liability, personal Injury and class action litigation.

I was the founding Director of the Public Interest Advocacy Centre in Sydney between 1982 and 1987 and thereafter established and ran the Sydney office of Slater & Gordon between 1987-1990. From 1990 to 2000 I was the founder and senior partner of the firm Cashman and Partners, which then merged with the Melbourne firm, Maurice Blackburn and Co, to form the firm Maurice, Blackman and Cashman. I left the firm in 2005.

Since 2005, in addition to my (part time) academic appointment I have practised as a barrister, recently at 9 Wentworth Chambers, Sydney and now at 3 Wentworth Chambers, Sydney.

I have also been a Commissioner with both the Australian Law Reform Commission and the Victorian Law Reform Commission.

In addition, I have :

- Been extensively involved with the Australian Plaintiff Lawyers Association for many years (now the Australian Lawyers Alliance), and served as its National President in 1999 and 2000.
- Served as Governor of the A.T.L.A - American Trial Lawyers Association (now the American Association for Justice).
- Practised law in both the United Kingdom and in the United States, and have authored numerous publications, including *Class Action Law and Practice*.

I became acquainted with Ronald Bobroff during one of his visits to Australia in the late 1990's, as a precursor to his studying for and becoming admitted as a legal practitioner in New South Wales.

At that time after he had joined APLA, and engaged in discussions with myself, and other members of APLA's National executive, and then President of the New South Wales Law Society, with regard to the challenges the legal profession faced, both in Australia and South Africa, concerning road accident personal injury claims.

I became aware that Ronald had been appointed by the South African legal profession to lead the struggle in opposing the South African Governments efforts to dramatically reduce

the compensation recoverable by road accident victims, and to limit and/or exclude the role of the legal profession in assisting these victims in receiving appropriate compensation.

Ronald's admission as a legal practitioner in NSW in 1999, and his then joining APLA came at a time when the legal profession in New South Wales, and elsewhere in Australia, was facing challenges not dissimilar to those being experienced by the legal profession in South Africa.

It became clear from discussions with Ronald that the way in which the profession was dealing with these challenges in South Africa would be of much interest to APLA members, and Ronald was invited to present a paper at APLA's Annual General Meeting which was to be held in Sydney in 1999.

Ronald's presentation was erudite, informative, and elicited much interest from the audience.

In the days which followed, Ronald was invited to engage with APLA's National Executive committee to share thoughts as to how APLA and SAAPIL could work together, in serving the interests of those who had sustained personal injury in road accidents and the lawyers representing them.

At that time, Ronald informed me that the American Trial Lawyers Association had taken an active interest in assisting SAAPIL, which had only been recently established, and had delegated leading members of its executive committee to work with SAAPIL.

Ronald engaged in various exchanges with me and other APLA and ATLA leaders which continued after he had returned to South Africa. This led to Ronald on behalf of SAAPIL inviting me and other international lawyers to attend SAAPIL's convention, to be held in Johannesburg and Cape Town in 2001.

Delegates to the convention would include the leaders of plaintiff lawyer organisations from most English speaking jurisdictions.

Along with other members of the English/European and United States trial lawyer organisations I travelled to South Africa to attend the SAAPIL convention and to provide advice and assistance to SAAPIL to assist in its development.

During my discussion with members of SAAPIL's executive committee and other leaders of the plaintiff personal injury profession at the convention, it became clear to me that Ronald had been the prime mover in organising this convention. It was extremely well attended both by South African and international lawyers and included a very large delegation from the United States.

I was most impressed at the range and calibre of speakers which included leading lawyers from the United States, Great Britain and South Africa.

A number of South African medico legal experts gave impressive presentations and I was most impressed at the level of expertise then evident in South Africa. In particular, Ronald's contribution was informed and of great practical value to attendees.

Those of us from Australia attending the convention were unanimous in our assessment of Ronald as being a leader in the field and a valuable ally for APLA, which was then in the

process of having to face similar challenges to that being faced by South African lawyers from government.

From my meetings with him I formed the view that Ronald was an exceptionally competent lawyer, a leader in the profession who had achieved the singular distinction of becoming the only attorney representing victims of personal injury to have ever been elected as President of the Law Society in South Africa in its 125 years of existence.

I believe him to be a person of integrity and passionate with regard to the interests of victims of all forms of personal injury and medical negligence, and a lawyer who has devoted most of his professional life to serving the South African attorneys profession.

I have had an opportunity of reading his CV and which speaks to the commendable extent of his service to the public and to the interests of the legal profession in South Africa.

Recently Ronald spent many hours with me, sharing the incredible circumstances surrounding the manner in which he, his son and partner, and their practice which was established in 1974, has been destroyed, by way of what he considers to be a vendetta conducted against them by a multi-billion dollar South African public health insurer (Discovery). I am not in a position to express an informed view as to this particular matter in view of its complex and contentious nature.

Based on my previous knowledge of his activities and career (before the events giving rise to his departure from South Africa) I am of the opinion that having regard to Ronald's vast experience and depth of knowledge on an international level, of all forms of personal injury and medical malpractice litigation, he will prove to be a valuable member of the solicitors' profession in New South Wales, should his practising certificate be renewed.

No doubt Ronald will furnish the Law Society with appropriate details concerning the events which led to him being struck off the roll of attorneys in South Africa. From my understanding of these events, based on the information provided to me, these do appear to have been truly incredible circumstances.

Sincerely

Dr Peter Cashman

2 June 2018

Dr Peter Cashman Barrister –
Three Wentworth Chambers, Level 3, 180 Phillip Street ,Sydney, NSW 2000

T (02) 8915 2826 **E** petercashman@3wentworth.com.au

M 0418 417 061

Professor of Law (Social Justice)

Sydney Law School, Level 6, New Law School Building F10 | The University of Sydney | NSW | 2006

T +61 418 417 061 **E** peter.cashman@sydney.edu.au

W <http://sydney.edu.au/law/about/people/profiles/peter.cashman.php>