

Sir Bob Hepple obituary

Legal adviser to Nelson Mandela forced to flee apartheid South Africa for Britain in 1963

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Sir Bob Hepple, freedom fighter and academic, who has died aged 81, fled from apartheid South Africa in 1963 to escape prison after working as Nelson Mandela's lawyer and made his home in Britain. In the UK he forged an outstanding career in academic life and as a leading advocate for equality.

Bob was born in Johannesburg to radical parents, Josephine (nee Zwarenstein) and Alex Hepple, and was educated at the Jeppe boys' high school and the University of Witwatersrand, where he studied law. His father, a trade unionist and leader of the South African Labour party, raised money to help pay for Mandela's defence in what eventually turned into the 1956 Treason trial (he was acquitted). Following the Sharpeville massacre of 1960, officials of the South African Congress of Trade Unions anticipated arrest at any time. Bob was hastily given the administrative authority necessary to run the union's affairs.

At around the same time, Bob qualified as a practising lawyer, in large part to support his new family - he had married Shirley Goldsmith in 1960. His legal skills were soon put to the test. On 5 August 1962 Mandela was arrested and swiftly brought to court in what became known as the Incitement to Strike trial. When the trial was moved from Johannesburg to Pretoria, Mandela's lawyer, Joe Slovo, could not represent him, as the government prevented Slovo from travelling. Mandela turned to Bob for help.

Mandela had already conceded to Bob that he had no legal defence to the charges (incitement and leaving the country illegally) and that his defence would have to be political. On 7 November, Mandela was sentenced to five years in jail, although he served little time.

Subsequent events ensnared both men. The ANC had a secret HQ at Lilliesleaf farm (just outside Johannesburg), where Mandela had previously spent months in hiding. Bob had been one of the lifelines to the outside world. Using his first car, a green Wolseley 1500, complete with walnut panelling, Bob had acted as Mandela's driver - or rather Mandela drove Bob, because a white driver and a black passenger would have attracted attention.

On 11 July 1963 the police raided the farm. Mandela was already in custody, but many other ANC figures were arrested, including Bob. He spent three months in solitary confinement, facing the death penalty for treason. These arrests would lead to the Rivonia trial, at the end of which Mandela would be sentenced to 27 years' imprisonment on Robben Island. Bob's indictment was "quashed for lack of particularity" early on in the proceedings, but his release was conditional on his

appearing as a state witness.

Not being prepared to testify against people he “admired and respected”, Bob, along with Shirley, but not their two young children, Brenda and Paul, fled the country with the help of the ANC underground movement, into what are now Botswana and Tanzania and, ultimately, to Britain. He had an agonising wait on arrival at Heathrow. With no papers, he risked deportation. He secured a seven-day visa thanks to the intercession of the anti-apartheid Anglican cleric Canon John Collins who contacted, on a Sunday morning, the Home Secretary.

Bob and Shirley were reunited with their children some months later in London. His reunion with Mandela came 33 years later, when the South African president, was on a state visit to Britain. He spotted Bob in a receiving line at Buckingham Palace and embraced him.

If Bob’s “first life” was extraordinary enough, after his arrival in Britain he went on to have a second, completely separate and in its own way just as remarkable, career at the forefront of academic and legal life in his adopted country. After postgraduate study in law at Cambridge, in 1968 he became a fellow of Clare College and lectured in the emerging fields of labour and discrimination law.

With his friend and colleague Paul O’Higgins he set up what was in effect a doctoral school for labour law research in Cambridge with an interdisciplinary approach, combining legal analysis with sociological and empirical research, which continues today. Their textbook *Individual Employment Law*, published in 1971, was the first systematic analysis of what was then a new field, associated with the creation of specialised labour courts, the industrial (later employment) tribunals.

Not content simply to analyse the law, Bob left Cambridge in 1976 to become an industrial tribunal chair, the equivalent of a labour court judge, a position he combined with a professorship at Kent University. In 1982, he returned to full-time academic life as professor of law at UCL, where he served as dean of the Faculty of Laws, and in 1995 took up a senior professorship in the Cambridge Law Faculty. From 1993 until 2003 he was Master of Clare College.

His towering achievement in this period was the drafting, with co-authors including his second wife, Mary Coussey, whom he had married in 1994, of a report on the reform of discrimination law which paved the way for the Equality Act 2010. He advised the post-apartheid government in South Africa on law reform. He was active as an author, president of the Industrial Law Society and an equality campaigner until a few weeks before his death.

Not the least of the many remarkable features of Bob’s life was his modesty and reticence in referring to his own achievements. It is likely that few people in academic and legal life in Britain knew the full story of his anti-apartheid activism and escape from South Africa until the publication of his memoir, *Young Man With a Red Tie*, in 2013. His influence only grew as time went on, and his life and work inspired many to follow in his footsteps, as best they could. He was knighted in 2004.

In 2014 Bob was awarded the gold medal of the Order of Luthuli by the South African

president, Jacob Zuma, for “his bravery in the times when fighting for liberation was courting danger. He chose to align himself with the marginalised to ensure that all who live in South Africa enjoy the privilege of equality.”

He is survived by Mary, Brenda and Paul, and two stepchildren, Christopher and Harriet. His first marriage ended in divorce.

. Bob Alexander Hepple, lawyer, born 11 August 1934; died 21 August 2015

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