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Profile

Mediator – Advocate – HB Marais SC

Advanced Mediator SABWIL Chambers - Mediation

◆ Diamond Member

Ubuntu. Wisdom. Innovation. Resolution.

Advocate HB Marais SC is one of South Africa's most respected senior legal practitioners, bringing extensive experience, intellectual rigour, and measured judgement to the mediation process. A Senior Counsel since 2009, he is known for his calm and methodical approach to complex disputes, combining deep legal expertise with practical problem-solving and a genuine commitment to helping parties achieve meaningful and lasting resolution.

With a broad practice spanning commercial litigation, constitutional matters, administrative law, trusts, contractual disputes, public law, and general civil litigation, Adv. Marais SC has developed a reputation for sound reasoning, strategic thinking, and an ability to distil complex issues into workable solutions.

His approach to mediation reflects the qualities that have distinguished his career as a senior advocate: careful analysis, patience, objectivity, and respect for all participants. He understands that successful dispute resolution requires not only a thorough understanding of the law but also an appreciation of the commercial, personal, and practical realities that often underpin conflict.

HB Marais SC is particularly valued for his ability to guide parties through difficult issues with clarity and composure, creating an environment in which constructive dialogue can flourish and sustainable outcomes can be achieved.

**SPECIALISATION FOCUS: COMMERCIAL, CONSTITUTIONAL,
MEDICO-NEGLIGENCE, ADMINISTRATIVE AND CIVIL DISPUTES**

Advocate Marais SC is particularly well suited to disputes requiring strategic insight, legal sophistication, and careful facilitation, including:

- Commercial, technology and contractual disputes
- Constitutional and public law disputes
- Administrative law matters
- Trust and fiduciary disputes
- Governance and regulatory matters

- Business and shareholder disputes
- Professional negligence matters
- Personal injury matters including Road Accident Fund disputes
- Complex civil litigation and related disputes

His mediation style combines legal excellence with practical realism, enabling parties to understand risks, evaluate options, and identify pathways toward resolution.

WHAT CLIENTS CAN EXPECT

Clients working with Adv. Marais SC can expect a mediator who is:

- Calm, thoughtful, and measured
- Highly analytical and strategically minded
- Fair, impartial, and respectful
- Methodical and solutions-focused

- Commercially aware and practically orientated
- Skilled at managing complex disputes
- Patient and attentive to the interests of all parties
- Focused on achieving durable and workable outcomes

Adv. HB Marais SC is particularly effective in matters where parties require a mediator capable of navigating legal complexity while maintaining a constructive and problem-solving environment.

CREDENTIALS & QUALIFICATIONS

Academic

- Double graduate, University of Johannesburg

Professional Standing

- Senior Counsel (SC), 2009
- Advocate of the High Courts of South Africa.

Areas of Practice

- Commercial litigation

- Constitutional law
- Administrative law
- Trusts and fiduciary disputes
- Contractual disputes
- Public law
- General civil litigation

LEADERSHIP, SERVICE & PROFESSIONAL CONTRIBUTION

Advocate Marais SC is widely recognised for his contribution to the evolution and modernisation of the South African legal profession. Marais SC has been at the forefront of legal innovation and modernisation within the South African legal profession.

Throughout his career, he has actively promoted greater accessibility to legal services, the responsible use of technology, and initiatives aimed at improving access to justice and the efficiency of legal practice. Through his writing, speaking engagements, and professional leadership, he has consistently advocated for a more accessible, relevant, and sustainable legal profession.

For more than two decades, Adv. Marais SC has contributed to the development and advancement of Black women advocates as part of his longstanding commitment to transformation within the legal profession. His willingness to mentor, guide, and create opportunities for emerging practitioners has positively impacted numerous careers and continues to strengthen the profession.

His commitment to legal development extends beyond formal mentorship. As Chief Justice of the SABWiL Human Rights Court Moot Programme, he has led human rights proceedings conducted at the Constitutional Court of South Africa, assisting law students and aspiring practitioners to develop practical advocacy skills and a deeper understanding of constitutional and human rights jurisprudence.

These educational proceedings have been published through SABWiL's learning platforms to ensure that a broader audience of future practitioners may benefit from the programme long after the moot court concludes.

This same commitment to transformation, professional excellence, and skills development is now brought to SABWiL Chambers - Mediation, where he actively supports the growth of mediation and the development of future dispute resolution professionals.

A NOTE ON HIS APPROACH

Advocate Marais SC brings to mediation a unique combination of senior advocacy experience, strategic insight, and intellectual curiosity. He approaches disputes with discipline and objectivity, carefully identifying underlying issues, testing assumptions, and helping parties evaluate their options thoughtfully and realistically.

Parties appreciate his ability to remain calm and composed in complex or emotionally charged matters. He listens carefully, analyses thoroughly, and facilitates discussions with patience and respect. His approach allows parties to focus on practical solutions rather than entrenched positions.

HB Marais's strength lies not only in his legal experience but also in his ability to combine logic, fairness, and empathy in a manner that assists parties to move beyond conflict and towards resolution.

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BEYOND PRACTICE

Beyond his professional life, Adv. Marais SC is a devoted husband, father of two children, and proud carer of three German Shepherd dogs. He enjoys spending time with his family and values the balance that family life brings to a demanding profession.

A lifelong student of science, technology, philosophy, and Latin, he is known among colleagues for his intellectual curiosity and enthusiasm for learning. He has a particular fascination with emerging technologies and enjoys exploring,

building, repairing, and experimenting with technology in his spare time. His much-loved "tech cave" is where legal innovation meets hands-on problem-solving. He is also a passionate supporter of the McLaren Formula One Team and is seldom far from a soundtrack of heavy metal music while working through complex ideas and projects.

Those who know him best describe him as deeply respectful, generous with his knowledge, intellectually rigorous, and remarkably approachable despite his seniority. While recognised as a leading advocate and thought leader, he remains grounded, accessible, and committed to supporting others. And, despite his formidable legal intellect, he readily admits to having a weakness for a well-made tiramisu and traditional South African malva pudding.

SABWIL Chambers - Mediation is privileged to benefit from Adv. HB Marais SC's experience, wisdom, commitment to transformation, and dedication to the advancement of dispute resolution in South Africa.

“Wisdom in dispute resolution comes not from winning arguments, but from understanding people, analysing problems clearly, and helping parties find their own path forward.”



 [Brief Adv. HB Marais SC](#)