

Polokwane

Contributed by **Nathi Gaisa**

In 2017 the recently established Polokwane Bar took its second cohort of pupils. After an intense pupillage programme, and despite many challenges, the bar obtained a 58% pass rate. Fifteen new advocates took up chambers at Polokwane Chambers, 39 Voortrekker Street. These are some of their stories.



Eddmond Nhutsve

Having a police constable for a father and a housewife for a mother, I cannot truthfully say I grew up in a world of material privilege. But then again, at the same time, I am not saying that I grew up in poverty either. It was enough for me that my parents provided a roof over my head, food, albeit lacking in variety (it was basically pap and vegetables 3 times a day in the days soon after my father got paid and 2 times a day in the days just before he got paid again). They also sent me and my siblings to school to be able to play, read, write and discern the world.

At age 12 I was appalled by a newspaper article that referred to my hometown (the only town I knew and loved) as “*the sleepy town of Chinhoyi*.” But I learnt over the years to appreciate and embrace the truth in that article about the place I called home. I started accepting the fact that not all animals are equal. Some towns have pizza outlets and some don’t (a consequence of which was me tasting pizza for

the first time in my life at age 20).

When I commenced pupillage in January 2017, at first I was just happy to be in the fancy offices. But as soon as I realised the workload, the excitement faded and the hard work began.

The Polokwane bar had no library, which simply translated into “buy your own books else you will fail.” I did not have the money to buy even the cheapest textbook so I made friends with the pupil next door, a man by the name Christopher Sioga – God bless the Venda people their unrelenting work and study ethic.

The Bar was started by predominantly members of the Johannesburg Bar who maintained dual membership. This meant mentors would on occasion be away from their pupils. However, the members who were there permanently did a sterling job of becoming surrogate mentors to multiple pupils at a time. I would like to single out, among others, the following surrogate mentors who never tired of their assistance to pupils: Mfazi Lindela, Makoti Mokgerwa, Monene Malose, Nkoana Albert Lesetja, Ngoetjana Mmaphuti, Diamond George.

We also did not have trial advocacy training of our own. But we were privileged to have advocacy training organised by the General Council of the Bar and conducted in the winter of 2017 at a fancy hotel in Centurion.

For me and my colleagues from up north, we lost the first day mesmerised by the splendour of the venue. Instead of listening to the speakers, we would focus on the deep comfort of the carpets beneath us and wonder if the chefs would, at the next meal, be able to outdo the magic they had performed with the previous one.

But this trial advocacy training revealed to me the dedication that goes into training future generations of the Bar. Adv Nathi Gaisa from our bar was meticulous

in preparing and Adv Amandalee De Wet patched up all the “ruralness” in me and converted me into a modern junior advocate in a matter of a week.

Before this training, I had always thought Usain Bolt is the only appropriately named person in the world. Then I met a graceful woman who is the very embodiment of a good heart. Her name is Grace Goedhart. She came over to Polokwane prior to the advocacy training and jointly addressed us on the serious preparations that go into it with Adv Gaisa. I do not have the words with which to express my gratitude to the GCB and these individuals for their dedication.

The classes back at our bar were a mixed bag of tears, laughter and pragmatism. Adv Monene’s Criminal Law class can only be missed at one’s own peril because the man is a sage who teaches well. His sense of humour is Trevor Noah on steroids.

The classes were strictly run on schedule and on time. All this was under the watchful eye of the “Headmaster” of the pupillage programme in Polokwane, Mathibedi SC. He takes no prisoners when he teaches legal writing. He has no tolerance for laziness or unpunctuality (understandably so, because he would mostly leave his home in Gauteng at 03h00 just to be in time to teach a 07h00 class).

As a young man I attended a rural government secondary school to which I had to walk long distances, which was understaffed, but which ultimately gave me an opportunity to write a matric exam. The means does not matter much, it is the business of getting there that matters. And when one “gets there” one has to immediately engage in the business of pulling others up - just like William Mokhari SC, Tebogo Mathibedi SC, Lindela Mfazi, Nathi Gaisa, Grace Goedhart, and Amandalee De Wet, to mention but only a few, are doing.



Mr Khrukancani Christopher Sioga

I obtained my LLB, which I passed with 17 distinctions, through UNISA when I worked in Transnet from 2004 until 2016. I applied for a pupillage program in Polokwane for the 2017 intake and, fortunately, I was admitted.

When I first commenced I had never practiced before, neither was I exposed to legal practice except my LLB degree.

I was a bit scared immediately after I made the acquaintance of my fellow pupils, as some were former prosecutors, some had worked in court, some had being exposed to practice. However I was not the only pupil with no legal background.

During the program each pupil is allocated a mentor to guide a pupil along the program. In Polokwane, the members of the Bar are willing to assist all pupils irrespective of whom their mentors were. I have been assisted by colleagues whenever they were available. It is because of this willingness of the senior colleagues that I now find myself a member of the Bar.

The program has taught me a lot of things, from drafting a legal document to trial advocacy. Colleagues in the Polokwane Bar are very eager to assist the pupils, they were available when we needed them. We were taken with whenever someone had a matter in court. This was a good experience and I shall continue learning from my seniors while I also teach the pupils that follow me.



Maria Marupeng Malatji

Limpopo is a vast Province and it was unfortunate that there was never a Bar before 2015 whereas there has been the Thohoyandou High Court for many years. I applauded the team that started the Polokwane Bar, as it was very important to have one, to be of service to the Limpopo communities. It has not being easy for the Limpopo community as people were always travelling to Gauteng for consultations with counsel, which involved a lot of money.

I started planning to be a member of a bar as far back as 2011. My dream could not be realised due to the financial position I would have been in, had I enrolled for pupillage in Gauteng. Upon learning of the establishment of a Bar in Polokwane during 2015, I was able to pursue my dream staying with my family.

Being part of the 2017 Pupillage Programme in Polokwane was a blessing for me, even though doing pupillage in a newly established Bar like Polokwane, which is without resources, was a challenge. There is no library and most of the mentors are based in Gauteng. Very few of them are based in Polokwane, a hurdle the 2017 pupillage group had to deal with. Against all odds fifteen of the twenty six pupils managed to pass the GCB exam.

Only eight women were part of the 2017 pupillage programme. I am delighted that four women passed the GCB exam, and I am one of them. Pupillage is a demanding programme and being a pupil, wife and a mother doubled the challenges. In spite of all the challenges, I managed to make it. The Bar managed to produce a 58% percent pass rate, which is good considering the challenges.



Maropene Josephine Bothetele

When I received an email from Polokwane Bar that I have been admitted to attend pupillage programme in 2017, I resigned instantly from the job I had been in for 11 years. I was a police officer by profession and I really loved my job as it provided me with a secure monthly income. I was accustomed to the lifestyle and routine that came with the job.

But I wanted to have a career, something that will inspire me to spring out of bed every morning. It's amazing how life works. I was born and bred in a remote village of Limpopo Province, relocated to Gauteng after completing matric and then ended up settling in Pretoria.

Now, I had to relocate from Pretoria to Polokwane and in the process leave my rebellious teenage son with my ailing mother. I rented a back room in a township some ten kilometres out of town. It was not ideal but was the best I had.

D-day for commencement of the programme arrived. We convened in the board room of the Bar. We were addressed by some of the members of the Bar. Most of the speeches were a plea to urge us to limit social activities and to devote our lives to the programme.

I was excited to finally get to know the rest of my fellow pupils. We all came from diverse backgrounds and encompassed assortment of characters. Age did not matter as we were all pupils. There was no time table as to when the classes begin or end. We had to avail ourselves from 08:00 am to 17:00 pm all weekdays. Mostly on Tuesday we started at 07:00 am. All classes were subject to the lecturer's availability. Sometimes we would be released early and then be called back to class twenty

minutes later because a lecturer suddenly became available. Sometimes I had to drive back from my rented place to attend the sudden lecture and this was a setback financially as I had a strict budget to stick to.

When the January month ended I did not receive a salary. I had gotten a salary for the past eleven years and now it was gone. It was a stressful situation as I had a bond, vehicle finance and other debts to pay. I had some savings but they were not enough to keep me afloat until the end of the programme and was not sure when my provident fund would be paid out.

At this moment I came to realise how much the programme had taken away from me. My monthly income and my lifestyle were gone. I then applied to the Bar for permission to work part-time, which was granted. I managed to visit my mom and my son back in Gauteng once a month and to cover only my basic needs until end of May when my provident fund was paid.

Fast forward, we were attending the trial advocacy training at Pretoria West. We were booked into the most luxurious hotel for about four days. It was impossible for me to explore the luxury as we had a tight schedule that made a day seem like an hour. After completing the trial advocacy training we went back to the Bar to prepare for mock exam. The date for the mock arrived and we wrote all the five modules in four days. The result for the mock exam came out and I had failed all the modules.

It felt like a nightmare as this was my first complete fail in my entire life.

I had to come up with a recovery strategy to redeem my performance in the final exam. I divided all my days into four hours of sleep, three hours of refreshing and the rest for studying. I made sure my cell-phone were completely off during study period.

One Friday I was preparing for my stepmother's funeral when I received the call. I was so terrified I watched my phone ring to voicemail. I knew the results were released but I was still not ready.

Later when I was called back, my friend took the phone out of my pocket, answered it and put it on a loud speaker: "You got a straight pass," I was told. I don't remember what else he said I was so ecstatic the phone fell out of my hand.



Nozipho Mbuyane

I obtained my LLB from the University of the North-West (Mafikeng Campus), in 2015. After graduating I joined the Polokwane Bar and successfully completed the pupillage program. I am currently running my own practise. I wanted to be an advocate because the profession requires a high standard of ethics, discipline, responsibility and accountability. The field of advocacy is not just challenging but self-empowering as well.

Growing up I looked up to certain people in the profession. I was fascinated by their ability to argue, read voluminous documents and extract from the facts presented what is relevant and important.

My experience at the Polokwane Bar has been better than I had imagined. It has been filled with mixed emotions. I had struggled like most people who joined the bar straight from university and with no experience, especially during the first year. I was so nervous. At the same time I had an opportunity to learn from amazing mentors in the profession.

At first I was concerned about whether I would be able to have a voice and be recognised as a hard working female advocate in such a male dominated industry.

To my surprise I was given the same platform as my colleagues. I was afforded the same opportunity as everyone. I am now growing an independent practice knowing I have been groomed by amazing members of the Polokwane Bar.

The Polokwane Bar understood my background. The fact that it was a small bar with fewer resources made it tough. But I was fortunate enough to have a mentor that helped me with the resources that

I needed and she was also from Polokwane bar. My mentor has still remained my mentor as I have grown in practice. I have learned the value of mentorship. I can honestly say today that I am proud to have come from Polokwane bar.



Motlatso Neria Kgare

I want to speak on the power of words and divine intervention. When we started pupillage at the end of January 2017 I had been busy with other academic projects. You see, I may be a woman but I have no multi-tasking skills. So I focused on that project and I finished it in May 2017. It was then that I could pour all my energy into my studies. Of course when I saw the mountain of work I had to dig through, I panicked.

Adv. Afzal Mosam came to address us the first weekend of June 2017 and amongst other things he said, "Those of you who have started preparing for your exams keep up the good work. For those of you who have not really started, it's not ideal, don't panic, you can still make it".

For someone else, the words may have seemed ordinary and insignificant but for me, they were so powerful I literally saw the self-doubt and fear in me disappear.

I stay in Lebowa kgomo, about 50km from Polokwane and I had to take the daily 100km return trip by bus to be at chambers. Myself and a fellow pupil knew it was not going to work taking those daily trips to study for our exams and we decided to study at the community library. But one day the municipal workers decided to come to the library and disrupt our studies and even made us leave the li-

brary. I asked one of them why they were disrupting us and their idea was that because we would not have a place to study, we will go to the Municipal Manager and force him to succumb to their demands.

The following day I went to chambers and studied there, my fellow pupil went to the library and found the situation had not changed. He called and informed me that he found a studying place for us at the local stadium. The following day I got there before him and asked the security about where he was studying, I could not believe it when the security showed me the stands. He had sat on the stands the whole day studying.

That was not practical for me and I remembered that while I was with my former employer we once had a workshop in one of the classrooms at SAPS. I approached the Captain there and he allowed us to use the classroom. He also gave us the keys and we were able to study way into the night, something we could not have achieved when we were using the library.

My experience in a nutshell is therefore, people should be careful what they say because words can destroy or build a person and that God indeed knows what we need even before we ask for it.

List of Limpopo Division of the High Court Acting Judges 2017 & 2018

Adv. M J Mushasha : 18/04/2017 to 30/06/2017; 01/07/2017 to 28/07/2017

Mr I Mangena: 01/06/2017 to 30/06/2017

Adv. M S Sikhwari: 31/07/2017 to 15/12/2017

Ms A Lamminga: 31/07/2017 to 30/09/2017

Mr D Nair: 31/07/2017 to 31/08/2017; 01/09/2017 to 30/09/2017; 29/01/2018 to 30/03/2018

Mr M Madima: 9/10/2017 to 15/12/2018



Giyani George Mashimbye

In 2017 I registered for the GCB Pupillage Programme at the Polokwane Bar Association. My group was the second intake of pupils.

As a new Bar, it has its challenges, mostly because the majority of its members are still practicing elsewhere in the country so very few are permanently based in Polokwane. Another is not having a library. The programme does not only need pupils to be admitted and just come and sit in chambers. It requires that pupils have resources to assist them.

Pupils need to interact with their mentors on daily basis. At the Polokwane bar the pupils do not have that privilege as is the case with other pupils at other bars in the country. Hence it is up to the pupils and the members to see to it that they overcome this.

We heard on the grape vine that the first group of pupils in 2016 had tough time because of these challenges. Some of us were even discouraged and advised that it might not be a best idea for us to do pupillage at such a new, under equipped bar.

Fortunately, my experience as a pupil at the Polokwane Bar Association has proved it to be wrong. The members at the Polokwane Bar Association together with the group of 2017 made sure that those challenges were overcome and achieved a 58% pass rate at the end of the year.

Even though most of the mentors were absent, those members who are around, took it upon themselves to mentor all the pupils. The members opened their chambers for the pupils to work from.

As a group we decided to take it upon ourselves to get as much material as we could. We made sure that we share the materials as a group. We got in touch with other pupils from other bars around the country. We shared information, notes and materials as a group. At the end we had more than enough material to assist us.

Legal text books are expensive and most of us could not afford to buy them. We relied on each other and borrowed some from the members at the bar.

From the first day, various members of the Polokwane Bar told us straight that "the hard work starts now". Others advised those of us who are married that we needed to tell our spouses that we were going to be absent spouses for the year 2017. We were told to tell all our relatives who were planning to die during 2017 that if they wanted us to attend their funerals, they better postpone their deaths to 2018 because we won't have time for attending their funerals.

My best experience during the programme was to learn that hard work does not kill. Instead it makes one more wise and sharp. It also teaches one to plan the work and time accordingly. Thanks to the "Monster" (Advocate Mathibedi SC). His strictness and not accepting sub-standard work made us not to be sub-standard pupils. I don't believe anyone who sits under his teachings and is attentive will ever produce sub-standard work. Seven o'clock is seven o'clock not 07h01. If you want to save yourselves any embarrassment, if you are late just don't come to the lecture.

Hence my experience as a pupil at the Polokwane Bar is that, getting through the GCB examination cannot be an individual effort, but it is the team effort. All members present and absent at the bar, the pupils and the support staff made it possible for us to sail through, amidst all the challenges that the bar faces. I believe this makes it the best bar for one to serve his/her pupillage.

Some might say it's a black rural bar without even a library, but my experience as a pupil at the Polokwane Bar was great. Hence one can say the 2017 pupils from Polokwane Bar are not blunt instruments unleashed to the unsuspecting public, but they are sharp highly professional instruments to contribute in our democratic society. **A**