



HOW DO WE SPEND YOUR MONEY?

Craig Watt-Pringle SC, chair, General Council of the Bar of South Africa

Members probably have little idea how much they contribute to the GCB and even less about how we spend the GCB's subscription and other income.

In a nutshell, silks contribute R450 per month, juniors over five years seniority pay R300 and juniors below that level pay R110. In addition, members pay a contribution to SAFLII – silks pay R80, juniors over five years R50 and juniors below five years are exempt.

The GCB's other income comes from annual pupillage fees, examination fees, *Advocate* subscriptions and advertising and interest on our reserves held in an investment account. The GCB is in a sound financial state, with adequate reserves.

Although the GCB has a very lean staff compliment, staff costs account for approximately 25% of our annual expenditure. Pupillage is the next biggest ticket item, followed by advocacy training, legal fees, meetings and conferences, *Advocate*, the National Bar Examination Board (NBEB), the GCB's bursary fund and the GCB's annual contribution to Advocates for Transformation (AFT).

The GCB has its AGM in July of each year, attended by the GCB Exco of 10 members and bar representatives. The number of bar representatives depends on the relative size of the bar, with the largest bars having four delegates. Exco meets in November and March or April and these meetings are attended by Exco and one delegate per bar. Exco meetings are held near OR Tambo Airport so that delegates from around the country can fly in and out on the same day. The AGM is hosted by the bars on a rotational basis. This year is the Pretoria Bar's turn.

The GCB provide very extensive services to the bar, particularly in the areas of pupillage, advocacy training, the national bar examinations and public interest litigation in respect of matters affecting the bar. The reason it is able to do so with such a small subscription income is because the vast majority of the skilled work is done free of charge by members.

Advocacy training, pupillage lectures, the setting and marking of examination papers, oral examinations, the training of new advocacy trainers and appearances in court on behalf of the bars and the GCB are all done by members and our valued group of long-serving judges and retired judges, on a pro bono basis. Colleagues from various other countries in the world are also involved in our advocacy training and advanced advocacy training courses. Frequently they or their professional bodies cover their travel expenses.

The time spent on GCB affairs by GCB Exco members and bar delegates is, needless to say, pro bono as well. Only flight costs and accommodation, when the GCB arranges conferences, meetings or residential training courses, are paid for by the GCB or the bars, as the case may be. It follows that those serving the GCB not only give their time without remuneration, but they carry some out of pocket expenses as well, for the good of the profession.

In relation to most of our litigation, preparation and appearances by counsel are done by members acting pro bono. If matters are too extensive to expect counsel to act pro bono, silks act pro bono or at severely discounted rates and juniors assist them at reduced rates. Attorneys engaged in such matters usually give the GCB a favourable rate.

The hundreds of hours contributed annually by members, judges, retired judges and our colleagues from abroad would, if paid for at commercial rates, require the GCB to increase its budget by a staggering amount. I have not worked out, even on a rough and ready basis, what the cost would be, but suffice to say that the true value of the work done pro bono by experienced professionals far exceeds anything that the GCB could reasonably afford.

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Anyone who has been involved in a weekend advocacy training course will have experienced the profound satisfaction of seeing an inexperienced pupil blossom, literally overnight, as she acquires basic advocacy skills and puts them to good use. Suddenly, years of academic study and some practical legal experience combine with taught advocacy skills to produce a young practitioner with the basic tools required to lead and cross examine witnesses and to present argument.

Equally rewarding is the opportunity to work and socialise with colleagues. Training and conferences are always infused with a good deal of socialising and fun. Friendships are formed between members of different bars, and during advocacy training, the most junior pupils address judges by their first names, albeit just for the duration of the course!

These generous colleagues see the bigger picture: for the bar to prosper, for its members to be seen as highly qualified and skilled professionals of good repute, the standards of the bar have to be maintained and ever improved upon. That requires the ongoing involvement of seasoned advocates and judges able to pass on both the hard and soft skills required to maintain these standards.

The era of the Legal Practice Council (LPC) will usher in many changes in our governance. From a statutory regulatory perspec-

tive, pupillage training and assessment has been assigned to the LPC. The LPC has hitherto delegated pupillage and assessment to the GCB, the NBEB and the bars, as far as our pupillage intake is concerned. We have offered our assistance and support to the LPC, in this and other spheres of governance. It is imperative that the GCB and bars continue to play their respective, invaluable roles, in the training, mentoring and assessment of new entrants to the bar.

The effective induction of new entrants to the bar is not achieved by formal training and assessment alone. Indeed, some might argue that the true value of pupillage and membership of the bar lies in the soft skills acquired through the mentorship of more experienced colleagues. The bar does not expect of its members merely to act within the ethical constraints laid down in codes of conduct and common law rules, which represent the bare minimum standards. The bar also expects its members to act honourably and in a collegial manner towards one another, towards attorneys and the bench. The ability and inclination to do so are inculcated both during and after pupillage. A necessary condition for ongoing, effective mentorship, is the bar's requirement that we hold chambers together and make ourselves available to our colleagues whenever reasonably required.

The bar needs to keep evolving to remain relevant and continue to be a nurturing home for its members. The best of what we already have must be retained as we adapt to meet new challenges. If we wish to remain members of a venerated profession, we have to put in the work and resources required to maintain an environment in which young practitioners will continue to benefit from their colleagues and peers. **A**