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INTO THE SUNSET
(Some memories and a farewell)

by **Ahditya K. Kissoon Singh SC,** Chair, the General Council of the Bar

Hoang Long

As I pen this article, I do so as the chairperson of the General Council of the Bar of South Africa. By the time you read this article, I will no longer be the chairperson, my tenure as such having expired through effluxion of time.

As I have been requested to make a contribution to *Advocate*, I thought it appropriate to write a short article recording but some of my memories of the GCB, which I have served in different capacities over some 30 years.

I was first introduced to the profession of advocacy as a primary school child when I accompanied my late father (who was a practising attorney) to the Durban High Court. I was told by him not to dare enter the court room but to remain seated outside on the outdoor walkway. I did so. I noticed many advocates, entering and exiting the court room (the motion court) and standing outside in earnest conversation with others, often putting one leg up on the concrete dwarf wall to which the balustrades were affixed. Some leant over the balustrades looking into the courtyard below, some puffed on cigarettes, some engaged in somewhat heated arguments with their opponents whilst all somehow managed to display the hallmarks of importance. They were, to put it simply, imposing figures for a primary schoolchild to observe. Little did I then realise that one day I too would enter and exit that court room, I too would put my leg up on the wall, I too would hold onto the top of the balustrade and look down into the courtyard and I too would engage in the activities that those advocates had undertaken (save for the smoking).

That was the start of my admiration for the institution of advocacy and my love for the advocates' profession which I have carried with me from even before I obtained my university degrees and which continued through my pupillage, my early years at the Bar and my career thereafter. I accept that such attitude may be misplaced but I have nonetheless generally devoted the larger part of my life to being an advocate – and I still do. I would not know what to do with myself if I ceased being an advocate. Hence my continual delay in announcing any plans for retirement, although I accept the inevitability of the same.

When I joined the KwaZulu-Natal Bar as a pupil and thereafter as a member, I set out with a few goals in mind. One of these goals was to be a good advocate. Another was to help prospective advocates and those in practice to better themselves, where I could. The third and perhaps most important goal was to give back to my profession more than it had given to me and it has, over the years indeed given to me a tremendous amount. I thus had no hesitation in throwing myself into service of my Society. Such service resulted in me becoming acquainted with the GCB and its structures. My journey, to what I consider to be the pinnacle of a practising advocate at any Bar (namely to be the chairperson of the GCB, or as I was informed by senior colleagues when I was a fledgling at the Bar, the "Leader of the Bar") commenced with my Society nominating me (after I had lectured pupils) to be an Oral Examiner and my nomination being accepted by the National Bar Examination Board of the GCB. I commenced

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service as an oral examiner in the late 1990s. When a vacancy for the KwaZulu-Natal Provincial Convenor on the NBEB arose early in 2001, I was nominated for that position and the NBEB accepted me as a provincial convenor. I served that body for some 25 years rising, through seniority in service, to be the most senior provincial convenor. I have fond memories of my period of service at the NBEB, even though I couldn't help but notice that I was the only black person serving on the NBEB. I succeeded Findlay SC (at his specific request) to become the National Convenor of the NBEB, a position which was on a short term basis because I was (according to convention) the chairperson-elect of the GCB at that time.

As a member of the NBEB, I often interacted with officials of the GCB and Bar chairs, not realising that I too would one day attend meetings and other functions of the GCB as a Bar chair (namely that of the Society of Advocates of KwaZulu-Natal) and later as one of its chairs. To be the chairperson of the GCB, in my case was somewhat ironic as I recall that at one stage it was considered inappropriate for me to attend the Annual General Meeting of the GCB and I was not nominated to be a delegate to the Annual General Meeting. I nonetheless continued to serve the GCB and my Society.

In 2016 I was requested by members of the EXCO of the GCB to make myself available for election to the EXCO and I did so. I have served uninterruptedly on the EXCO from 2016 to date, rising to the rank of the vice-chair for four years, the deputy-chair for two years and now the chairperson for two years. After I cease to be the chair, I am obliged, according to the GCB Constitution, to remain on the EXCO for a further year as the immediate past chair. All in all, I would then have served a period of nine years as one of the three chairs of the GCB, as provided for in its constitution. Alongside being the vice chair and the deputy chair, I was honoured to be asked to act as the treasurer of the GCB, a position I held for some six years. So it is with a somewhat heavy heart that I have now come to terms with knowing that I must say a farewell to the GCB in terms of actively rendering service.

As mentioned, one of my goals was to give back to the profession. I truly believe that I have done so. With the vast reputation of the GCB and the solid support of several of my colleagues, I have ensured that many important aspects affecting the profession have either been commenced with or continued. The training of pupils and new colleagues has been fortified. In my view, we turn out superior legal practitioners to any other organisation that exists in South Africa. Transparency has been paramount. Transformation has continued apace. When called upon the GCB has rallied to the assistance of its constituent Bars and has defended the profession, or taken stances that would generally serve the profession and it continues to do so. As a representative of the GCB during my attendance at conferences abroad, I have acquired and brought back knowledge of how other jurisdictions operate and I have forged considerable links abroad for the GCB. It is of course a pity that South Africa is so far physically removed from where the advocates/barristers generally ply their trades that it is extremely costly for advocates from South Africa to play the role that they no doubt could have in international organisations. Our presence is now felt in the Forum for Barristers and Advocates of the IBA and the International Congress of Advocates and Barristers.

But has it all been smooth sailing for me at the GCB? The answer is a simple two syllable word starting with an "n" and ending with an "o". There have been numerous bumps along the road. Some more serious than others. But through it all, the GCB has weathered whatever has been thrown at it and continues to do so. It is my firm belief that the GCB, as the general spokesperson for its constituent Bars and through them the advocates practising at the Bars must repel attacks made against it, which are frequent. There is no reason why it cannot do so.

I do not wish to recall unpleasant aspects that have occurred where I have been personally involved. It is, however, extremely difficult for me not to acknowledge that they existed and still do. Those are painful in the extreme and I prefer to push them aside concentrating instead on better memories. Through it all, I have received tremendous support and counsel from colleagues at various Bars and from some members of EXCO. It is not for me to name those persons in this article and I refrain from doing so. I also expressly refrain from dealing with and particularising unhappy incidents which occurred under my chairmanship.

Instead, what I intend to close with is a huge thank you to all those who supported me and guided me through the good and the bad. I also wish to thank the staff of the GCB, Tracy Nothnagel, Khanyisile Ndaba and Christine Baek. Without the assistance of these ladies, the GCB would be barely functional. Their contributions should never be underestimated.

I have been told that many of the activities in which the GCB was involved in the past year and which I have canvassed in my chairperson's report (which will be tabled at the Annual General Meeting of the GCB in July) will be made available for publication in *Advocate* and those interested in the same will no doubt glean some of the workings of the GCB upon reading the same.

As I say farewell through this article, it is my hope and prayer that the GCB will continue its important role in the advocates' profession and that it will grow from strength to strength. A