

Topsy McKenzie

LRC Oral History Project

11th July 2008

Int This is an interview with Topsy McKenzie who's administrator at the LRC. Topsy thank you ever so much for agreeing to be part of the LRC Oral History Project, we really appreciate it.

TM Thank you.

Int I wondered whether we could start the interview, if you could talk about your early childhood memories, growing up in South Africa, where you were born, who you lived with, what were your experiences, and where you got a sense of apartheid and also your sense of justice, that something was wrong, and your sense of injustice, where that developed?

TM Ok. When I grew up, I grew up from a single mother. I was a second child and my father was a coloured, the mixture from a Swazi woman, which was black and an African man, which was Mr Greyling, who used to own a farm in Piet Retief.

Int So he was an African man who owned a farm?

TM No, she (*sic*) was a...the *boer* man.

Int Oh, he was white.

TM Ja, he was a white man, ja. He was a white man. Mr Greyling.

Int And so those were your grandparents?

TM That were my grandparents, but when you follow the story correctly, my grandmother, apparently they were working under this white man; he used to have a wife and one child, which was a girl. And then I don't know what happened, but my grandfather (*sic*) apparently fall pregnant with my father, and then my father was very different. When you look at him, you just see a white man. And then he told me that when he grew up they used to tease him. He end (*sic*) up escaping, running away from Piet Retief, and then came here in Johannesburg. And then he stays in Boksburg and then he met this...with other guys, they came, they work at Boksburg, and then they were working under this white man who was McKenzie, and then he adopt my father like his son. That is why my father end up having this surname of McKenzie, but the really (*sic*) surname it's Greyling.

Int Really?

TM Ja, an Afrikaans surname...

- Int When you say adopt like a son, did he live with him, or...?
- TM He was working for him, because he looks like them exactly, complete with everything. Ja, you can see that this is a child from a white family, even though he was speaking Zulu and Afrikaans and other languages, because he was raised...
- Int Sure, on the farm...
- TM ...speaking Zulu and Swazi language, ja. And then he met my mother here in Johannesburg, while they were working. And then I was the second child but he...they never got married. So there was this...we stay with my mum at her home. It was a four-roomed house with uncles and aunties, all this and that. And I used to visit my father. I started to visit my father at the age of eight and nine, on weekends. Sunday I have to go back, just like that. And ja, when I was doing Form One, now they call it what, Grade Eight, ja, and then my mother now couldn't cope to...because now we were four, now.
- Int Did you have the same father?
- TM No, it's another...my mother got married to another man, which was Mr Tshabalala, they got three children.
- Int So you were...the only one from Mr McKenzie?
- TM I was only one, ja. And then later they negotiate that I can go and stay with my father and I can come on weekends this side to my mother. Ja, and then I still remember, when my father starting...and then all along I was using my mother's surname, which is Nhlapo. Because when she gave birth to me, I was using her surname. She told me that when she gave birth to me, they didn't want to give me...they didn't want to give her me. They said, where did you get this child? Apparently I was...by then I was too...the complexion was too white, all this and that, ja. And then they didn't want to release me so my mother has to go to the Cleveland, where my father works, to come...my father must come and make an affidavit. They took blood, he must confirm that...
- Int Gosh.
- TM ...I'm his child, ja. And then they also check him and they ask him all these questions with my mother. After three days and then they release me and then she took me away with her. Ja, and then there was a time I have to apply for a pass. Now...so my mother and my father agree that now I can use my father's surname. So first we had to make an affidavit that I'm his child, all this and blah blah blah. It took three years to get the ID.

Int ...The pass? Really?

TM Ja, because from this surname of a Zulu to come to this surname it was another story, because my father was the...on his ID was classified as a Cape coloured, which is zero zero...what...because ja, it was zero zero it's for white, Cape coloured is zero one, and then zero two it was other coloureds, and then Malaysian, just like that, Chinese, it was that column in the ID because that was a...a pass and the ID they were different. Now to use now the ID it was a problem, and then we used to have...we used to go to the advice centre at Eldorado Park, where they help us to get this thing to be done. Took us three years until everything went well and then use...use his surname and that is McKenzie, ja. And then in...in 1989, I still remember when I register myself for first year to do a BCom at UNISA, firstly I registered myself at Wits the first year in 1989, because of the subject that we were doing at school, we were doing Biblical Studies, History, so I didn't have a direction. So first I didn't know what to do and then I decided to register myself a BA, a degree in Education maybe to be a teacher at the end of the day. I couldn't make it. After June my results were so bad, then I drop out. Then the following year in 1990 I went to UNISA to register for a BCom ...

Int 1990?

TM In 1990, ja. I went to UNISA to register for a degree in BCom.

Int Right.

TM And then in June my father got an accident, he died. So there was no-one to...

Int I am sorry...

TM Ja, that was it and then after, and then I was doing some terms, just like that. And then there was a problem because I was supposed to be appointed as a...what do you call it, a curator? I don't know how to spell this...because to get all those things...to my father's money to be released...all this.

Int Right. Like a guardian.

TM Ja, exactly. So there was a problem in that. I end up...somebody advise me to go to Wits Law Clinic. So...where I met a friend of mine who was...who was doing the Articles at Wits Law Clinic. Ja, that was doing Articles at Wits, with the Wits Law Clinic. And then...ja...in 1993, and then...I think 1993 was the last year of processing everything, of getting all this and that to be finalised, ja. So I met this...guy...his name was Topsy, so we're sharing the common name. And then he told me...and then I said to him, can you please help me to get a job meantime so that I can be able to finish up my studies? And he said, no, I've got a friend of mine who's

doing Articles at Legal Resources Centre but he's semi-blind so that you help him to read the fine print for him, and then the Labour...the Labour Department is the one that is going to pay for you because it's part of...part of his disability. And then we make an arrangement and then Webster Sekwati was this candidate attorney.

Int Webster...?

TM Webster Sekwati was a candidate and now he's a...an attorney at the...State attorney now.

Int Really?

TM Ja, I think he's a director now. Webster Sekwati.

Int Webster...

TM Now he's a...I think he's a director at a...a State attorney now. Ja, then...

Int Ok. So you came here.

TM And then I came here.

Int In 1993?

TM In 1993, in February to...to help him. I was not under LRC then but while he was doing Articles with LRC and then I was paid by the Department of Labour, so I was reading everything, go with him to the court, wherever, so when he interview the clients, take the statements, he used to show me how to take the statements, how to listen to the client, sometimes he go to the library and then I will pull all the books and then check the relevant case to the one that he's doing...then at LRC they were doing labour cases. They're very interesting compared to the cases that they're doing now. Ja, I learn a lot from labour cases...exactly...

Int What kind of...tell me about some of the cases...?

TM Most of them, the labour cases, at work, like one man sometimes he steal and then he say that he didn't steal...

Int Right.

TM Exactly. Others maybe...especially the ones, but the ones that they didn't take...they didn't took them, the ones of where he said...for an example, maybe if they were

asking for the increment, and then they will tell them that, go to Mandela, the one that will give you the increment, something like that...and then...ja, there were lots of cases, ja.

Int So you really enjoyed that?

TM Ja, I was enjoying it, ja. And then...

Int So how long did you...Webster Sekwati was here for how long? Two years or one year?

TM For Articles, ja, he was here for two years.

Int Right. So you helped him for two years?

TM Ja, for two years...1993 and then...at the same time I was studying with Technikon doing my Financial diploma...ja. Same year, 1993, in October, there was another lady who was working as a messenger, apparently who was supposed to go and buy the posting stamps and the revenue stamps. Apparently she used the money, she eat the money. When...maybe, I don't know maybe according to her plans, maybe she was thinking maybe she will replace this money quickly within, before they will ask for those stamps. And then there was an urgent case to go to Magistrate Court, and then they were asking the revenue stamp, she didn't buy the stamp. They say, where's the money? There's no money, there's no revenue stamp. And then end up confessing that she...she used the money and then she was thinking that when she get her salary by the twenty fourth, and then immediately she will replace that money and buy the revenue stamp. Ja, and then, she resign. And then they were desperately looking for someone and then Webster (Sekwati) said, ok, you can...we can do a double job. You can take this job meantime because this is my last year, and then you help me maybe after hours, during lunchtime and then during weekends. Is it fine? And then...and then, then the Regional Director was Navsa Mahomed, now who's a judge at High Court, and then is how I joined the LRC in 1993, as a messenger in November.

Int Right. So you have Tumi's (Mokoka) job now?

TM Ja. Just like that, ja. And then I worked with Webster (Sekwati) until the following year, after his Board exams. Ja, and then that was it, he said I can cope unless maybe during lunchtime, when I want to read some books then...in the library and then it was just like that until he finishes his Articles and then, ja. Then I work for LRC.

Int You did the messenger?

TM Ja, I was doing the messenger, doing the filing. After I've passed my diploma in Financial and then...

Int So Mahomed Navsa was still the director?

TM Navsa was a good director, but very strict. I still remember in those years, the CAs if they have failed their Board exam, they were in trouble. Immediately after they've collected their exam from the Supreme Court, he will take them to the library, the ones who have failed, and then he will shout, he said, what's wrong with you guys? He can swear, you know, that guy. Ja, it was very good. I still remember when I was working with Webster (Sekwati), then the senior of Webster it was Odette Geldenhuys, she was an attorney there. And then they took a case where the client apparently have signed those documents at work. When she came in there, that...I don't know what was happening at work, blah blah blah, whatsoever, after they've dismissed her, and then the...they apply for the documents, send the guy with the documents to the Magistrate Court, and then when time goes on, they discover that they don't have a case. Webster...ja, Webster Sekwati, he's the one who decided, you know what, Topsy, in this case we don't have a case because the client have already signed such, such document, he mentioned those documents. So now according to the...because they were...they will file and then they will get the copy and then also file the copy and just like that...the answering affidavit, all this and that. When they check they discover that the client have signed already some documents with them, whatever...agreeing whatever. And then now it was a problem, they must go to the director to sort out this case. And then (Mohamed) Navsa took the file with them and then we go to the library and then he said, Topsy, and he was...he was intelligent Navsa, he said, pull volume so and so...I still remember about twelve books on the table, he said, to this one you can open page 816, to this one you can open page 5 something, to this one you can page 200 and something...all of them, then he put the stickers. And Topsy...I can still remember where we read the small print on top, ja, and then I will read to this one and then he will tell the senior, Odette Geldenhuys and Webster Sekwati, you guys must listen. I will read, he said, ok, stop, you can read this one, stop it, ok fine, read this one, and then he said, guys, do you have a case? And they kept quiet. He said, guys, I ask you, do you have a case? And then they...so Webster can't see and then he was looking up like this; you don't have a case, sir. And then he shouted at Geldenhuys, what you were thinking? All this and that, and then he was banging the table, and then apparently he helped them to sort out for this case, and then they settle out of court, something like that, because of the client that he have signed those documents whatsoever, ja.

Int So you were really helpful in a way?

TM I learn a lot from...ja. And then at the same time I was relieving at the switchboard, end up knowing how sometimes to tell the clients, no they don't take this case because of...and then you explain to the client why is the reason LRC can't take this case or maybe Legal Aid Board. Like for example the criminal case. LRC according to Law Society is not allowed to take a criminal case. Or there's the Legal Aid Board, just like that, and then you tell the client ok, your case goes to Legal Aid Bureau or you can go to Wits Law Clinic, just like that.

- Int So...so, tell me, Topsy, you started in 1993, '94 there were the elections. How did that change the LRC?
- TM It changed LRC a lot...but when I arrive at the LRC and then compared...when you talk to other friends who are working to other companies, when you check with the LRC, LRC was still the best company.
- Int Really?
- TM Yes, especially the best law firm, really.
- Int What made it so good, do you think?
- TM I think the staff inside. Ja. I'm thinking about the attorneys who are working there, the CAs who are working there, even the administration...administration group people who are working there.
- Int And you were in the National office or you were in the Johannesburg?
- TM No, I'm in the Johannesburg region, yes.
- Int And this was what, Pritchard Street or De Korte?
- TM Pritchard Street, corner Pritchard and Sauer, ja.
- Int Right. Ok. And so what...when did the LRC start changing, do you think?
- TM Ja, you know, LRC start changing...I'll tell you, from...especially our region, I don't know other region, starting changing after 2000, late after 2000. All the attorneys who were...because when they select the directors, after five years, it will be another one, just like that. After it was Moray Hathorn...Thandi Orleyn, Moray Hathorn, Ellem Francis, those ones they were good attorneys, good regional directors. They were fair to all, whether...and every time they make sure when they take...when they're going to select the candidate attorneys, even maybe taking the junior attorneys, they make an equal thing, there will be an Indian, black, white, just like that, there will be an equal thing. But now, really, to come to our region, everything has changed, especially...
- Int In what way?
- TM ...from Durkje Gilfillan, when I compare with the previous one, she didn't have so much experience. Then I was an administrator. Firstly, she was very wasteful, to lots

of things. She didn't care. Why? Because firstly, the Legal Resources Centre is an NGO, it survives by...

Int Funding?

TM ... from funding. So why I'm saying that because it's surviving from funding, when you are a regional director, you make sure that you save. So a lot of things, she was very careless. Ja.

Int This was when? 2000?

TM 2000, when she...

Int This was when Bongani Majola left?

TM Bongani (Majola) was the National Director. When the...Ellem Francis left to be a judge at the Labour Court, ja.

Int So then...

TM Ja, and then even when it comes to training for the CAs, because I was concerned for the CAs, when it comes to training, it was now...it started to change. Before, when it was (Ellem) Francis downwards, the AC's...the CAs they used to get fully (*sic*) support for their part of the training, ja.

Int So after...after...how long was she there, Gilfillan?

TM She was there 2000...one, two...I think 2004 if I'm not...and then...because before then, the person who was supposed to take over as the Regional Director, it was (Achmed) Mayet, but people didn't want Mayet to take over.

Int Achmed Mayet?

TM Achmed Mayet, because while...the reason why, because while Ellem Francis was on sabbatical leave to go and act as a...

Int ...judge?

TM A judge at Labour Court. And then they appoint him as an acting director. That's where we discovered his weakness there. He doesn't have...what you call...I can say leadership skills or management skills. That's it. She (*sic*) can't face you as a staff, as I'm just an ordinary staff, as an administrator or any...doing any level of

administration department, like secretary, when you are wrong, he will never face you and tell you, Tops, what you are doing it's wrong, please stop this and blah blah blah. Never. He will go in the corridor and gossip with you, so-and-so is doing this. He'll never go to...like for an example, I was administrator. When I send some complaints to him, said, so-and-so is doing this and this and that and that, he'll never call these people and fix all those things, he will never do that, he'll just leave it like that. I said you must say it...Because according to the ranks of positions, if I've got up to a certain level, as a director you've got a control up to a certain level but he was not doing that. And then another thing that we didn't like, even now, he's still doing it, he don't like the...the CAs who are black, he don't give them enough...

Int Cases?

TM Enough cases, as well. He prefer to give the Indians ones, you get that? And then he'll call this one stupid, every time he'll call them stupid and he makes sure that he use them as the drivers, messengers, he'll ask them to go there, to go there, to go there. Since then, really, since it was him, everything have changed. And then if maybe comes a junior attorney who's, you can see that this is an intelligent junior attorney, this one is just an ordinary one, you can be able to see them because when you are used to them, you can be able to see, even when it comes to...especially when you sit there, at the reception, you can be able to see most of the things, ja. And then, I still remember there was this attorney who used to do the Articles with LRC at Durban, and he moved to Cape Town, and then he came back at Johannesburg office as an attorney, and then he go away, because of him. And then later, Steve Kahanovitz at Cape Town, and then they head hunted him, because they wanted him to do this same NGO...he must be an NGO attorney to process there, under the Johannesburg region...

Int Who's this?

TM Thami Mbatha. And then they call him to come, but now he was...Thami (Mbatha) used to complain about this guy, by the time I was an administrator, I can see all the things what he was doing to him, and I've said, no ways, you know what, as much as I was interested to stay with the LRC but because of this guy, I'm leaving. Ja.

Int And Achmed Mayet is still Regional Director?

TM He's...apparently he's still, ja, still a Regional Director. Like for example, a thing that he has done, last year, and then...I don't know, did they solve that thing? Every six months, the CAs must circulate all the senior attorneys since when they don't do the same project; they must have experience of the same project. If this one is doing the land claims file, after six months he must move to this one who's doing something else, and then must move until he or she finishes his or her Articles. Apparently he wanted to stop that. Why? Because he wants all the Indian CAs to do...

Int To do...?

- TM ...they want to get the best cases. A person who discovered that it's...who was it...Richard Moultrie who was an advocate, he end up helping the black CAs while he was here until he resign early this year in May.
- Int Richard Moultrie?
- TM Richard Moultrie.
- Int Moultrie. He is now in ...?
- TM He was an advocate while working as...on a contract of two years, after the contract he didn't want to renew it and then...now I think he's an advocate in the Advocates Chambers, I think so, ja.
- Int In Johannesburg?
- TM In Johannesburg, ja.
- Int So Topsy, you were doing lots of things from the time you started here. What are you doing now?
- TM Now I'm a payroll administrator, because after when we were retrenching people, and then...after they combined Johannesburg region with National Office and then they moved me here to be a librarian assistant, with Catrin (Verloren van Themaat), and then I worked with Catrin (Verloren van Themaat) from 2006 in September until last year but also helping at...when...sometimes they would call me to do something for the admin and then...ja.
- Int So you've been here fifteen years? It's a long time.
- TM Ja, it's a long time.
- Int Do you enjoy it?
- TM I enjoy it.
- Int Right. What do you enjoy about the Legal Resources Centre? What are the things?
- TM On my side, I've learnt a lot of things when it comes to law. Ja, I learn a lot of things with experience, no one will take advantage of me when it comes to law. I know.

Int Good for you.

TM Ja. If I have a problem I go to one of the attorneys then I will ask, why is like this, why is like that, at least I'm gaining lots of experience. I can able to advise my neighbours even at home, say, unh unh, you don't do things like this, you have to do like this, according to the law. Ja.

Int You know, when you started, the Legal Resources Centre was in Pritchard Street. There were lots of people coming in with cases.

TM Exactly.

Int Now, has that changed? Because I notice that...I've heard that by about...when Bongani Majola and Odette Geldenhuys were here, was it 2005?

TM Four, ja...five, ja.

Int They were doing focus areas, you know like if you do environment or refugees or land, do you know, so they were focusing. So has that changed in terms of like the ordinary person who comes from the street, what happens to them when they arrive at the LRC? Do they speak to Connie Mogorosi, and Connie Mogorosi refers them?

TM Ja, first they have to speak to Connie (Mogorosi) and then Connie will just screen them, what is your problem, really what...what kind of a help do you want, and then that person will explain his or her problem. And then...if they are the cases that you don't take, and then Connie will refer. Sometimes if she's not sure, and then she'll ask the attorney or the person who's on duty on that day, that I've got so-and-so here but I'm not sure about the...about his problem, it said this and that and that. Can I put her name or his name down so that you can advise him or her where to go? Maybe to the ones, maybe she's not sure of...for example, if I'm also relieving there, if I don't...I'm not sure, then I will...before send the clients to the person who's on duty then I will tell them I'm not sure about his or her case, he mentioned this and that and that, but for an advice and then he will help her. But if maybe it's a straight case, like say, then he said, ok, this case only the Wits Law Clinic takes such cases, only Legal Aid Board takes such cases, ja. Sometimes when you are sitting there at the reception, when you are relieving at the switchboard, you are aware that they normally take this case. Sometimes like Pinky Madlala, the one who passed away, she was very good. Even the case we don't take them, she normally tries her best to help the client, to meet her or him halfway. Sometimes through 'phone call, maybe the case that you don't take, when you look at the client, maybe then feel pity for him or her, sometimes luckily through 'phone call, the case is solved. I still remember there was this woman who bought a stove from Morkels. I don't know what happened. Within two months, discovered that the skottel's got the damage on the surface and then at Morkels they were sending her pillar to post, there and there, they didn't want to help her. Just only one, that 'phone call, the following day he bought the new stove.

Int That was Pinky Madlala?

TM That was Pinky (Madlala).

Int That's great...

TM And that if the client...I still remember there was this guy, when Pinky (Madlala) was on duty that day, he cried because he was...he went to jail for five years for rape that he didn't commit. When she (*sic*) came back, that was the wife said, this guy rape her child, the first one, blah blah blah. When he came back from prison after five years, some of the things were not there, blah blah. When he tried to approach this woman and then this woman go and get the protection order, then he came here and then...first when he came inside, I know there are clients who used to cry, Pinky (Madlala) will close the door and sit with the clients and two hour...try...firstly is going to counsel that client to calm down, to listen, to accept, according to the law. Sometimes law it's fair, sometimes it's unfair, depends to the problem that you are having. And then he (*sic*) will just counsel and then try to help them. Sometimes he (*sic*) push the case until...she gets...that case gets successful, whatsoever.

Int That's amazing.

TM Exactly. And then we end up...ok, this one is good, ok, you know, this one is in a mood, he (*sic*) chase the clients away, you know that, ok, they do this...*hau*, after a few minutes, and then you see clients going out and then you call him or her, did they help her? They said I must go...I said, what? And then she tell me, no, that person he said I must go to Wits, I must go to...and then I will check. I know that maybe Pinkie will be on duty; maybe Tuesday, Thursday, maybe it was Monday. I said, you know what, come on Thursday as a new client. I still remember this...so for more than ten cases where the ten clients, where he came in, the CA or the attorney who chased him away, said, no we don't do such cases, no, no, no, then give whatever reason that he or she will give the client that...she means when you go and see that client you say, did they help you? They said no, or...and then he will come they said you must give me the card to go to Legal Aid Board. Why? No, he said I must go to...and then I will pick up the 'phone: Pinky (Madlala), such such cases, you can see Pinky, why is it, can I ask this client to come on your due date? Pinky would say, ok, fine. And he is or she is going to help that client.

Int That's amazing. I'm sorry I didn't get the opportunity to interview her, she sounds incredible.

TM She was very good. She was very good. Someone intelligent, she just...she was a paralegal, ja.

- Int Has anyone taken over? Has anyone actually taken over in terms of Pinky' Madlala's...work?
- TM The person who's a paralegal...we are sharing paralegal with Josephine Mokwebo.
- Int Right. Is she from the Pretoria office?
- TM No, the one who's from Pretoria office it's Bethuel (Mtshali), the man Bethuel, ja. She (*sic*) was...ja, with Josephine (Mokwebo), both of them were paralegals. Who was the third paralegal? Oh, there was this guy, Richard Mojapile. There were three paralegals, we had Richard Mojapile, Pinky (Madlala), and Josephine (Mokwebo), and then Richard Mojapile resigned and then we were left...ja, and the person who joined them now it's Bethuel, after they've closed Pretoria office, ja.
- Int Ok. When you were working...when you started working, was Arthur Chaskalson still here?
- TM Pardon?
- Int Arthur? Chaskalson?
- TM Arthur. Ja, ja, I still remember when I...ja, 1993 before the elections he was still with us, ja. And then after the election then he went...
- Int What was that like?
- TM They were very good. They were very good.
- Int And...you moved, at some point, I think it's 2006? The National office and the regional office came together in one building.
- TM Ja, in 2006.
- Int Has that changed life?
- TM Ja, things have...they did change, ja. They did.
- Int In what way?
- TM I don't know how to put it but things changed. Another thing...like before, you know what, before if maybe you are going to create maybe position or maybe they are going

to hire someone, firstly there will be...like (Bongani) Majola, after maybe an EXCO meeting, or before the EXCO meeting, before the AGM, Majola, you know what he will do, I can say he was one of those best...National Directors.

Int Really?

TM Yes. He used to go to all the regions, sit with everyone, he will never said, ok, these are the senior members, I'll sit with the senior members and then the supporting staff, uh uh. He will call us, said, guys, give me some ideas, what we can do?

Int That's great.

TM Sometimes I can be a messenger me really with some good ideas, where they can just add there and there, make a good thing, ja. So he'll sit with us, said, guys, this is the story, what can we do, give me some ideas? What do you think? What can we do for LRC? What can we change? And then we start talking, maybe he will make sure that for such office, I'll be there for two hours with them, discussing. You came with ideas and then he will write them down. And then they will go to the EXCO meeting or AGM. When he comes back he will make the minutes for everyone, everyone's going to get the minutes of what happened...all whatever was discussed on that meeting...AGM or...But now we don't get that. We just see things happening without knowing anything.

Int So now you don't get consulted?

TM We don't. And then what I know from the previous regional directors, from EXCO meeting or before the EXCO meeting, before and after EXCO meeting, before AGM and after the AGM, they will talk to us, any complaints? Anything that must be added? I'm going to...said, guys, I'm going to EXCO meeting, what can I talk about? Do you want to add something? And then people raise their hands, suggest whatever, any complain, whatsoever, blah, blah, blah. The regional director when he comes back, he will make a note on the first meeting Monday that okay, maybe on Friday afternoon, or go and buy your lunchtime and then during lunchtime I'm going to sit down with you and give the report from EXCO, blah blah, this and this was discussed, this was finalised, this was...whatsoever. Same applies from the AGM, they will do that. But after, director (Achmed) Mayet, uh uh, they'll never do it.

Int And now?

TM Even now, we don't get it. When sometimes they said ok, you'll get it, just like that. I know that everything...like for an example, if they are going to be the post, maybe people get the emails that there'll be a post for such thing, blah blah blah, they're looking for a person, blah blah, and normally after two weeks, three weeks, and then they can't find anyone and then it will go out to the newspaper for outside. Now they

are no longer doing that. We just see a person with a new post. Sorry, who's this guy? It's for this and that. No we keep quiet.

Int What type of people are being hired? Where are they coming from? I mean, if the post is not being advertised internally, where are they coming from?

TM I don't know. They just say there is so-and-so; it's for this position, that's it. Firstly we never saw that ad in the paper, they never mention about...like for example, if there will be an internal email that we decided to create this, we have an idea of creating this post, because of a, b, c, k, z to cover, blah blah blah. Since when you can see that no one can do this around, soon maybe we're going to make an advert on the newspaper that we are going to create such...uh uh. You just see a person and then, who's that? He said, it's so and so, he's doing the...no, he's doing this and that. Oh! no, you keep quiet.

Int Topsy, as an admin. person, do you have someone who represents you in a meeting with the directors?

TM Used to group together as admin...

Int Staff.

TM ...staff with all the region and then each and every region will select one person to represent the admin staff.

Int Sure, right. Are you...?

TM No, they...then it was Pinky (Madlala), Pinky, then after it was Josephine (Mokwebo), then later it was Nosipho Njikelanaja, and then other region. And then they will select one to cover for all the region to go to join the AGMs, ja.

Int And now?

TM It's no longer like that.

Int Really?

TM Yes.

Int I also knew that...someone told me that in early eighties and nineties, you used to have lunch and teas and everything. Were you there when that was?

- TM Ja. We used to have a monthly lunch, exactly. And then during...ja, we used to have a...every time when it's tea time we used to sit there with the attorneys, then we'll talk and then we used to have a list of birthdays, whereas you know that so and so today must buy cakes, it's her birthday, they'll buy cakes and then you'll sit there, just like that. Then according to the funds, at least we must save, instead of one lunch in a month, let's save it's better at least Christmas party, something like that. Ja.
- Int Right.
- TM But we end up adding from our pockets, because we understood that...because of the funds, ja.
- Int I'm also wondering, Topsy, because you work in payroll, who do you work directly with now?
- TM Now I'm working with Koop (Reinecke) as a financial director.
- Int Right. And he's new?
- TM Ja, he's new. He join LRC last...last year in December, he took over from Rory, ja.
- Int And what's your experience of working with him?
- TM I've gained a lot.
- Int You've learnt a lot? Oh, that's good.
- TM Ja, I've gained a lot.
- Int So you're enjoying it?
- TM Now I'm enjoying it. First it frustrate me, because I didn't...when this guy, Moffett, he was a payroll administrator, when he died, and then they asked me, ask people to send their C.V. who wants to...I was not interested, I said, Ai, payroll, unh unh, maybe it's something to find I'm unable...and then he came to me and approached me and said, Topsy don't you want to try it?
- Int Who was this?
- TM Koop (Reinecke). I said unless you are going to show me, I don't mind. And then, he said to me, they told me that you are a hard worker and you are very strict, ja, you're

going to cope. I said, well, let me try. I don't know. I started doing this from the 21st of January.

Int Good for you. So you're really climbing up.

TM Yes, I'm really climbing up. Ja.

Int That's...that's good for you, Topsy. That's very nice.

TM Luckily, I like figures.

Int Good. I'm also wondering, what do you think; you've been here for fifteen years, What do you think would make the LRC that best law firm?

TM Again?

Int Yes, what do you think are some of the changes that would be nice, what are your ideas?

TM Firstly, let me start from the cases. I discovered that they've changed a lot of cases, project, because they said it's because of the funders, ja. Ok, some of the reason, I can understand them, like for an example, let's say why they don't...they never...they don't cover the, for example, the labour cases anymore. Like people who are funding, they told themselves that since South Africa is on democratic everything it's fine, so maybe things are much better compared before.

Int Sure. They always do that.

TM Exactly. And then I discovered that the land claims they waste a lot of money, I don't know. Ja. One, they pay the...what do they call those people...?

Int Consultant?

TM I think the researchers and the consultant, they charge a lot of money. When I make the...you know, because I was administrator, you say, this guy...and this one, ai, this is too much, because they charge according to their hours. Even when you look at the invoice, when you read, especially the invoice of the researcher is not the same like...he doesn't put the amount only. First they must...

Int What they do.

TM Ja, what he have done, all this and that and then...

- Int So that's the first thing, the cases, land case.
- TM Maybe if they can...ja, and then again, people are still suffering. The case where...like this project they call it Access to Justice. Apparently they've come to...or they're doing the part of Access to Justice, I don't know. But a lot of people have a problem with Access to Justice, where there are two cases under Access to Justice project.
- Int So that's not being done fully.
- TM Ja, because the person who was doing that, I still remember it was Pinky (Madlala) and Josephine (Mokwebo) was doing the Access to Justice.
- Int Right, ok. And then?
- TM And then another thing, if they can still hire another experienced junior attorneys and it must be equal.
- Int Racially, you mean?
- TM Exactly. And then they must give the CAs fairly...
- Int Support.
- TM ...support, experience, really.
- Int I know...earlier in the interview you told me that you're really worried about the CAs, the junior candidates. Tell me what's happening to them now?
- TM To them now, compared to the ones of before, they don't get same experience, they don't get anything. The ones who are working now as the CAs, ah, to me...
- Int What do they do?
- TM Ai, I don't know. When I check, they didn't get more experience. They're wasting the...the attorneys they are not enough, it's (Achmed) Mayet, Durkje (Gilfillan)...
- Int She's only here two days a week?

- TM Exactly. Because when you...sometimes when you stay with the CAs, talk to them, you can hear them complaining...say, you know what, to Durkje (Gilfillan), I don't know what I'm doing. The only thing that I'm making copies then I'm filing to court. And then...it's Naseema (Fakir), and then that's it. It's not fair to me. And then they're supposed already have replaced at least two post of this...whatever, one, whatsoever, I don't know.
- Int Ok. Do you have any concerns about the LRC, whether it's going to last or...?
- TM Ja, I'm very concerned. I can see, maybe it can last up to 2010 or '11, I don't know.
- Int What do you think is the reason for that? Why do you have these concerns?
- TM I think they have changed, ja...one, the best attorneys are leaving this LRC as a whole.
- Int Why is that?
- TM I don't know. Maybe there are reason but maybe I'm not aware of them. The best attorneys and we are left with the ones who are not best, really.
- Int Really?
- TM Ja. And then there was this thing when there was a report back of the CE...the attorneys had to give their...what do you call it? Where they must...what they've done to other cases...you can see that others they are not doing their job perfectly well.
- Int You mean they're not working hard enough?
- TM Exactly. Not hard enough to their cases.
- Int Topsy, I was wondering, you've been here for fifteen years, what makes you stay for so long?
- TM There's a lot of reasons. Like when you compare with other...when you talk with other people who are working to other companies, here it's like you are at home, as long you are doing your work. To others, to compare with other companies, some of the things are still all right with LRC, yes, they're still all right.
- Int What are the things that are still all right?

- TM According to the leave days, and what else? Lots of things, I don't know, but lots of things...I don't know, but lots of things.
- Int Is there anything that you think I didn't ask you that you'd like me...you would like to talk about?
- TM ...I'm not sure, ja.
- Int Ok. I'm going to ask two questions. Who was your favourite attorney, advocate, whoever was the favourite lawyer that you worked with?
- TM The favourite lawyer, ja. Ah, Moray Hathorn...there are many, not even one. Moray Hathorn was the best attorney. He moved to...
- Int Webber Wentzel.
- TM Webber Wentzel. Best, he was best. We learnt a lot from him. Ellem Francis was very strict but best. I don't know, I like strict people, I prefer them. I prefer strict people, it's more you learn a lot, it's more...people who discipline, I like them, I don't know, maybe because of my grandfather was very disciplined, I don't know. Ja. Like Judge (Mahomed) Navsa was also good. Odette Geldenhuys, I can give her fifty percent, not hundred percent. She was good but not hundred percent. Even (Bongani) Majola was very good.
- Int Right. And if you had to think of one...you told me nice stories about the different cases, but what...was there ever a case or person, a client, that came in or that was a case, that you thought this is so important, that you felt really good that you were working here and they were helping that person or that case?
- TM There are so many cases. Ja. You want me to mention some?
- Int Ja, of course, absolutely.
- TM There's another case was done by...who's this lady, Diane Terreblanche. This guy rape her daughter and then she...he bribe the police, he bribes...and then this woman before she came to LRC, she went to other attorneys and then she didn't win the case or this and that, and then they came to LRC. Diane (Terreblanche) fought that case until she win that case. It was very interesting. And then that guy was, get arrested. And then...there are so many cases...and then there was this one about this guy. He had a wife at the rural areas, I don't know, and while he was staying here in Johannesburg working, and then he was staying with another woman, apparently on his last days when he was sick, this second woman who was staying with him, apparently he (*sic*) forged his signature...or he (*sic*) asked him to sign that everything that is his must belong... all this and that.

Int ...Go to her?

TM Ja, and then that case started from Pinky (Madlala) and then end up, according to the paralegal, can't go to court. Pinky (Madlala) pushed that case to a certain level and then, I think it was Ellem (Francis) who took up that case, ja, and then that woman from rural area was...end up getting the coffin of her husband and bury the husband at home, all this and that. And then there was this another thing that's done by Josephine, also Josephine was also good, now is coming all right, step by step, ja. Where...there are so many. Ai, you know, there are so many, ja.

Int That's lovely. Thank you for that.

TM Ok.

Int I really enjoyed this, Topsy. I'm glad that you were able to make the interview. Thank you very much for your time.

TM All right. Thank you.

Topsy McKenzie–Name Index

Chaskalson, Arthur, 13
 Fakir, Naseema, 19
 Francis, Ellem (Jake), 7, 8, 20, 21
 Geldenhuys, Odette, 6, 11, 20
 Gilfillan, Durkje, 7, 18, 19
 Greyling, Mr., 1
 Hathorn, Moray, 7, 20
 Kahanovitz, Steve, 9
 Madlala, Pinky, 11, 12, 13, 15, 18, 21
 Mandela, Nelson, 5
 Majola, Bongani, 8, 11, 14, 20
 Mayet, Achmed, 8, 14, 18
 Mbatha, Thami, 9
 Mckenzie, Mr., 2
 Moffett, 16
 Mogorosi, Constance (Connie), 11
 Mojapile, Richard, 13
 Mokoka, Tumi, 5
 Mokwebo, Josephine, 13, 15, 18
 Moultrie, Richard, 10
 Mtshali, Bethuel, 13
 Navsa, Mahomed, 5, 6, 20
 Nhlapo, Ms., 2
 Njikelanaja, Nosipho, 15
 Orleyn, Thandi, 7
 Reinecke, Koop, 16
 Sekwati, Webster, 4, 5
 Terreblanche, Diane, 20
 Tshabalala, Mr., 2
 Verloren van Themaat, Catrin, 10
Topsy, 2
Rory, 16

Legal Resources Centre Oral History Project

PUBLISHER:

Publisher:- **Historical Papers, William Cullen Library, University of the Witwatersrand**

Location:- **Johannesburg**

©2010

LEGAL NOTICES:

Copyright Notice: All materials on the Historical Papers website are protected by South African copyright law and may not be reproduced, distributed, transmitted, displayed, or otherwise published in any format, without the prior written permission of the copyright owner.

Disclaimer and Terms of Use: Provided that you maintain all copyright and other notices contained therein, you may download material (one machine readable copy and one print copy per page) for your personal and/or educational non-commercial use only.

People using these records relating to the archives of Historical Papers, The Library, University of the Witwatersrand, Johannesburg, are reminded that such records sometimes contain material which is uncorroborated, inaccurate, distorted or untrue. These digital records are digital copies of electronic documents and the information contained herein is obtained from sources believed to be accurate and reliable, Historical Papers, University of the Witwatersrand has not independently verified their content. Consequently, the University is not responsible for any errors or omissions and excludes any and all liability for any errors in or omissions from the information on the website or any related information on third party websites accessible from this website.

DOCUMENT DETAILS:

Document ID:- **AG3298-1-102**

Document Title:- **Topsy McKenzie Interview**

Author:- **Legal Resources Centre South Africa (LRC)**

Document Date:- **2008**