

Tracer Study: Former Candidate Attorneys

Final Report

2018 - 2021



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Acronyms

ABA:	American Bar Association
AFF	Attorneys Fidelity Fund
CAFF:	Candidate Attorneys Fidelity Fund
FWW:	Attorneys Fidelity
HRDS:	Human Resources Development Strategy
LEAD:	Legal Education and Development
LLB:	Batchelor of Laws
LPC:	Legal Practice Council
LPA	Legal Practice Act
LPFF	Legal Practitioners' Fidelity Fund
LSAT:	Law School Admission Test
NALP:	National Association for Law Placement
NSDSIII:	National Skills Development Strategy
PLT:	Practical Legal Training
PVT:	Practical Vocational Training
SASSETA:	Sector Education and Training Authority for the Safety and Security Sector
SETA:	Sector Education Training Authorities
SSP:	Sector Skills Plan

Executive Summary

This executive summary offers a condensed overview of our extensive research project, which was undertaken to investigate the dynamics of tracking and tracing candidate attorneys within the South African legal landscape. Employing a mixed-methods approach, we combined quantitative and qualitative methodologies to uncover a comprehensive understanding of this critical aspect of the legal profession.

Our research was structured around three key participant groups: those who had successfully completed the Candidate Attorneys programme and those who did not complete it, and those who remain in progress. Their invaluable insights and experiences formed the basis of our inquiry.

Quantitative Insights: Our study involved a quantitative online survey conducted among former and current candidate attorneys. This method yielded substantial data that allowed us to discern prominent trends and patterns in candidate attorney tracking and tracing.

Qualitative Depth: In addition to the quantitative data, we incorporated qualitative perspectives through open-ended questions posed to participants and Focus Group Discussions. These qualitative insights provided context and texture to the numerical findings, offering a deeper understanding of the intricate challenges and opportunities within the candidate attorney journey.

Throughout the course of our research, a myriad of findings emerged, shaping our recommendations and conclusions. The key findings that provide insight into the recommendations were:

1. Candidate attorneys are highly satisfied with the support that is provided by SASSETA. 74% of the participants agree that the support they received from SASSETA is satisfactory.
2. 88% Of the participants asserted that the training was effective in preparing them for effectively practicing for their careers evidencing the effectiveness of SASSETA support.
3. We as SASSETA need to do more to support candidate attorneys in key areas related to communication, experiences during the training, the efficient processing of funds during the programmes, and unveiling employment opportunities.

4. There is a lack of communication channels and communication between SASSETA and candidate attorneys. During their programmes, candidate attorneys have the need to communicate with SASSETA, but these channels are not availed to them.
5. The workplace has also been depicted to be a safe and conducive environment for the candidate attorneys with the principals learnt being the key drivers of positive experiences for candidate attorneys,

With the above findings, we deduced recommendations that allow SASSETA to proceed with the positive traction of being supportive of candidate attorneys and further enable SASSETA to action mitigations where they are required. SASSETA must actively respond to the need for communication by locating resources virtually and physically to be available to candidate attorneys when they have grievances, need knowledge or assess their experiences while they are in the programme. In addition, SASSETA must transform the funding payment experience by efficiently communicating delays and automating the payment system if this is not already the case.

CHAPTER 1

Orientation, Overview and Structure

1.1. Introduction

Safety and Security Sector Education and Training Authority (SASSETA) want to be a leader in the Skills Development for the Safety and Security Sector. In partnership with various stakeholders throughout South Africa, SASSETA has supported Candidate Attorneys during their structured workplace-based programme.

SASSETA have embarked on a tracer study to trace the former Candidate Attorneys, who are law graduates, and who were supported by (SASSETA) between the period of 2017 to 2021, to understand the outcomes of their 24-month articles and to also track their professional progress.

1.2. Purpose of the Study

In addition to tracking the former Candidate Attorneys and their career trajectory, the study aims to further understand the challenges and opportunities they have encountered throughout their journey, and to source feedback from them that will be valuable not only to SASSETA but to also future participants on the impact the work-place based programme has had on their career development.

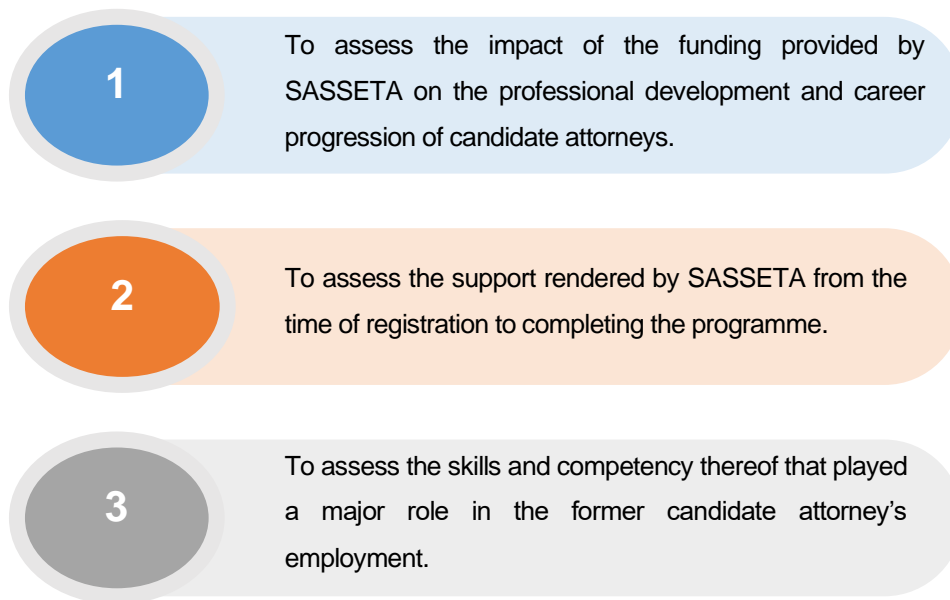
This research serves multiple purposes, ranging from fulfilling the mission of SASSETA to informing decision-making processes, enhancing career development in the legal field, benefiting future candidates, and offering academic value. The study on former Candidate Attorneys' career trajectories and the impact of workplace-based programmes is a vital step in shaping the future of legal education and professional growth in South Africa. The findings of this research will not only benefit the legal profession but also contribute to the broader goal of strengthening the South African workforce. In addition to this overall justification and rationale for the research, the subsequent are specific justification for the research:

- i. Contribution to SASSETA's Mission: The research is aligned with enhancing SASSETA's commitment to promoting skills development and vocational training in South Africa through a clear understanding of the experiences of the beneficiaries.
- ii. Informed Decision-Making: This research will offer a deeper understanding of the legal profession's dynamics and the specific challenges faced by former Candidate Attorneys. This knowledge will empower SASSETA to make data-driven decisions, allocate resources efficiently, and tailor their programmes to better serve the legal community.

- iii. **Enhancing Career Development:** The career trajectory of a former Candidate Attorney is not only a reflection of their individual journey but also of the overall effectiveness of the workplace-based programme. This research will identify factors that have contributed to the success of these individuals and highlight any obstacles they encountered. The findings will be valuable in helping SASSETA and legal institutions create an environment that facilitates the career development of legal professionals.
- iv. **Benefiting Future Participants:** The feedback collected from former Candidate Attorneys will serve as a guide for future participants in workplace-based legal programmes.

1.3. Objectives of the Study

Figure 1: Study Objectives



1.4. Research questions

The research was conducted using the following questions as guidance:

- I. How has the funding provided by SASSETA contributed to professional development and career progression?
- II. What are the benefits experienced by the candidate attorneys from the programme?

- III. Were there any challenges or limitations faced by former candidate attorneys in their professional development?
 - The above three questions aims to assess the impact of funding provided by SASSETA on the professional development and career progression of the former candidate attorneys.
- IV. How can SASSETA improve its service of/erring to better cater to the needs of the industry?
- V. How did the programme enable to secure employment after completing the CA programme?
 - Assessing the support rendered by SASSETA from time of registration to completing the programme.
- VI. What are the areas of specialisation or legal practice chosen by the former funded candidate attorneys?
- VII. How are the candidate attorneys distributed between private and public institutions?
 - Assessing the skills and competency that played a major role in the former candidate attorneys' employment.

1.5. Structure of the Study

The study was guided by five distinct chapters:

- I. **Chapter 1:** Introduction to the study and providing the background and context of the study.
- II. **Chapter 2:** Literature Review - Situating the study in current and previous research. Reviewing any research gaps and contributions of the current research to specific contexts.
- III. **Chapter 3:** Research Methodology - Presentation of research theory, tools and approach the project adopts and justification for the approaches.
- IV. **Chapter 4:** Key Findings - Results from the project dissected into digestible sections.
- V. **Chapter 5:** Recommendations & Conclusion - Data-driven and informed direction on the next steps and possible interventions for SASSETA.

1.6. Conclusion

Emanating from the study objectives, this project aims to be the directive tool through which the research questions can be responded to. This project aligns with the objectives set forth by SASSETA, serving as the guiding instrument for addressing the research questions at hand. The ensuing sections meticulously outline the methodologies implemented to provide comprehensive responses to these inquiries, accompanied by substantial justifications. Subsequently, a detailed presentation of the results is presented, highlighting key findings derived from the research. Based on these findings, a set of insightful recommendations is proposed, offering valuable guidance for future endeavours in this field. Together, these components form a cohesive framework that fosters understanding and facilitates informed decision-making.

CHAPTER 2

Literature Review

2.1. Introduction

South Africa's legal profession plays a crucial role in upholding the principles of justice and ensuring the fair administration of law. Aspiring legal professionals undergo rigorous training and practical experience through the candidate attorney programme. This programme serves as a gateway for individuals to acquire the necessary skills and knowledge to become qualified attorneys (SASSETA, 2019). Alternatively, candidate attorneys can attend practical legal training courses offered by the Legal Education and Development (LEAD), either on a part-time basis or in two full-time teaching blocks totalling five weeks. This will assist them with the attorneys' admission examination but does not reduce the period of their articles. In South Africa, the Sector Education and Training Authority for the Safety and Security Sector (SASSETA) has emerged as a significant player in supporting candidate attorneys throughout their journey (SASSETA, 2022).

SASSETA is one of the 21 Sector Education and Training Authorities established in South Africa to facilitate skills development in specific economic sectors. Its mandate extends to the safety and security sector, which encompasses the legal profession (SASSETA, 2022). SASSETA is mandated by the Skills Development Act (Act no. 97 of 1998) (SASSETA, 2019). The same Act empowers the Sector Education Training Authorities (SETA) to implement and support the skills aligned to the safety and security sector. As an entity, SASSETA has stakeholder relations with private and public institutions including the legal services subsector. In terms of law firms, the SETA offers support through the disbursement of discretionary funds to encourage the law firms to offer Practical Vocational Training (PVT) to candidate attorneys.

This is effected in order to contribute towards the achievement of the objectives of the Human Resources Development Strategy (HRDS), the National Skills Development Strategy (NSDSIII) and the Sector Skills Plan (SSP) of the SETA (SASSETA, 2019). According to research findings from SASSETA (2019), participants assert that SASSETA monitors the implementation of the internships to ensure that they are in line with legislation. In addition, SASSETA conducts monthly audits at private law firms. SASSETA has a close working relationship with private law firms, wherein the SETA assess and evaluates the working conditions of candidate attorneys to ensure that they are conducive to learning (SASSETA, 2019). To date, limited research has been conducted on the specific impact of SASSETA support on candidate attorneys.

Therefore, this literature review seeks to bridge the knowledge gap by examining the available literature, identifying key themes, and highlighting the potential benefits and challenges associated with SASSETA's interventions. In the US, where Law clerks have been hired to support the Supreme Court's justices since the end of the 19th century, the role and influence of law clerks has

been the subject of academic discussion (Mascini & Holvast, 2023), (Holvast & Mascini, 2020). Based on the research, the access of clerks to the Supreme Court has been found to be a continual debate within the space as there has not been a specified agreement on the level of access to Supreme Court cases for the law clerks.

The review will begin by exploring the broader context of legal education and professional development in South Africa. It will discuss the importance of effective training and support for candidate attorneys, emphasizing the role of SASSETA in this process. The subsequent sections will delve into the specific interventions and programmes offered by SASSETA, examining their objectives, methodologies, and outcomes as reported in relevant studies. Furthermore, this review will also address any potential limitations or gaps in SASSETA's support for candidate attorneys. By critically analysing the literature, we aim to identify areas that require further attention or improvement, providing suggestions for future research and policy development.

Ultimately, this literature review aims to provide a comprehensive understanding of SASSETA's impact on South African candidate attorneys. By examining the existing body of knowledge, it seeks to contribute to the ongoing discourse on legal education and professional development in the country, ultimately informing policy decisions and interventions aimed at enhancing the quality and effectiveness of the candidate attorney programme.

Overall, this literature review serves as a foundational exploration of SASSETA's support for South African candidate attorneys, shedding light on its significance within the legal profession and offering insights into the potential benefits and challenges associated with its interventions.

2.2. Legislative Overview

According to section 26(1) of the Legal Practice Act 28 of 2014[1] (the “LPA”), there are three main ingredients required to be enrolled as a legal practitioner:

- Satisfy all the requirements of an LLB degree or an equivalent law degree (section 26(1)(a) and (b));
- Undergo all practical vocational training (“**PVT**”) requirements prescribed by the Minister (section 26(1)(c)); and
- Pass the competency-based examination (section 26(1)(d)).

To become an attorney, practical vocational training as a candidate attorney is a requirement, this was previously known as articles of clerkship (Koch, 2022). Regulation 6 in terms of section 109(1) of the LPA sets out that a candidate attorney must serve under a PVT contract (refer to Schedule 2 of the LPA Rules for a form of the PVT Contract) for an uninterrupted period of 24 months with a person:

- I. Practising for his or her own account;
- II. Practising as a partner in a firm of attorneys;
- III. Practising as a member of a juristic entity;
- IV. Practising as a state attorney;
- V. Who has practised as a professional assistant in a firm of attorneys for a period of five years within the preceding six years;
- VI. In the full-time employ of, or who is a member of Legal Aid South Africa, established in terms of the Legal Aid South Africa Act, 2014 (Act No. 39 of 2014) or a legal aid institution which has been approved by the Council for the purpose of engaging candidate attorneys;
- VII. Any other institution approved by the Council for the purpose of engaging candidate attorneys (Regulation 6(5)) (Koch, 2022).

2.3. Candidate Attorneys

According to Banks (n.d), the term 'candidate attorney' refers to someone who has obtained their four-year Bachelor of Laws (LLB) degree and is busy with their articles of clerkship with the intent of becoming a registered attorney. Articles of clerkship often referred to as 'articles', are a form of practical vocational training (PVT) that is required by law for anyone wanting to become a registered attorney. These articles take two years to complete and are conducted at an approved law firm in South Africa (Banks, n.d). Candidate attorneys serve under a PVT contract with a person who is currently practising law. Candidate attorneys can engage in practice either individually, as partners, or within law firms. Additionally, they may undergo training at state attorneys' offices or other approved institutions, as authorized by the Legal Practice Council (LPC).

During the two years under a PVT contract, the candidate attorney must complete a programme of structured coursework of not less than 150 notional hours. These courses act as practical legal training (PLT) and are compulsory. Candidate attorneys can complete their articles in one year if they complete a PLT course, outside of their PVT working hours, of not less than 400 notional hours (Banks, n.d). In South Africa, candidate attorneys are law graduates who undergo a period of practical training and work experience in a law firm or legal department (Banks, n.d). This training period typically lasts for two years, during which the candidate attorneys gain practical legal skills and knowledge under the supervision of a qualified attorney. The candidate attorneys are required to complete a certain number of hours of legal work, attend court proceedings, and engage in various legal tasks.

2.4. Becoming a Candidate Attorney

The term “candidate attorney” is used in South Africa, however, in some countries inclusive of the US, the term "law clerk" or "legal intern" is often used to refer to individuals who are working in a law firm or legal department while they are still in law school or awaiting bar admission (Ghosh, 2022). The routes in comparison to South Africa are also different. The route in the United States requires one to:

- I. Obtain a bachelor's degree: Before applying to law school, you'll typically need to complete an undergraduate program and earn a bachelor's degree. There is no specific major required for law school, so you can choose a field that interests you.
- II. Take the Law School Admission Test (LSAT): The LSAT is a standardized test that assesses your reading comprehension, logical reasoning, and analytical skills. Most law schools in the U.S. require LSAT scores as part of the application process (Ghosh, 2022).
- III. Attend law school: Once you've completed your bachelor's degree and obtained a satisfactory LSAT score, you can apply to law schools accredited by the American Bar Association (ABA). Law school typically takes three years to complete, and during this time, you'll study various areas of law (Become, 2023).
- IV. Earn a Juris Doctor (J.D.) degree: Upon successfully completing your law school program, you'll be awarded a Juris Doctor (J.D.) degree. This degree is the basic requirement for practising law in the United States (Become, 2023).

- V. Prepare for the bar exam: After graduating from law school, you'll need to study extensively for the bar examination. Each state has its own bar exam, and the exam's format and subjects can vary. It's important to research the specific requirements of the state where you plan to practice law (Ghosh, 2022).
- VI. Take and pass the bar exam: The bar exam is typically a comprehensive test that assesses your knowledge of both general and state-specific areas of law. Passing the bar exam is a crucial step in becoming a licensed attorney.
- VII. Complete character and fitness requirements: In addition to passing the bar exam, most jurisdictions require candidates to undergo a character and fitness evaluation. This evaluation ensures that individuals seeking admission to the bar possess the moral character and fitness to practice law.
- VIII. Obtain a license to practice law: Once you have successfully completed the bar exam and fulfilled the character and fitness requirements, you can apply for a license to practice law in the state where you intend to work. Each state has its own licensing process, which may include additional requirements such as completing a professional responsibility exam or participating in continuing legal education (Ghosh, 2022).

According to the available data, law clerks are employed in most European countries (Holvast & Mascini, 2020), Turkey, Ukraine and the United Kingdom, Argentina, Brasil, Colombia (Vallejo, 2020), Mexico and USA, Australia (Kiefel, 2020), Asia, India, and Africa (South Africa) (Holvast & Mascini, 2020).

2.5. Candidate Attorney Demographics

According to the Law Society, (2022), there are currently 29 981 practising attorneys and 5 483 candidate attorneys in South Africa. According to the 2022 data, most of the candidate attorneys were between the ages of 25-34. Black females dominate the demographics with 2269 Candidate Attorneys, in comparison to White females who are the least represented with 928 Candidate Attorneys.

2.6. Challenges Faced by Candidate Attorneys during Training

A study by SASSETA (2019) shows that candidate attorneys experience numerous challenges with regard to inequality, and discrimination based on gender, race and favouritism, among others. This

study among others, are strong precursors of the need for transformation in the candidate attorney career and in the legal profession. Research highlights the subsequent challenges as the main challenges faced by candidate attorneys:

2.6.1 Being Undervalued

Candidate attorneys express a feeling of being undervalued in the work that they do, specifically, acknowledgement from principal attorneys is highlighted as lacking. In addition to this, recognition is significantly lacking despite efforts that are evident in assistance in winning cases, working overtime and going beyond the call of duty (SASSETA, 2019). Literature highlights the impact that law clerks in the United States have a measurable impact to the Constitutional Court and also access to judges (Mascini & Holvast, 2023). This has been studied at length in literature, but this has not been done in the South African context, where such literature may contextualize the nature of value and contributions that candidate attorneys may have.

2.6.2 Favouritism

Partiality and preferences for candidate attorneys during training have also been highlighted in research. Bias in terms of case allocations and allocations of principal attorneys is significant. Bonuses are allocated in unfair terms as some of the attorneys are allocated bonuses while some are not (SASSETA, 2019).

2.6.3. Gender and Racial Inequality

Research also highlights a lack of transformation in the candidate attorney space. According to this research, White candidate attorneys are exposed to more and better quality of work than their black counterparts during their candidacy leading to Black candidate attorneys lacking the skills that their White counterparts have. Although there is a move by principal attorneys in selecting Black candidate attorneys, the need for transformation, according to this research still exists (SASSETA, 2019). According to Yengeni (2009), transformation is one of the key areas that form the focus of SASSETA in terms of addressing the inequality among candidate attorneys.

Although data for most of the contexts is not available, data from the United States according to Strauss (2023), recent statistics show that judicial clerkships over the last 20 years are slowly becoming more diverse, but barely. According to the National Association for Law Placement (NALP), of the 3,402 graduates from the class of 2021 who reported obtaining a judicial clerkship of any type, about 77% were white and 23% were graduates of colour. Latino graduates made up

7.3% of all clerkships, Black or African American graduates 6.3%, and Asian graduates 6.0%. Graduates of colour were most underrepresented at the federal clerkship level, representing just 19.8% of clerks despite making up nearly one-third (31.5%) of the class (Strauss, 2023).

Transformation aimed at gender equality seems to be slow from the results evidenced by research. Transformation seems to be present in junior roles, but the same is not evidenced in senior roles resulting in a lot of women occupying more junior roles (SASSETA, 2019). While the representation of women and minority law clerks has slowly increased over the past 30 years, they still constitute a minority of the overall number of law clerks, with percentages of female law clerks fluctuating between 20% and 40% over this period (Sullivan, 2019).

2.6.4. Unstructured Working Conditions

Some candidate attorneys have highlighted that working conditions are not ideal within the programs. One of the bases for this is the lack of signed contracts that highlight working hours and conditions. This provides vague expectations for the private attorneys and the candidate attorneys. The lack of structured working hours for candidate attorneys extends their working hours beyond the expected reality (SASSETA, 2019).

Another challenge that has been depicted in the literature that affected candidate attorneys was related directly to the Bantustan homelands that had become independent in the past. Apartheid South Africa took the issue of independence so seriously that in the absence of “pre-independence agreements” on recognition of law degrees obtained in “independent homelands,” such degrees were not recognised in South Africa (Gumbi , 2021).

As a result, contracts of Articles of Clerkship between candidates with degrees from homeland universities could not be registered in South Africa, that is, outside the particular homeland (Gumbi , 2021). These problems affected only black candidate attorneys. White candidate attorneys were somehow insulated from this Apartheid “legal problem” when it came to the registration of articles of clerkship. It was a black problem, and the law society of the time did not see racism here. If they did, they did not find it offensive to their sense of justice (Gumbi , 2021).

2.7. Role of SASSETA in the Development of Candidate Attorneys

In South Africa, the development of candidate attorneys falls under the jurisdiction of the legal profession and regulatory bodies such as the Legal Practice Council (LPC) and provincial law societies (Law Society of South Africa, 2023) (Republic of South Africa, 2023) (Greenbaum, 2020).

These bodies oversee the admission and training of candidate attorneys, as well as the regulation of legal practitioners (Law Society of South Africa, Training Guide, 2021). The role of SASSETA, as an education and training authority, is to facilitate and promote skills development within the safety and security sector. This includes providing quality education and training programmes, accrediting training providers, developing occupational qualifications, and promoting skills development initiatives.

In January 2021 Cabinet approved the Economic Reconstruction and Recovery Plan Skills Strategy. 652 candidate attorneys and pupil advocates were included within this strategy (SASSETA, 2022). The required performance by SASSETA from this group is to be able to have 130 candidate attorneys placed in workplaces during the period 01 April 2022 to 31 March 2023 (SASSETA, 2022).

SASSETA provides funding for skills development and training initiatives in the safety and security sector. The training and funding of candidate attorneys in South Africa are primarily overseen by the Attorneys Fidelity Fund (AFF) and the provincial law societies which has been changed to the Legal Practitioners' Fidelity Fund (LPFF) on 1 November 2018. Section 53(1) of the Legal Practice Act, No 28 of 2014 (the Act), provides that the Fund will continue to exist under the name the Legal Practitioners' Fidelity Fund (LPIFF, 2023). The AFF is a statutory body that provides indemnity insurance and financial protection to the public in cases of attorney misconduct. They administer a trust fund called the Candidate Attorneys Fidelity Fund (CAFF), which is specifically dedicated to funding candidate attorneys. This fund supports the salaries, training, and practical experience of candidate attorneys during their articles of clerkship (LPIFF, 2023).

Candidate attorneys in South Africa primarily receive skills development and training through law firms, legal practitioners, and institutions recognized by the legal profession (Law Society of South Africa, 2021). The training of candidate attorneys is typically regulated by the Attorneys Act and overseen by the provincial law societies (van Wyk & Swart, 2004).

SASSETA collaborates with various stakeholders to develop and facilitate skills development programs for the safety and security sector (SASSETA, 2022). While the primary focus may not be on candidate attorneys, SASSETA's training initiatives could indirectly benefit candidate attorneys working in law firms specializing in safety and security law, or those with a focus on legal aspects related to the sector (van Wyk & Swart, 2004).

SASSETA sponsors and funds skills development programs related to areas such as legal compliance, risk management, criminal justice, forensic investigation, or occupational health and

safety, which can enhance the professional development of candidate attorneys working in the safety and security sector (Schneider, 2012). However, it's important to note that the specific involvement of SASSETA in skills development for candidate attorneys can vary, and it is advisable to consult SASSETA directly or visit their official website for the most accurate and up-to-date information on their programs and initiatives.

2.8. Conclusion

Research on Candidate Attorneys remains in its infancy. The traction and trajectories of Candidate Attorneys remain undocumented. Although this is the point of this research among others, the focus of international and local research needs to continually invest in this topic. Within South Africa, what remains unearthed is the experiences of Candidate Attorneys during their tenures and the role that is played by SASSETA in terms of supporting them and aiding them in reaching their legal careers. This is what the current research aims to present and also provide SASSETA with strategic means to intervene with various challenges that interns might be facing.

Tracing the trajectory of Candidate Attorney careers allows for research and SASSETA to map out the journey and what it entails through the lens of the Candidate Attorneys. These aspects are missing in the literature for both South Africa and international research. The current research therefore aims to fill this current research gap and in addition, create literature that responds to the career trajectory of South African Candidate Attorneys.

CHAPTER 3

Research Methodology

3.1. Introduction

The research methodology to investigate the career trajectories and workplace-based programme impact on former Candidate Attorneys is an integral component of this study. This section outlines the approach and strategies employed to gather data, analyse responses, and derive meaningful insights. The survey methodology employed in this research is designed to achieve the study's objectives, which include understanding the challenges and opportunities encountered by former Candidate Attorneys and sourcing feedback that will benefit both the South African Skills Education and Training Authority (SASSETA) and future participants in workplace-based legal programmes.

The research will utilise a structured questionnaire as the primary data collection tool. The survey questionnaire has been carefully designed to capture information that is aligned with the research objectives. It includes a combination of closed-ended and open-ended questions to ensure a comprehensive exploration of the experiences of former Candidate Attorneys.

3.2. Research Design

The data from the tracer study is sourced from former Candidate Attorneys who were funded by SASSETA between 2017 to 2021, and the participants are currently either employed, unemployed or still pursuing their studies. A mixed-method approach was taken in this project. The mixed-methods approach effectively combines the use of both quantitative and qualitative research methods to provide a comprehensive understanding of a research question or problem.

In the context of a survey, the approach typically relies on structured, closed-ended questions that yield quantitative data, offering statistical insights into trends, patterns, and correlations. However, these numerical findings might lack depth and context. By incorporating qualitative elements such as open-ended questions or interviews alongside the survey, researchers can gather rich, nuanced insights into participants' experiences, opinions, and motivations.

This holistic approach not only helps validate quantitative findings but also allows for a deeper exploration of complex phenomena, enhancing the overall rigour and validity of the study. Additionally, mixed-methods enable researchers to triangulate their data, providing a more robust and reliable basis for drawing conclusions and making informed decisions. In sum, a mixed method approach is well-suited for surveys as it leverages the strengths of both quantitative and qualitative methods to offer a more comprehensive and insightful perspective on the research topic.

The research approach consists of an online survey customized to effectively measure the experiences of former candidate attorneys through Likert scales and open-ended questions. Both quantitative and qualitative approaches were utilised as part of the mixed-method approach implemented for the research process.

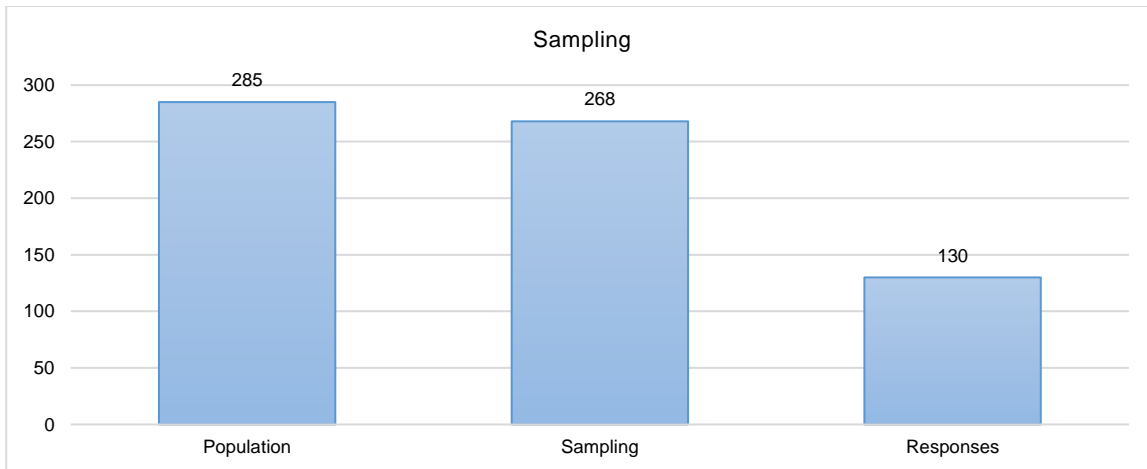
SASSETA were able to gain responses that were oriented with statistical significance and able to complement these with qualitative or explanation-driven responses which add more context to the numbers. The quantitative research approach was conducted in the form of online surveys. In addition to online surveys, the approach also utilised Focus Group Discussion as a means of furthering the responses that are gathered from the survey. The discussions were facilitated-and were conducted with participants who had engaged with and completed the survey.

3.2.1. Sampling

A convenient sampling method guided the gathering of participants in the research. The target population is based on the former Candidate Attorneys dataset and no external participants were included in the study. The dissemination of the survey ascertained that all the stakeholders had an equal opportunity to participate in the tracer study. Convenient sampling is a non-probability sampling technique in research where participants are selected on data points based on their availability and accessibility (Martínez-Mesa, González-Chica, Duquia, Bonamigo, & Bastos, 2016). In other words, individuals or elements are chosen because they are convenient to reach or survey respondents, rather than being selected through a random or systematic method.

This sampling method is often used in situations where it is challenging or impractical to implement more rigorous sampling techniques, such as random sampling or stratified sampling. Convenience sampling is frequently seen in everyday research scenarios, like surveying people in a nearby park, polling shoppers at a mall, or conducting online surveys through easily accessible platforms like social media. While convenient, this method may introduce bias into the sample, as those who are readily available may not represent the broader population accurately (Martínez-Mesa, González-Chica, Duquia, Bonamigo, & Bastos, 2016).

Figure 2: Sampling



Based on the above-mentioned graph, the total accessible population for the study is 285, and only 268 successfully received the survey link through the various methods utilized. Four (4) candidate attorneys did not receive the survey link, as the emails were unsuccessful.

There were 130 responses with an average of 48% response rate.

3.2.2. Data Collection

The quantitative data was collected using online surveys. To ascertain consistency with the desired outcomes through the process, the questionnaires were based on and designed to elicit responses that are targeted and responding to the study objectives as mentioned in Chapter 1.

The data was collected using an online survey deployed through:

- I. SMS
- II. WhatsApp

More qualitative data was gathered using Focus Group Discussions with participants who had completed the survey.

3.2.3. Data Analysis

The analysis of the collected data was a multi-faceted process designed to provide a comprehensive understanding of the insights garnered from the survey responses. We employed thematic analysis to identify recurring themes, patterns, and underlying narratives within the qualitative data, ensuring that we captured the rich context and nuanced perspectives shared by

the participants. Themes will guide the presentation of data and analysis of the data. The findings and the recommendations will revolve around these themes which are the main subject of the topics presented. This approach allowed us to derive meaningful insights from the qualitative data. In addition to the thematic analysis, we also used quantitative methods to quantify and visualize key trends and patterns.

By transcribing and coding the responses, we were able to transform qualitative data into a format suitable for numerical analysis. We utilized Excel to organize and analyse this quantitative data, creating graphs and charts that visually represent the quantitative findings. This combination of qualitative and quantitative analyses not only provided a holistic perspective on the survey results but also allowed us to triangulate our findings, enhancing the validity and reliability of our conclusions.

Overall, our approach aimed to offer a well-rounded and in-depth exploration of the data, ensuring that we unearthed both the overarching themes and the statistical trends within survey responses. These insights are vital for making informed decisions and formulating strategies based on a thorough understanding of the collected data.

3.4. Ethical Considerations

No harm was brought to the participants, and a disclaimer was added to the survey email and SMS confirming to all participants that their responses would remain confidential. The research was conducted with the highest regard for humanness and no harm to participants as regulated by the South African Market Research Association. The participants were further notified about the optionality of their participation which was not coerced or forced. This informed consent was for both the survey and the focus group discussions.

3.5. Conclusion

A mixed methods approach allowed the research to yield quantitative results that are substantiated by qualitative feedback from the participants. This methodology enabled the researchers to go beyond the outlook of numbers and provided the users of the research with a deeper understanding of the research with a broader context. Using mixed-methods was an essential research aspect to maintain the validity and the reliability of the study. Although the participants were available from the SASSETA database, the accessible population had to be continually engaged for participation to be achieved which was conducted through reminders while the survey was active. A good survey response rate ranges between 5% and 30%. An excellent response rate is 50% or higher

(Baumgardt, 2013). The SASSETA response rate falls within a good response rate as it is approximately 50% of and a huge population.

CHAPTER 4

Key Findings & Study Results

4.1. Introduction

The subsequent section is the culmination of the data collection process as it weaves together all the data and presents it in a digestible way in response to the objectives that were provided. Through a rigorous mixed-methods approach, combining quantitative and qualitative methodologies, we embarked on a journey to understand the dynamics of tracking and tracing candidate attorneys in South Africa.

This section guides the reader through the key findings that have emerged from our extensive research endeavours encapsulating the core takeaways from our data. We intend to provide concise, yet comprehensive insights, and recommendations that can easily be transformed into measurable actions. These key findings serve as the foundation for a more profound understanding of the tracking and tracing of candidate attorneys in South Africa, offering invaluable insights that can guide future efforts and contribute positively to the legal landscape of the nation.

4.2. Key Findings

The research findings have been able to provide a helicopter view of the state of the candidate attorney in the programme from the experiences of former candidate attorneys. Based on this helicopter view, the programme is highly regarded and rated. The support that is provided by SASSETA to attorneys is a central objective and key result for this research. Within the study, it is reassuring that the former candidate attorneys are highly satisfied with the support that is provided by SASSETA. **74% Of the participants agree that the support they received from SASSETA is satisfactory.**

The support that is provided by SASSETA sets the tone for preparing attorneys for their careers and practice. The favourable impacts of this support are realized through the smooth transition that attorneys have into the workspace and within their articles. 88% Of the participants asserted that the training was effective in preparing them effectively for their practising careers. These findings are effective in evidencing the effectiveness of SASSETA support, and the results that are yielded through the support.

Although the support and the eventual results are positive and encouraging, it is significant to note that there is a section of the cohort that was not satisfied with the support provided by SASSETA and those whose careers have not yet received the desired impact preceding the training.

Participants state there is a lack of communication channels and communication with SASSETA. During their programme, candidate attorneys need to communicate with SASSETA, but these channels are not availed to them. For some candidate attorneys who experience a negative tenure with firms, the lack of communication exacerbates their plight as all communication and feedback to SASSETA is facilitated through the firms. It is essential that SASSETA locates resources on the ground to be able to consistently check on candidate attorneys and avail themselves to aid them when this is required.

Although most of the participants in the survey had left the training workplace, it still plays an imperative role in the trajectory of former candidate attorneys. Approximately 5% of the participants were still at these workplaces at the time of the survey. With an 82% agreeable score, the workplaces that former candidate attorneys have occupied have been highly regarded and can be considered safe spaces. For most of the participants in the Focus Group Discussions, the principal one is attached to is key to the growth of the person, exposure and career orientation in the future. In addition to this, work environment spaces occupied by participants, were rated to be respectable, and supportive and the work of the former candidate attorneys was also respected within these spaces.

89% Of the former candidate attorneys were in private practice while 11% were practicing within the public sector. For most of the participants, access to workplaces was a challenge within their careers. With limited to no resources to secure a training programme, most of the participants had to find and be resourceful in securing a workspace. As a result of this, and the need to be effectively paid to make ends meet during the programme, most of the former candidate attorneys ended up in the private sector, seemingly where employment is easier to secure and where stipends can be negotiated with the principal.

With 92% of the participants attending their programmes on a full-time basis, most of the former candidate attorneys dedicated the bulk of their time to the programme and this is further reflected in the findings that 82% of the cohort concluded their programme within 2 years with 13% of the same group finishing their programme in a year. Although this is rare (completing articles in 1 year), this is an alternative option provided to candidate attorneys that allows them to shorten their article period to one year by attending full-time law school (Sephton-Poultney, n.d).

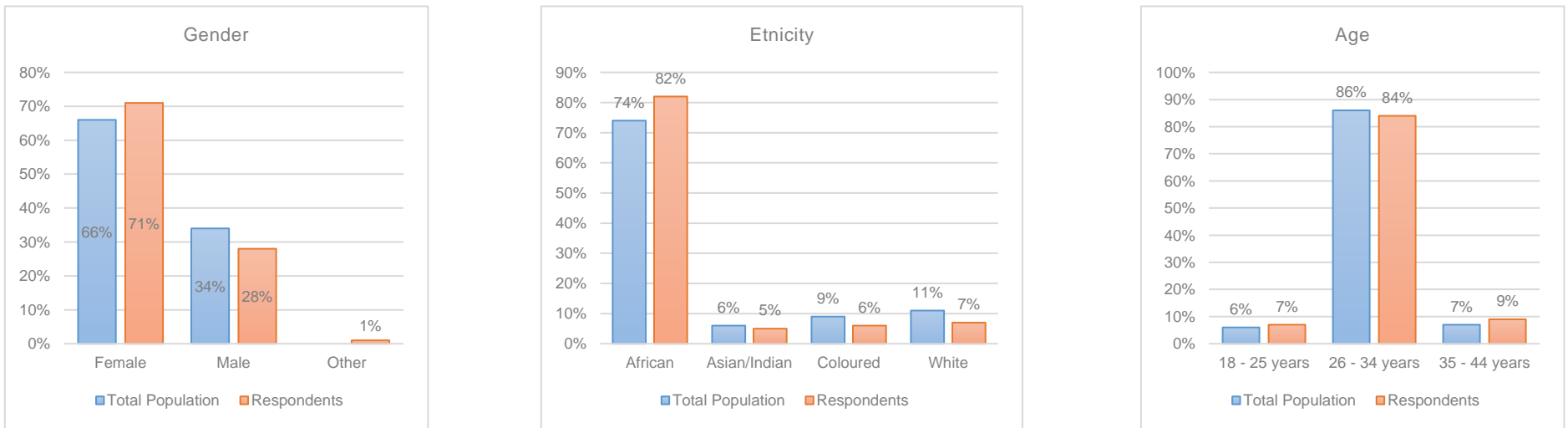
Study Results: Former Candidate Attorney

4.3. Demographics

4.3.1. Gender, Ethnicity & Age

From a total population of 285, the survey gathered a 48% response rate from the accessible population of 268 (participants who received the survey).

Figure 3: Gender, Ethnicity & Age



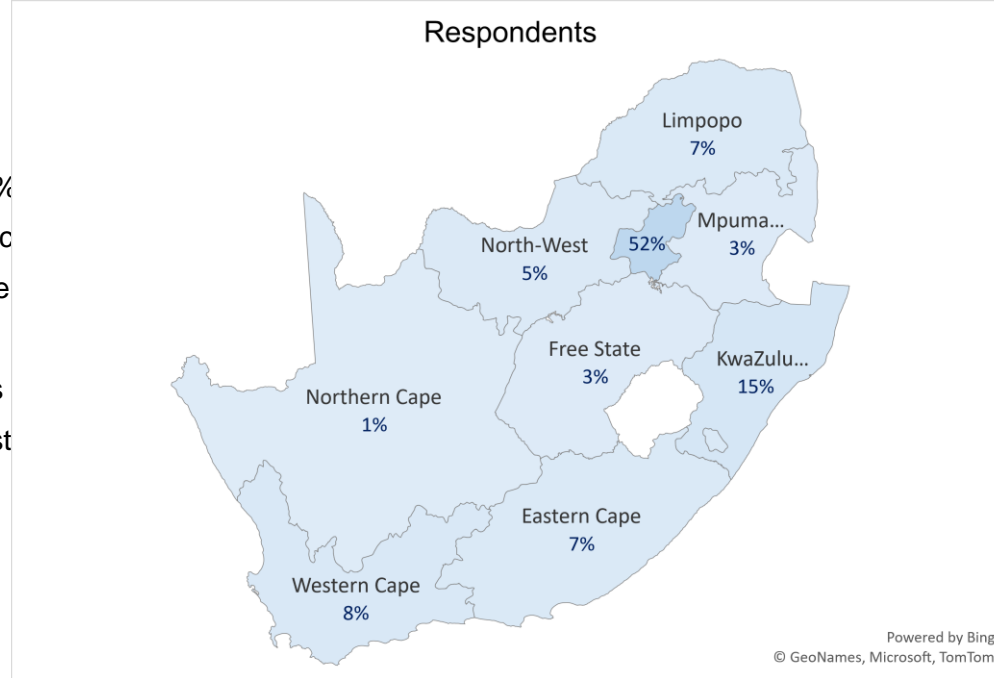
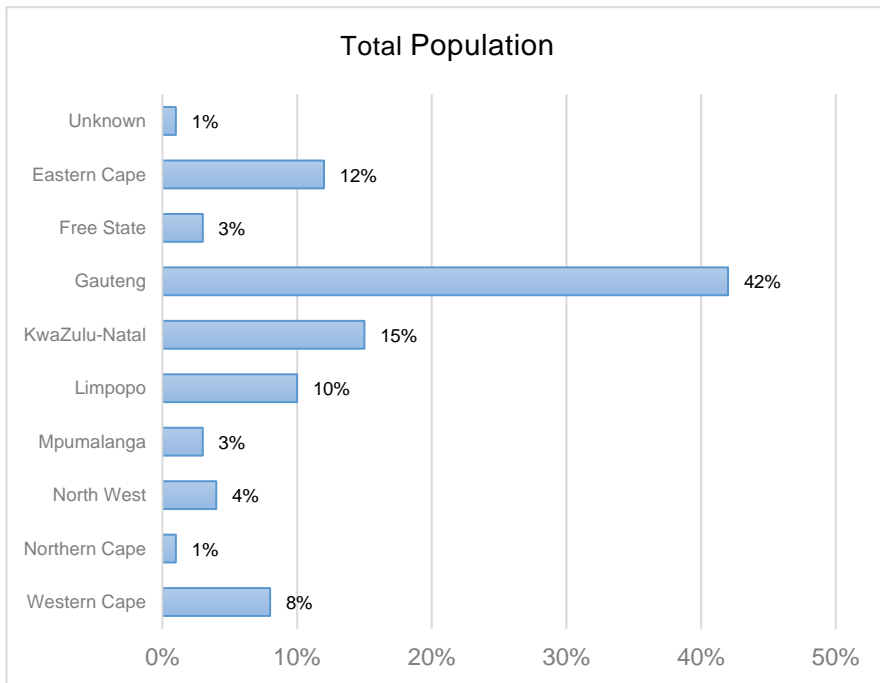
The survey gathered responses from a total of 130 participants, representing 48% of the population we targeted (accessible population). This response rate effectively represents the total population (285) and this will be the number represented by the portions of responses in the analysis below. From the accessible population, the sample (participants who received the survey) was 268. The respondents were represented by 71% females and 28% males, and 1% of the respondents categorized themselves as 'Other'.

African Candidate attorneys were represented by 82% of the total stock of Candidate attorneys in South Africa. Participants, while Coloured and Whites were represented by 18% and 10% respectively.

The bulk of the participants were between the ages of 35 - 44 years, with 44% of the participants between 18 - 25 years were 7%, constituting the least.

4.3.2. Province

Figure 4: Province



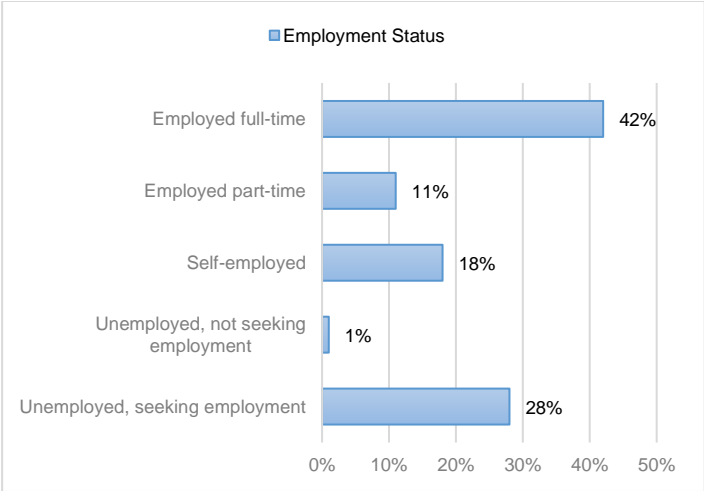
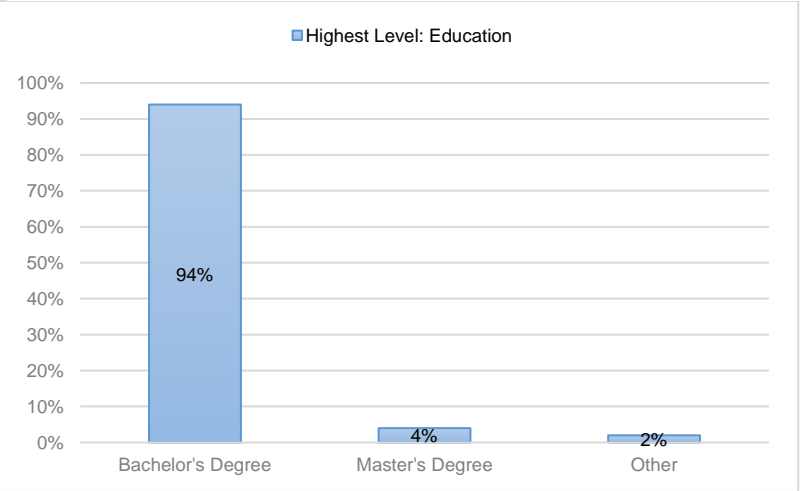
Participants represent 62% of the total stock of Candidate attorneys in South Africa, with 5% of the participants between 18 - 25 years, constituting the least.

All the 9 South African provinces were represented in the survey, this also speaks to the representativeness of the sample that was reached within the survey. Gauteng had the most representation of participants with 52% of the sample being located in the province. This trajectory expectedly aligns with the nature of the province housing the economic hub and capital city of the country, naturally most of the participants would ply their trade there.

From the Focus Group Discussion data, some of the participants further reflected on how they crossed province lines to come and study, and eventually start their careers in Gauteng as the perception is that the best academic institutions and law firms are in the province. These factors combined are some of the reasons for the domination of Gauteng participants. 15% of the participants were from KwaZulu-Natal. Northern Cape, Mpumalanga and the Free State were the least represented provinces with 1% and 3% of the participants respectively.

4.3.3. Education and Employment Status

Figure 5: Education & Employment

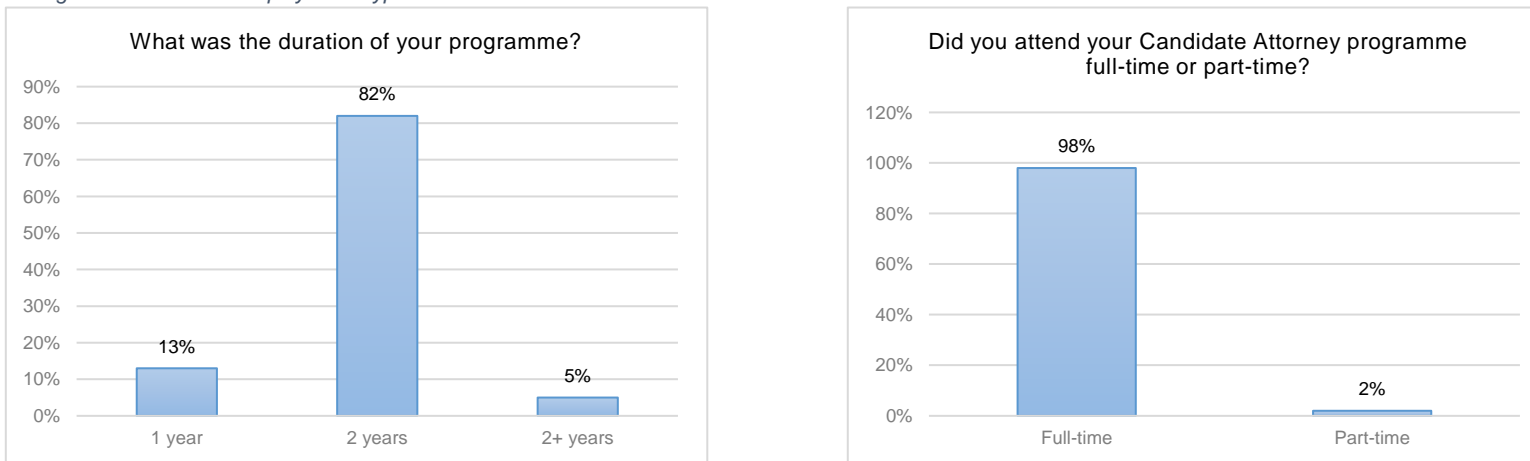


The requirements of the role of Candidate Attorney naturalise the possession of an academic qualification for all of the participants. All the participants had a formal qualification in one form or the other, 94% of these qualifications were Bachelor's Degrees, 4% were Master's Degrees and 2% were other forms of qualifications.

This rate of academic qualifications is correlated to the high employability of the participant. In combination, 71% of the participants are employed. 42% of the participants are employed on a full-time basis. However, 28% of the participants are unemployed and these participants are seeking employment actively.

4.4. Programme Duration & Type of Employment

Figure 6: Duration & Employment Type



For most Candidate Attorneys, the journey to practising entails entering into a public or private firm straight after graduating from university. Most of the participants in the Focus Group Discussion verbalized how this was the path they took before they could start practising. Although the duration of the programme varies, this is not significantly different. 82% of the participants completed their programmes in 2 years, with only 5% of the participants exceeding this time period.

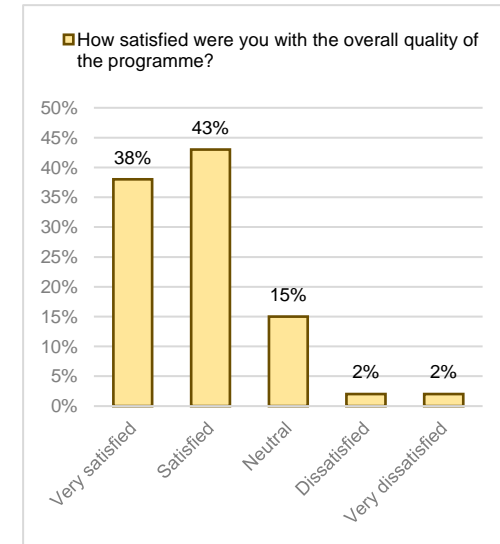
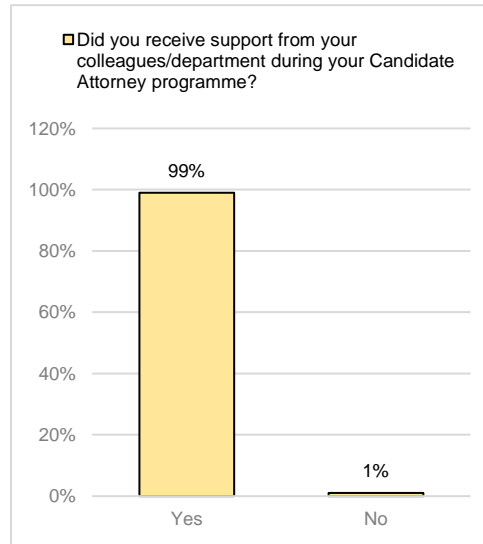
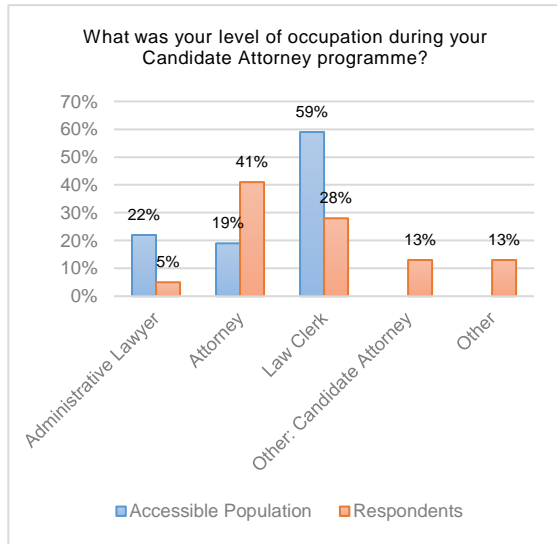
In the absence of life's adversities, most of the attorneys seem to have a smooth transition and no delay in completing the programmes. The coronavirus and maternity leave are some of the reasons that account for completion delays. Some of the participants verbalised that they failed their board exams which resulted in extending the tenure of their programmes.

4.4.1. If you took more than 2 years to complete, what was the reason? (Verbatim)

- *I did not pass all my board exam within the two years period, so am still busy with the board exam.*
- *Never attended full time law school*
- *done in 2023 and there is no option for such in the above options.*
- *I was doing the 5 year program*
- *Covid-19 regulations*
- *None, I completed my articles in 2 years.*
- *I took 1 year 6 months*
- *Pupillage done.*
- *Not Applicable. Kindly note that I completed my Candidate Attorney programme in 2023.*
- *I had to cede my articles*
- *I left articles to join the Bar and become an Advocate*
- *I had a maternity leave*

4.5. Occupation, Support and Overall Quality

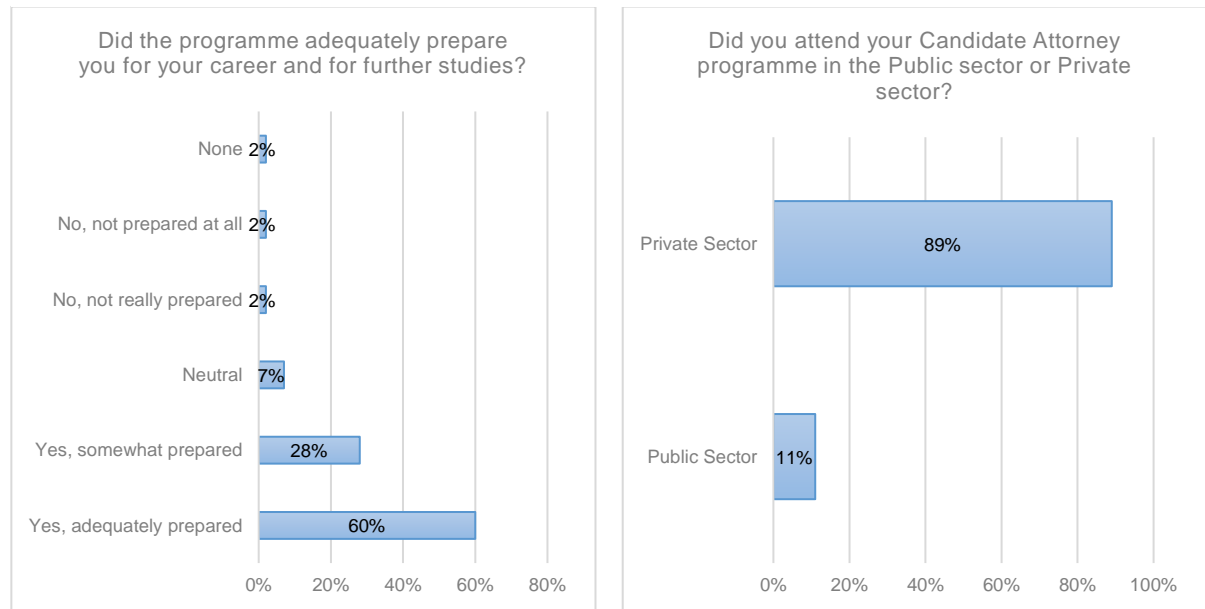
Figure 7: Occupation, Support & Quality



The Candidate Attorney programme is highly recommended and satisfactory for former Candidate attorneys. 81% Of former Candidate Attorneys are satisfied with the overall quality of the programme. 15% Of the former candidate attorneys are neutral with regard to the quality of the programme. This figure can be deduced down to some challenges faced by Candidate Attorneys that make the programme less smooth. Some of these challenges include a lack of funds to go to court, accommodation challenges, and having sufficient support within the sector in which they are working. These challenges affect the ability of the attorneys to execute their duties and this has a domino effect of negatively impacting the satisfaction one has with the programme overall. Regardless of this middle-ground, it is positive and encouraging to note that only 4% of former candidate attorneys were not satisfied with the programme. This figure reaffirms the quality of the programme and the satisfaction of former candidate attorneys with the programme.

The high quality of the programme is further depicted by the ways in which the programme adequately prepares candidate attorneys to effectively execute within their roles. 88% of the former candidate attorneys attest that the programme adequately prepared them for their roles. This is a significantly high number that shows high validity in the programme and evidence of the impact the programme has, not only on the attorneys but potentially on the institutions that the attorneys serve. 89% of the former candidate attorneys, conducted their programme within the private practice sector.

Figure 8: Career, further Studies & Candidate Attorney Sector



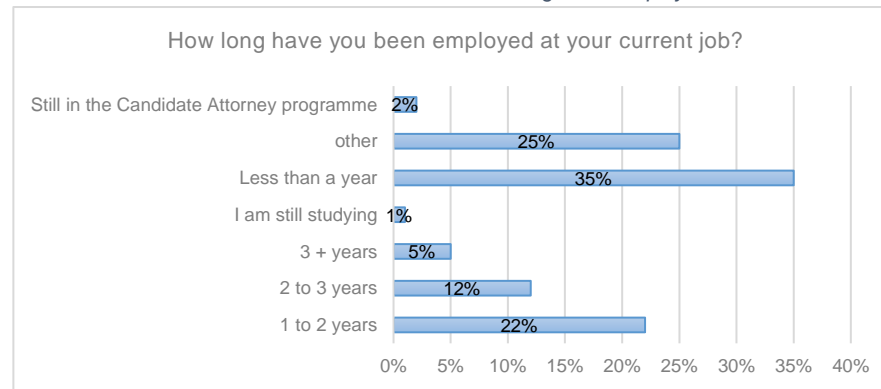
For most of the participants, it is apparent that they end up in private practice as it is the most accessible in terms of placement and the most sustainable when it comes to funding. Focus Group Discussions managed to unearth that, for most candidate attorneys, there is a lack of guidance on how they can be placed and how they can get into articles. They end up resorting to finding these roles on their own accord. Only 4% of former candidate attorneys asserted that the programme was not satisfying for them.

4.6. Employment

The research has established that 72% of former candidate attorneys are employed in one respect or another. From the same participating group, 35% have been employed in their current role for less than a year.

This figure reflects the emerging candidate attorneys who recently entered the market and emerging from the group of unemployed attorneys. 39% of the participants stayed in their roles for more than a year and are still active within these roles.

Figure 9: Employment - Current Job



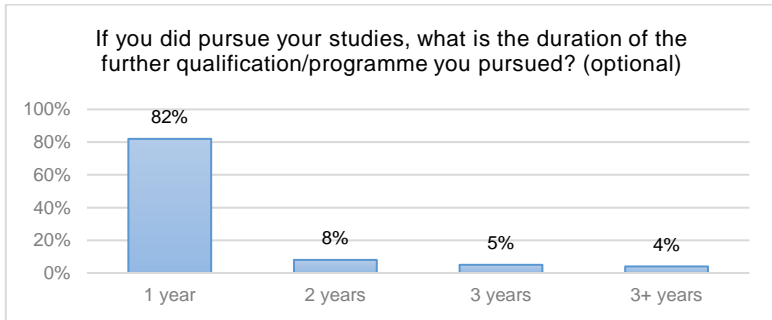
4.7. Further Education

With 130 Candidate Attorneys participating in the study, 79% of the respondents did not further their studies. Only 21% of the participants furthered their studies beyond the articles. It is imperative to note that from this population, there are varying avenues that have been taken by participants without any one route dominating further studies. Some of the participants opted for Master’s degrees in either Criminal Law or Master of Laws (Property, Family Law, Criminal and Civil Procedure). Other post-graduate degrees that were taken by participants included law certificates and diplomas in financial planning.

From the former candidate attorneys, it would be plausible to deduce that practising after articles is the desired career destination for most of the former candidate attorneys. Participants in the Focus Group Discussions stated the lack of the need and requirement to further education after their articles. For those who furthered their education, their reasons were based on personal interests in comparison to the need emanating from the career.

Because of the lack of a clear directive to further education after articles, attorneys who opt to further their studies do not invest a lot of time in the process. 82% of the participants spent a year pursuing their studies, while 18% of this population spent more than 2 years on their studies.

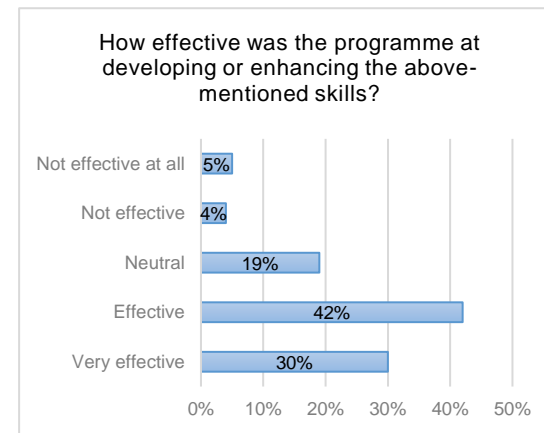
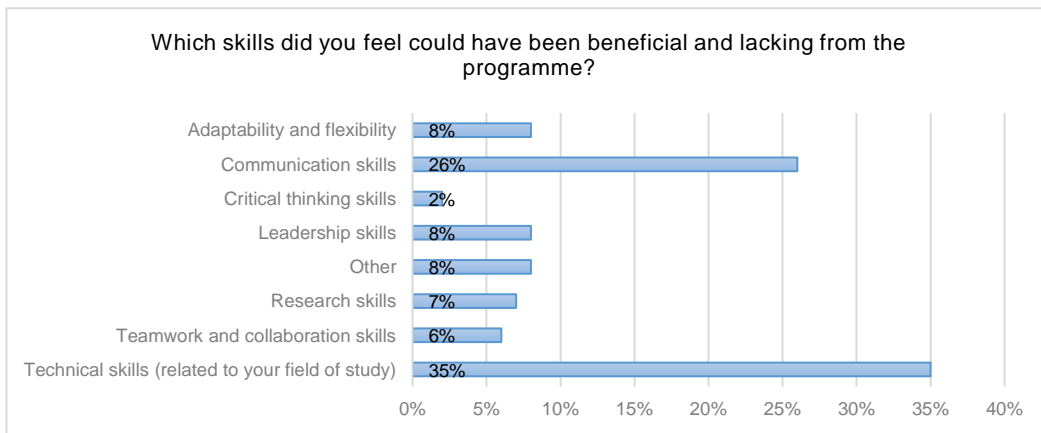
Figure 10: Duration - Further Qualification



4.8. Candidate Attorney: Skills

The skills provided within the candidate attorney programme were effectively created and effective in providing the skills to the cohort that was involved in the study. 72% of the participants asserted that the effectiveness of the programme development and its enhancement of skills. Although this is significantly high, there remains a population of the cohort that is not certain on how to assess this notion and their position on the programme’s effectiveness. Only 9% of the participants stated that the programme was not effectively developed.

Figure 11: Candidate Attorney: Skills

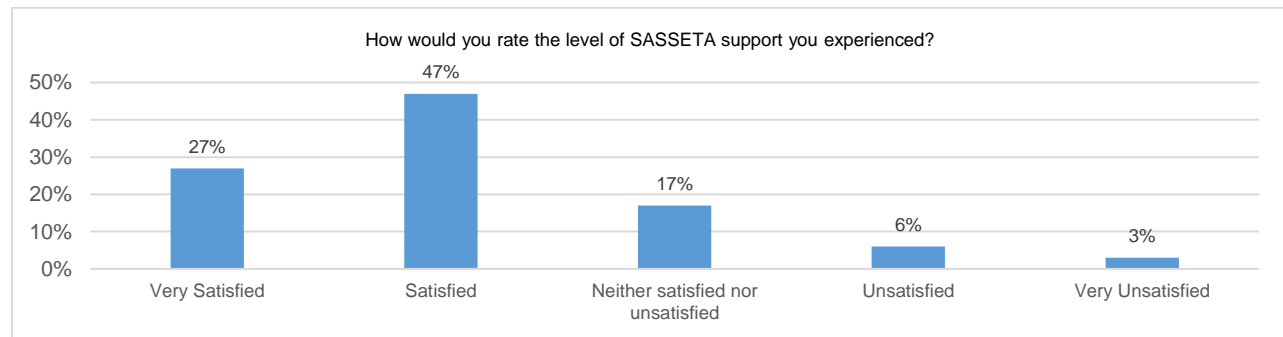


From the provided seven (7) programmes, technical skills were the most dominant programme that participants stated was lacking. This specifically alluded to technical skills that are related to the participants' field of study as suggested by 35% of the cohort. 28% of the same population affirmed the need for communication skills within the programme. There is still a needs assessment required to have qualitative data on the specific aspects that were lacking from the programmes and knowledge on their effective integration into the overall programme. The Focus Group Discussions that were conducted for this specific research had limited attendance and this was not enough to provide an effective assessment into this topic.

4.9. SASSETA: Support during Candidate Attorney

SASSETA has been supporting the Candidate Attorney financially during the 2018 – 2021 financial year period, and 74% of the cohort are satisfied with the support while 10% of the participants, felt that they were not supported by SASSETA.

Figure 12: SASSETA Support



One of the key concerns with the support provided by SASSETA is delays with payments. This is the concern that is recommended the most to improve the experience of candidate attorneys. The implications of delays in payments have been stated in qualitative responses and also formed a core point of Focus Group Discussions. Among these impacts are the inability to sustain themselves, and go to court (in cases where the firm does not provide transport). One of the participants verbalized sleeping in the streets as a result of these delays.

Transport and accommodation had the greater share of stipend use for the participants' expenses with 57% of the participants stating that they used their stipends on transport and 5% on accommodation as stated in Figure 15. These figures are significantly high considering that 32% of this population did not receive stipends, and therefore excluded from this number. When analysed after excluding the participants who do not receive stipends from their principal or SASSETA, these participants would encompass 84% using their stipends for transport and 7% using their stipends for accommodation.

Figure 13: Fringe Benefits & Stipend



The overriding concern arising from all these participants is the impact the delays have on candidate attorneys. The delays create a mental load that increases anxiety and stress on the candidate attorneys. These effects can be detrimental to the health and essentially, the ability of attorneys to execute their duties effectively. Participants also note that some firms are open to increasing the stipend provided by SASSETA, but some of these are not open to this arrangement, and these conditions make the tenure of the programme challenging for candidate attorneys. To further contextualize these figures, from the cohort; 44% of the participants received stipends during their programme while 56% of the participants did not receive stipends during their programme. Participants who were engaged in focus group discussions received their stipends, but the concern that was recognized from them was the constant delays of the of stipends in the absence of the reason for the delay or information on possible timelines of receipt.

Closely connected to delayed payments is the lack of communication with attorneys. Candidate attorneys do not have a reliable channel where they can report delayed payments and have them resolved. Some of the participants stated how they rely on the firm staff to bridge the communication gap between them and SASSETA. There seems to be a communication link missing between attorneys and SASSETA and this lack of communication results in a lack of knowledge of processes, inefficient reports on working conditions, and isolation of attorneys in times where they require support. The bridging of communication by the law firm has been raised as a concern for working condition reports that are submitted by SASSETA. Candidate attorneys cannot provide candid and honest ratings or feedback on their experience as this is managed by the firm and signed off by the firms. If there were direct communication channels with SASSETA, these reports and potential challenges could be reported directly and mitigations can be implemented by SASSETA.

Although the recommendations are present and these can be leveraged to better the experience of candidate attorneys, it should be noted that the support provided by SASSETA overall is highly regarded by former candidate attorneys with 74% of the participants expressing their satisfaction with the support. The proposed recommendations in verbatim:

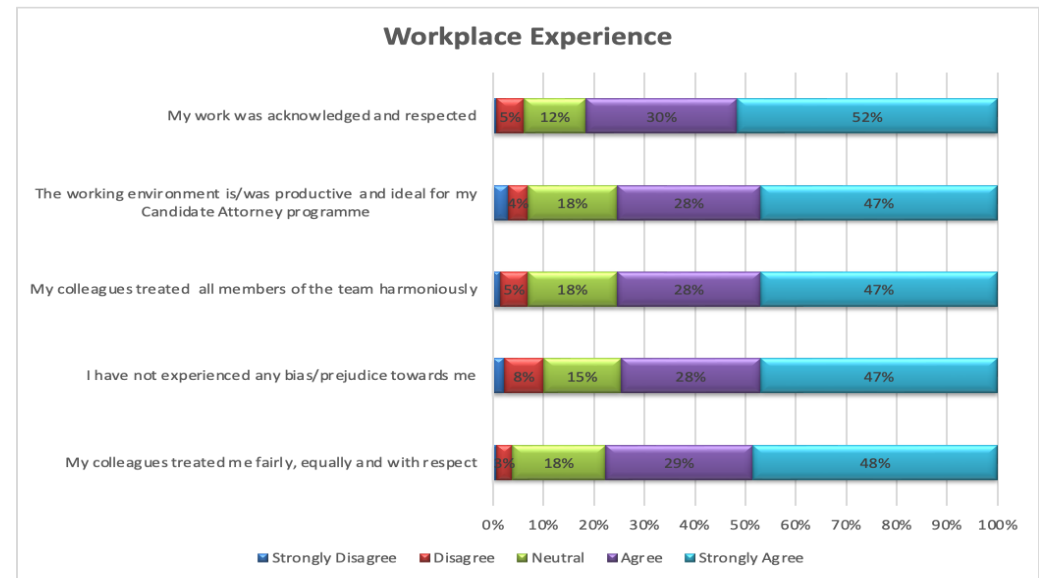
- *Be more friendly in servicing your candidates, and actually engage your candidates*
- *Better communication and have SASSETA come to where we are doing our program. Pay in time*
- *Better payment system (Stipend payments were infrequent, we often went for weeks without receiving payments). More training and support. Despite the above, I would recommend this program to anyone that is struggling to get a job as a Candidate Attorney. Without this program, I might not have ever completed my Articles or been admitted as an attorney*
- *Communication with candidates and checking their working environments*
- *Communication with host employers, and also investigate whether learners are satisfied with their host employers*
- *I would still be employed at the company that I worked in had my contract with sasseta not ended. But I am pleased to have been given the opportunity by Sasseta*
- *Keep doing the good work, more people need your support out there. Thanks*
- *MAKE IT POSSIBLE FOR YOUR CANDIDATE TO ENGAGE IN DEBATE WITH AND IN TRAINING WITH OTHER SASSETA BENEFICIARIES IN ORDER TO RATE THEM*
- *More communication and interaction between sasseta and trainees is required.*
- *Most of the candidates depend solely on the stipend. For transport and rent. Try to be consistent with payments.*
- *officials should interact and communicate more with pupils during the course of the programme.*

- *Payment on time. I was a candidate Attorney who was not just out of university. I had to beg them to pay. Payment could be a month and a half late causing so much stress that you would wish you never had this option.*
- *PLEASE PAY THE STIPENDS ON TIME. ITS VERY FRUSTRATING TO HAVE TO WAIT FOR TWO MONTHS FOR PAYMENT AND WHEN YOU CALL YOU DONT CONCLUSIVE ANSWERS.*
- *Sasseta must enforce that these law firms top up candidates on top of the stipend because in my experience, i was only dependant on the stipend, when payments were delayed as usual I'll struggle with transport money to work and also fighting with landlords for rent because my principal did not care! Pay candidate on time!*
- *SASSETA must monitor in the work place (physically) of the relevant candidate if the working conditions are good and also if there is work for the relevant people. With candidate attorneys if there could be an engagement with all relevant companies who take on SASSETA supported student to rotate them in medium, small and big corporates for purposes of more exposure and experience. Small companies usually don't give a variety of services because of the size of the company*
- *SASSETA needs to improve its communication with the participants. The information shared with the organisation representative does not always make its way down to the candidates. As i have stated above, i only really understood what SASEETA was towards the end of my second year of articles and this is after having asked question relating to the contract that we needed to sign.
In this regard, i propose that SASEETA dispatch its representatives to the relevant organisation in the beginning of the year who will explain to candidates participating the role of SASEETA and what is expected from them. This will also be a great opportunity for SASEETA to get its own documentation signed, especially the agreement which i only received in the middle of my second year.*
- *The programme should atleast visits work places where candidates Attorneys are employed and monitor their work regularly*
- *The Sasseta Finance department is the worst. They need to put the needs of the candidates already on the program and authorise monthly payments of stipends timeously*
- *They should ask the applicant if they want to serve their articles either in the private or public sectors. The applicant must choose for themselves, I personally served in the public sector and I'm not satisfied, my wish was to serve my articles at the law firm to get more knowledge in order to pave my career path.*
- *Truly grateful to have been supported by SASSETA during my pupillage year. The only issue was late payment. I could go for 3 months without receiving payment. This is an area that needs improvement.*

4.10. Statement Rating: Workplace Experience

The workplace experience for the candidate attorneys was significantly positive and conducive for the cohort overall. The former candidate attorneys felt respected in their workplaces. Respect was highly rated for the work that they did and on an individual level. 82% of the participants asserted that the work that they did and submitted was received with respect. This was coupled with 77% of the participants who also asserted that they were treated fairly, equally and with respect.

Figure 14: Workplace Experience



These ratings place in context the assertion that the environments occupied by the former candidate attorneys were conducive to their growth, and that even though this process entailed learning and receiving feedback, this was practised in a professional environment that recognised the individual and the work that they are doing.

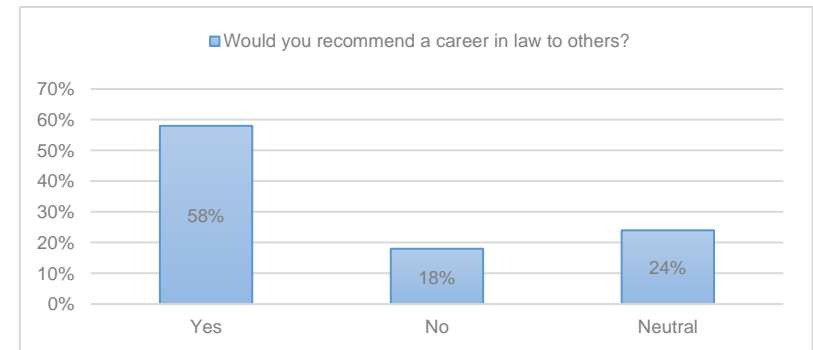
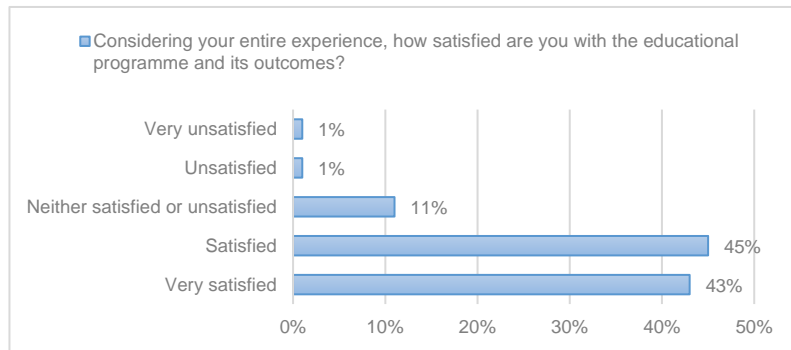
The average score for agreeableness for the statements above is 80%. This score represents a successful and healthy work environment that is above the aggregated benchmarks for world-class companies. The support and guidance from principals and team members have been stated by participants as some of the key qualities that increase positive experiences in a candidate attorney work environment. Some of the participants went as far as mentioning that finding the right principal and the team determines your experience during articles as this is linked to access, what you can learn, and addressing any issues that can arise during the programme.

4.11. Work Acknowledgement

Based on the above workplace experience statements, the following are some of the reasons the Candidate Attorneys feel that their work was not acknowledged and respected (Verbatim):

- *I was not treated fair sometimes*
- *I worked weekends and suffered verbal and emotional abuse from one of the directors. Some members treated me as if I was incompetent.*
- *It was a small company that didn't have a huge influx of work and therefore the exposure wasn't much but it was appreciated*
- *My work was not taken seriously and I did not contribute much to the firm*
- *No one taught me anything during my articles. I was just expected to know things and if I didn't, I was scolded. The pay was not worth 5 years of studying at University. I was expected to work as long as it took to get the work done and did not receive overtime pay.*
- *The employer did not have any interest in educating the staff members and did not provide much for candidate attorneys to be equipped but instead aimed at destroying their careers*
- *The treatment at work was fine, but the firm is not the correct institution to train candidate attorneys*
- *Typical office politics, however it was manageable.*
- *What is saseeta doing about discrimination regarding race in the training phase?*

4.12. Education & Career in Law



Through the articles and the journey within the law practice, the ultimate benefits and trajectory of the careers provided is reflected in the participants recommending the programme and the trade in general. 58% Of the participants would recommend the law career to people around them, while only 18% would not. This is aligned with the assertion that 88% of the participants are positively rating the outcomes of the programmes.

CHAPTER 5

Recommendations

5.1. Introduction

In concluding the study, it is essential to underscore the significance of the research process and the findings above as tools that can be leveraged to initiate positive change. Our research journey has been marked by insightful exploration, data-driven scrutiny, and the fusion of quantitative and qualitative methodologies to uncover the most profound insights. We have examined the challenges, identified the opportunities, and gathered a wealth of knowledge that holds the potential to reshape the landscape of candidate attorney tracking and tracing in this nation.

This section represents the bridge between theory and action, as we present a set of carefully crafted recommendations based on findings. These recommendations are the culmination of our collective efforts, offering a clear path forward for stakeholders, legal institutions, and policymakers. They are designed to address the existing gaps, leverage the identified strengths, and facilitate improvements in the tracking and tracing process, ultimately contributing to the overall enhancement of the legal profession in South Africa.

Furthermore, within this section, we present our conclusions, drawing together the threads of our research to offer a comprehensive and balanced assessment of the subject matter. We reflect upon the implications of our findings, acknowledge the limitations of our study, and emphasize the significance of the insights gained. The Recommendations and Conclusion section encapsulates the essence of our study, transitioning from the realm of inquiry to that of action and implementation. It is our hope that the recommendations presented herein will serve as a catalyst for positive change, driving improvements in the tracking and tracing of candidate attorneys and further enriching the legal landscape of South Africa.

5.2. Recommendations

The support that is provided by SASSETA to candidate attorneys is regarded highly. The findings have strongly reflected this assertion. In a bid to maintain this and initiate improvements, we recommend that **SASSETA enforce the enhancement of existing communication resources/teams to include targeted service provider feedback loops** that continually track the experiences of candidate attorneys within its existing communication strategies.

Communication resources/teams are physical resources that are available to candidate attorneys through their programmes. These resources serve as SASSETA representatives that candidate attorneys can contact when they need clarification on something, but they can also proactively communicate any changes, advice and programme details to candidate attorneys. The

need for these communication resources is to alleviate the isolation of candidate attorneys to firms, and in addition, always have the pulse of experiences of the candidate attorneys.

Stipend payouts for candidate attorneys have been an existing concern whose impacts are significant for candidate attorneys and have a bearing on court cases and their work in general. **Effective timing for payouts is strongly recommended for SASSETA.** In cases where document submissions by the service provider interrupts with timely payments, SASSETA already communicates with the service providers. In such cases, we further encourage SASSETA to enhance this communication by enforcing communication to the affected learners about the delay and potential timelines. We strongly recommend enforcement of proactive service provider communication with the candidate attorneys to alert them of the delays and when they can expect the payouts. Executing this recommendation enables SASSETA to mitigate any negative impacts from candidate attorneys not having funds and allows them to plan on any ways they can mitigate these situations.

5.3. Conclusion

In conclusion, this project has undertaken a comprehensive exploration into the critical aspects of the time of registration and the skillset of former candidate attorneys within the context of SASSETA's programmes. Employing a mixed-methods approach, we meticulously navigated through the intricate terrain of these objectives by extracting valuable insights from survey responses and conducting in-depth qualitative analyses. The culmination of our efforts has unveiled a robust and effective system of training, underscored by the resounding success stories of former candidate attorneys who have benefited from SASSETA's initiatives.

Notably, the financial support extended to candidate attorneys emerges as a pivotal factor in enhancing their lives and facilitating their responsibilities during their articles. However, it is imperative to acknowledge that delays in funding disbursement have posed challenges, adversely affecting these aspiring legal professionals. Addressing these delays through proactive communication channels within SASSETA can serve as a transformative force, revolutionizing the way candidates experience their articles.

By bolstering communication and maintaining a vigilant awareness of candidate attorneys' experiences, SASSETA can preemptively mitigate challenges before they escalate into formidable obstacles. This proactive approach is pivotal in augmenting the already substantial support SASSETA provides to candidate attorneys, ultimately cementing its role as a cornerstone in their

professional journey. Through this ongoing commitment to improvement and responsiveness, SASSETA can continually elevate its mission to empower and nurture the legal talents of tomorrow.

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