

‘Are ethics taught in university?’: Meyiwa judge slams lawyer’s conduct.

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Pretoria high court judge Ratha Mokgoatlheng was visibly unhappy about the absence of one of the defense lawyers in the Senzo Meyiwa murder trial, advocate Thulani Mngomezulu, when the matter resumed on Wednesday.

On Monday the murder trial was postponed after Mngomezulu said he needed time to prepare before the state called its next two witnesses.

Mngomezulu is representing one of the suspects who confessed to Meyiwa's murder, Muzikawukhulelwa Sibiya.

Sibiya is on trial with Bongani Sandiso Ntanzu, Mthobisi Mncube, Mthokoziseni Maphisa and Sifisokuhle Nkani Ntuli for the footballer's murder. They have all pleaded not guilty.

When the proceedings started on Wednesday, state prosecutor advocate George Baloyi told the court that Mngomezulu had said he had another matter and the trial could continue in his absence.

“He indicated he doesn't have a problem if the witnesses give evidence as he has arranged for a colleague to stand in for him. He was not going to take any issue with their evidence,” said Baloyi.

Mokgoatlheng was displeased.

“Is this how black lawyers behave, some of them? How can you tell a judge you are unable to proceed today because you said the two witnesses were short witnesses? He doesn't know what they said. He has to read the evidence of those two witnesses, prepare and come here. He says, 'I don't have a problem with the evidence of those two witnesses'.

“Why doesn't he phone me? This is what counsel or an attorney who has ethical standards does. I get a message through my registrar. The attorney or

advocate himself doesn't phone the judge and the judge must smile because he is black?"

Defence attorney Siphon Ramosepele told the court he was informed by advocate Zandile Mshololo in the morning that Mngomezulu had requested he stand in for him.

He was not directly contacted by Mngomezulu.

Ramosepele told the court he would be unable to do that.

Mshololo confirmed she received a call after 9.30 am from Mngomezulu while sitting in court.

"He indicated we can proceed with the two witnesses, who are the photographer and the interpreter. He was informing me he has made an arrangement with the state," she said.

Mokgoathleng reacted: "Are ethics still taught at university or when you are doing pupillage or doing articles? Look at what you are telling me. He phones advocate Mshololo to tell you to stand in for him. He doesn't phone the court. This is Africa. He doesn't phone the court. The judge is irrelevant."

After the parties decided to proceed with the matter, the state called interpreter Evelyne Mothlapeng and photographer Sgt Matsobane Maphakela.

Mothlapeng was present when Ntanzu confessed before magistrate Vivian Cronje and Maphakela took pictures of the pointings-out made by Sibiya.

Mothlapeng confirmed she interpreted Ntanzu's confession and that it was read back to him to ensure he was satisfied with its content.

The matter has been postponed to Friday for the state to call its next witness.

The state is also expected to recall ballistics expert Lt-Col Chris Mangena, whose testimony was stood down last year.

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