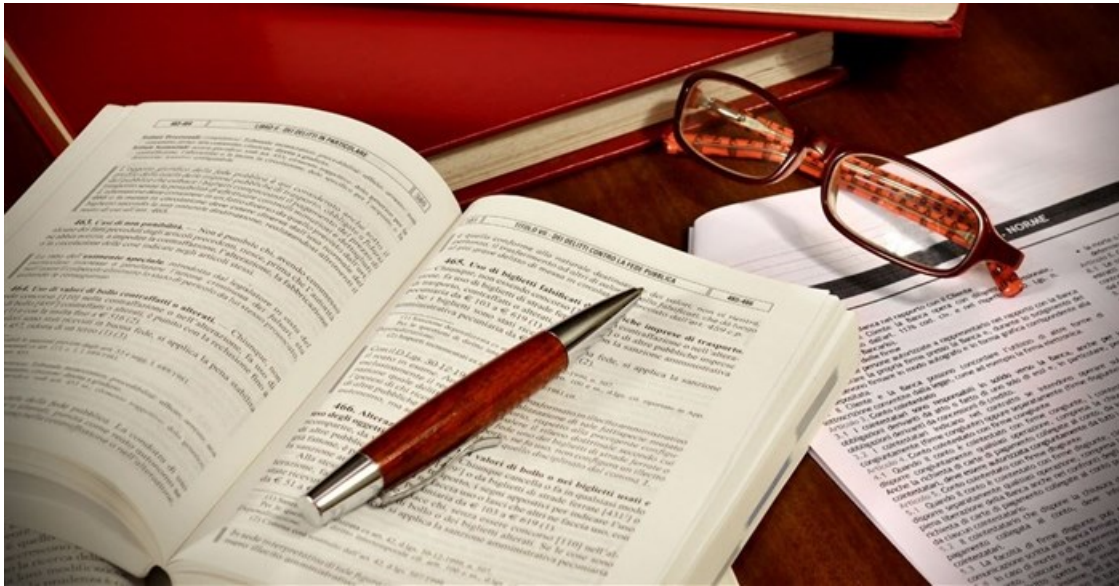


Cape Bar tackles inequity at legal practices

The Cape Bar has launched an initiative with legal firms in Cape Town to tackle the lack of transformation in the sector.



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Following complaints that racism and sexism were rife in the profession, Judge President Dunstan Mlambo of the Gauteng division of the high court directed staff to record the race and gender of every advocate appearing in the motion court in the High Court in Pretoria.

The data would help to ascertain how certain races and genders dominated certain areas of litigation and would help in dealing with transformation among advocates and attorneys.

Similar challenges existed in the Western Cape as well as at the Supreme Court of Appeals.

The Black Lawyers Association has called for the office of the chief justice to investigate allegations of discrimination among judges at the Supreme Court of Appeal.

The situation at the court was revealed by judges during the recent Judicial Services Commission (JSC) interviews for senior positions at the court.

In the Western Cape initiative, regular meetings between the Cape Bar and the legal firms would be held to ensure

implementation and to monitor their progress in meeting their transformation targets.

The Cape Bar said the programme would play a key role in motivating those responsible for briefing decisions to review briefing patterns and identify and address any bias, conscious or unconscious, which stood in the way of equitable briefing patterns.

At the end of each financial year, the attorney firms would provide data on the number, nature and value of briefs according to race, gender and seniority.

Cape Bar spokeswoman Tanya Golden SC said the council would continue its interaction with Cape Town attorney firms in a bid to meaningfully address the problem of skewed and inequitable briefing patterns.

"We hope that all the large firms in Cape Town will make a commitment to this initiative," Golden said.

The council said attorney firms could continue to brief black advocates in the ordinary course of things, regardless of the initiative, to address briefing patterns head-on.

Source: Business Day

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