

PROCUREMENT PROTOCOLS FOR THE LEGAL PROFESSION

I, the undersigned, on behalf of TOMLINSON MNGUNI JAMES INC.

Recognising the pernicious and repugnant legacy of apartheid; race and gender based marginalisation and exclusion of black and women legal practitioners; the unfair privilege enjoyed by white male legal practitioners; the assault and affront to the dignity of black and women legal practitioners; and the structural distortions created in the skill sets of black and women practitioners;

Embracing the constitutional imperative to realise the freedom and equality of everyone and accepting that our inequitable past has produced the economic and skills distortions overwhelmingly favouring white male practitioners to the prejudice of black and female practitioners in the legal profession, and now committing to correct that history;

Acknowledging that, objectively measured, the efforts of the legal profession to reverse the imbalances flowing from our past have failed to yield the desired transformation of the legal profession;

Accepting, in particular, that, generally speaking, the transformation initiatives to empower black and women practitioners have been met with some reluctance and resistance on the part of some members of the legal profession and industry broadly; and acknowledging that black and women practitioners have not been treated in line with the foundational constitutional values of equality; the right to equal access; the right for everyone to choose and practice their profession freely; and

Decrying the fact that government's stated objectives structurally to transform the legal profession to reflect, broadly, the demographics of our country, have not yielded the desired outcomes;

Now commit to this protocol and to positively promote the procurement of legal services of black and women practitioners; to actively create better access for black and women practitioners; to bridge the skill set deficits, if any, among black and female practitioners; to increase the exposure of black and female practitioners to all areas of the law; to help broaden the pool of black and women practitioners; to ensure that fair selection criteria are used in the briefing of black and women practitioners; to promote a change in attitude so as to promote the inclusion of black and women practitioners in the main stream of practice; to render bi-annual reports for the monitoring of compliance with the aims of these protocols, holding signatories to the protocols accountable; and to widen the pool of practitioners and ultimately affect the transformation of the judiciary; all in order to progressively realise the achievement of the transformation of the legal profession.



Organisation / Firm

Date: 28.6.17



Briefing Patterns Action Group

Date: 28 - 06 - 2017