

LEGAL SECTOR CODE





LEGAL SECTOR

**Transformation is a Constitutional
and Economic Imperative.**

Get

The Legal Sector Code gives effect to the Constitutional right to equality for Black legal practitioners.

EVIDENCE OF INEQUALITY

More info



2014

- Research by the Centre for Applied Studies and Foundation for Human Rights in 2014 shows
- corporate law firms surveyed are dominated by white males
- 80% of CEOs and 72% of managing partners were white males
- 53% of equity partners were white and male

2021

- Lexis Nexus study shows In large (more than 15 partners) racially mixed firms:
- Over half of the white owners, own more than 75% of the firm
- Black practitioners are limited to less than 25% of such firms

2024

- LPC statistics for top 6 large firms on average
- 72% of the partners/directors are white
- 25% are black

- Other large law firms (15 or more partners) on average
- 75% of partners/directors are white
- 22% are black



2. Main challenges facing black practitioners



- Inadequate access to a sustainable flow of quality legal work
- Discriminatory procurement practices by the private sector
- Poor & inconsistent briefing patterns from state organs
- Unequal access to senior management roles in racially mixed law firms
- Lack of exposure to lucrative and complex legal work

CHALLENGES FACED BY BLACK ADVOCATES

Challenges:

- Lack of briefing by large majority white law firms
- High attrition rates
- Lack of training in specialised areas of law

CHALLENGES FACED BY BLACK ADVOCATES

High Attrition Rates

JSA statistics for Gauteng 2025 :

- 406 junior advocates left the JSA in last 5 years
- 66% (272) were Black of which 108 were women and 164 were men
- For juniors advocates of between 1 and 4 years:
- A total of 85% (104) Black juniors left
- 39% (56) were Black female

5. THE APPLICABILITY AND SCOPE OF THE LSC FOR ADVOCATES

THE THRESHOLDS IN THE LSC:



(less than R 3 million annual revenue)

(between R 3 & R15 million annual revenue)

(of above R 15 million annual revenue)



6. SUITABLE EVIDENCE

THE FOLLOWING IS SUITABLE EVIDENCE OF COMPLIANCE:

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Confirmatory Affidavit
or CIPC certificate

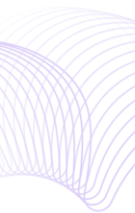
QSE

B-BBEE certificate &
Report for White
Advocates

Confirmatory
Affidavit/CIPC
certificate for Black
Advocates

Large LSME

B-BBEE certificate



7. CONTRIBUTION LEVELS

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A Black advocate whose annual turnover is R3 million or below qualifies for automatic elevation to a B-BBEE Contributor Level 1

A White advocate whose annual turnover is R3 million or below qualifies for automatic elevation to a B-BBEE Contributor Level 4

QSE

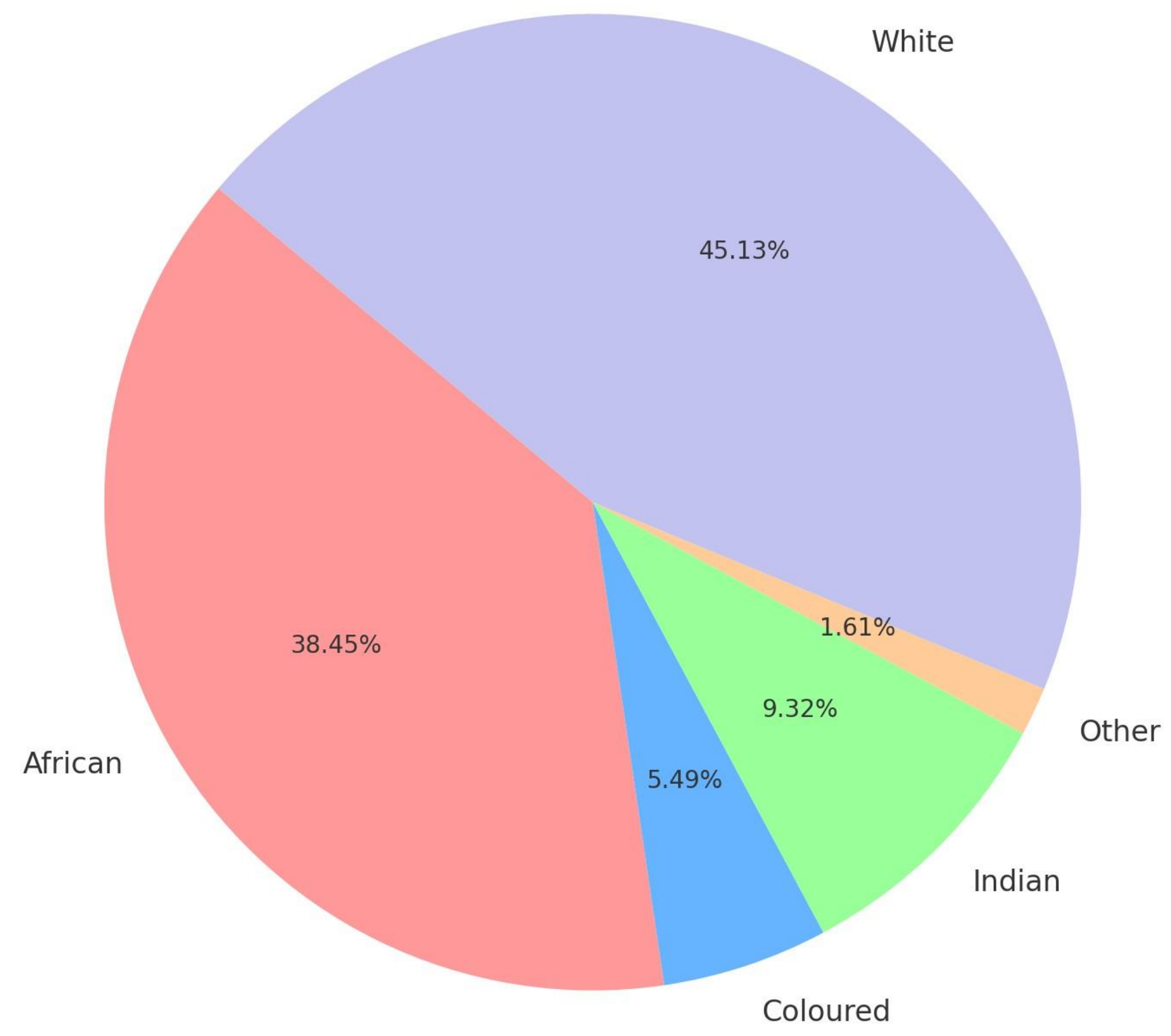
A Black advocate whose annual turnover is above R3 million but not more than R15 million qualifies for a Level One B-BBEE Contributor Status



PRACTISING ATTORNEYS DEMOGRAPHIC BREAKDOWN



Demographic Breakdown of Attorneys

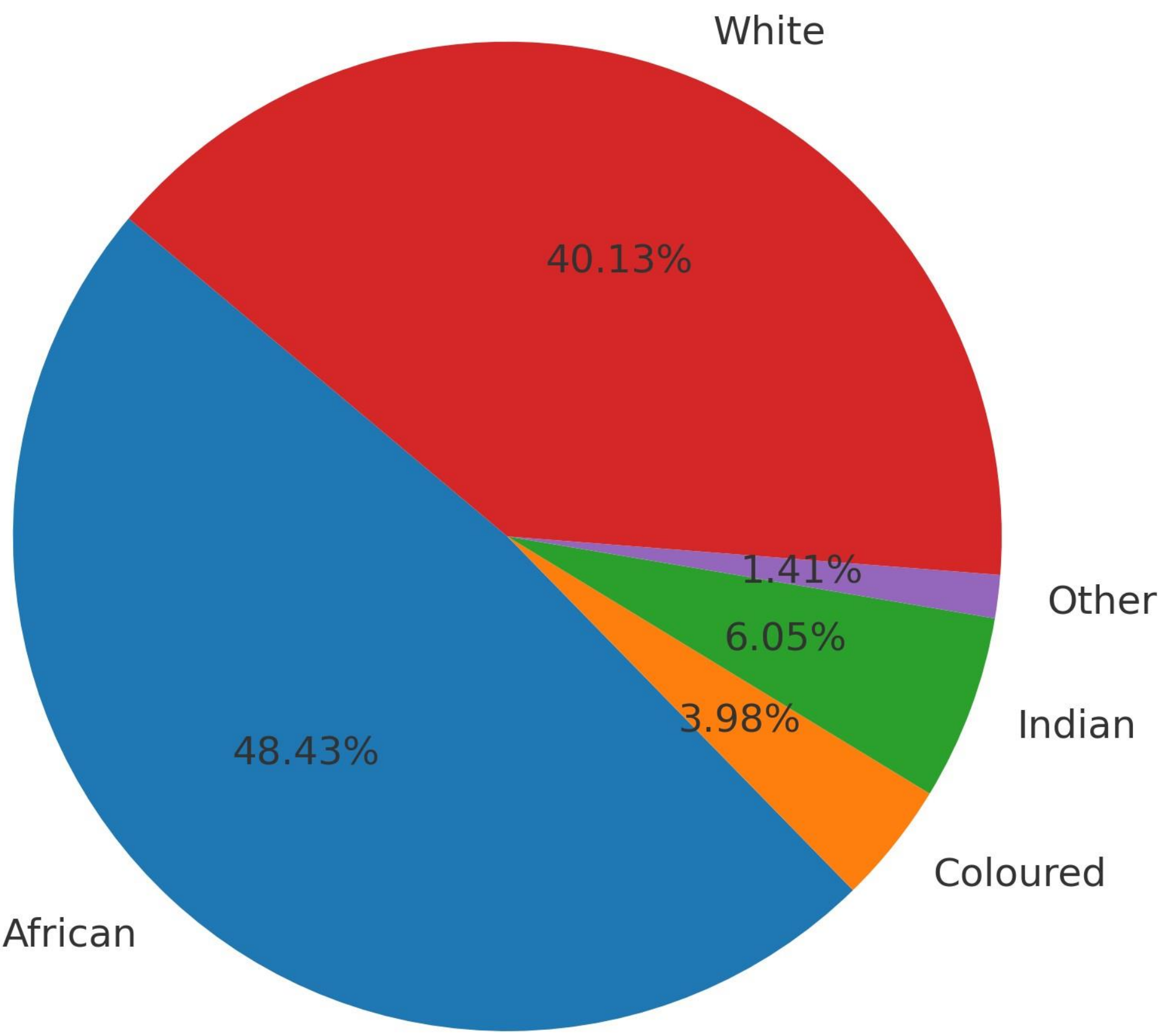


Practising Attorneys

RACE	GENDER	TOTAL	PERCENT
African	F	5669	16.17
African	M	7808	22.28
Coloured	F	1061	3.03
Coloured	M	863	2.46%
Indian/Asian	F	1953	5.57
Indian/Asian	M	1315	3.75
Other	F	268	0.76
Other	M	297	0.85
White	F	7106	20.28
White	M	8 708	24.85
Total Black			53.76%
Total White			45.13%

PRACTISING ADVOCATES

Demographic Breakdown of Advocates



Practising Advocates

RACE	GENDER	TOTAL	PERCENT
African	F	1264	13.47
African	M	3281	34.94
Coloured	F	167	1.76
Coloured	M	207	2.20
Indian/Asian	F	263	2.80
Indian/Asian	M	305	3.25
Other	F	49	0.52
Other	M	84	0.89
White	F	1 262	13.45
White	M	2 504	26.68
Total Black			59.83%
Total White			40.13%

KEY PROVISIONS OF LSC FOR ADVOCATES



Skills Development Scorecard

LSC 400 require Large firms of Attorneys to brief Black advocates starting with 40% in the first year increasing to 60% in year 5.

The target for Black female advocates is 30% in year 1 to 40% in year

5

LSC 301 – SKILLS DEVELOPMENT ELEMENT FOR ADVOCATES

Applicable Category	Measurement Indicator		WP	Targets and Weighting Points		
				T		
				Year 1	Year 3	Year 5
301.1 Recognition of skills development expenditure on initiatives undertaken by advocates in the training of black junior advocates.						
Training	Expenditure incurred on recognisable training and tutoring of black junior advocates in a measurement period with special emphasis on black junior advocates from designated categories	Above R3 million but more than R15 million	12	30 hours per annum spent on participation in training programmes established by a voluntary association of advocates accredited by the LPC (an accredited association)	30 hours per annum spent on participation in training programmes established by a voluntary association of advocates accredited by the LPC (an accredited association)	40 hours per annum spent on participation in training programmes established by a voluntary association of advocates accredited by the LPC (an accredited association)
		Above R15million per annum	12	30 hours per annum participation in training programmes established by an accredited association	30 hours per annum spent on participation in training programmes established by an accredited association	40 hours per annum spent on participation in training programmes established by an accredited association.
	Contribution into the LSTF in lieu of expenditure incurred on recognisable training and tutoring of black junior advocates	Above R3 million but not more than R15 million	9	R7,000 per annum	R10,000 per annum	R10,000 per annum
		Above R15 million per annum	9	Of R10,000 per annum	R15,000 per annum	If a contribution into the LSTF into the LSTF is R15,000 per annum.

LSC 301 – SKILLS DEVELOPMENT ELEMENT FOR ADVOCATES						
Applicable Category	Measurement Indicator		WP	Targets and Weighting Points		
				T		
				Year 1	Year 3	Year 5
301.2 Recognition of skills development expenditure on mentorship programmes for black junior advocates.						
Mentorship	Recognition of advocates spend in each year in the mentorship programmes in mentoring junior black advocates, including deviling.	Above R3 million but not more than R15 million	10	20 hours per annum spent on mentoring programmes	20 hours per annum spent on mentoring programmes	20 hours per annum spent on mentoring programmes
		Above R15 million per annum	10	10 hours per annum spent on mentoring programmes	10 hours per annum spent on mentoring programmes	10 hours per annum spent on mentoring programmes
Monetary Contributions into the Legal Sector Transformation Fund (LSTF) by Senior Counsel in lieu of training provided for in 301.1 and 301.2	BONUS POINT APPLICABLE TO SENIOR COUNSEL					
	Contributions specifically intended for programmes to be financed by the LSTF	Above R15 million per annum	5	R20,000 per annum	R25,000 per annum	R30,000 per annum

LSC 301 – SKILLS DEVELOPMENT ELEMENT FOR ADVOCATES						
Applicable Category	Measurement Indicator		WP	Targets and Weighting Points		
				T		
				Year 1	Year 3	Year 5
301.3 Recognition of advocacy training in specialised areas of the law						
Training in pursuit of specialised legal skills and expertise	Initiatives established by a voluntary association that is accredited by the LPC or initiatives by an individual advocate with expertise in specialised areas of the law to train black junior advocates in specialised areas of the law.	Above R3 million but more than R15 million	12	20 hours per year spent on participation in training programmes per annum	20 hours per annum spent on participation in training programmes	20 hours per annum spent on participation in training programmes
		Above R15million per annum	12	20 hours per annum spent on participation in training programmes	20 hours per annum spent on participation in training programmes	20 hours per annum spent on participation in training programmes
	Initiatives to ensure the training in specialised areas of the law of black junior advocates from designated categories	Above R3 million but not more than R15 million	7	20 hours per annum spent on participation in training programmes	20 hours per annum spent on participation in training programmes	20 hours per annum spent on participation in training programmes
		Above R15 million per annum	7	20 hours per annum spent on participation in training programmes	20 hours per annum spent on participation in training programmes	20 hours per annum spent on participation in training programmes
	Total number of points	R3 – R15 million	50			
		R15 million and above	50			

legal sector transformation fund (LSTF)

- Law firms and advocates required to contribute annually to the LSTF
- The fund will be utilised for skills development and ESD initiatives such as provide financial support to black legal practitioners especially women through:
- Financial support to black legal attorneys and advocates for rental, acquiring technical equipment such as computer hardware and software, libraries;
- Funding training in specialised areas of the law, and
- Providing support to candidate attorneys and pupils



Legal sector CHARTER

COUNCIL

The Legal Sector Charter Council has been established.

Its functions include:

- monitoring compliance with the LSC
- receiving annual reports from law firms and advocates on compliance with LSC
- filing annual reports reviewing progress; and
- administer the LSTF





THANK YOU

