

A global legal profession

Kim Hawkey – Editor

This month's *De Rebus* is dedicated to the 18th Commonwealth Law Conference (CLC), which took place in Cape Town from 14 to 18 April under the theme 'Common challenges – common solutions: Commonwealth, commerce and *ubuntu*'.

This was the first time the CLC had taken place in South Africa, which Justice Minister Jeff Radebe noted was 'a confirmation of the embrace which the world has extended to our new democracy'.

During the closing ceremony of the conference, which brought over 900 Chief Justices, judges, lawyers, legal academics and others in legal-related fields to the country, the event was described as 'the most successful conference in recent history'.

What stood out for me about the conference was that, although a number of country-specific challenges were raised, many of the discussions during the course of the conference – both formal and informal – demonstrated how many of the challenges the legal profession is currently facing are universal, or have a universal impact.

Some of these relate to, for example, how best to provide a system of legal aid; the best model for regulating the legal profession (noting some of the similarities between the United Kingdom Legal Services Act 2007 (c29) and the South African Legal Practice Bill (B20 of 2012)); whether specialised commercialised courts are viable; and whether court-annexed mediation should be enforced.

In addition, various countries compared notes on challenges related to modern constitutions, human rights violations, managing modern law firms, practising as a young lawyer and various law reform options.

The conference also created a platform for awareness about what is happening on the ground in the legal profession and related sectors in other countries, such as Sri Lanka and Zimbabwe.

By the end of the conference it was evident that we have much to learn from each other, which can only be to the benefit of our individual countries, as well as the legal profession globally.

It is worth mentioning the words of the Lord Chief Justice of England and Wales, Lord Igor Judge, who gave the keynote address during the closing ceremony of the conference, in which he spoke on equality before the law in light of South Africa's past, to which he received a standing ovation:

'Perhaps then, above all else, this conference in Cape Town has underlined for me that, of all the many facets of the rule of law, we must remain resolved that whatever the colour of our skin, race, creed, gender, or whatever it might be, the starting principle for the rule of law is that, in law, we are equal, and that it is the fundamental obligation of the law to treat us so. Here in Cape Town we have been vividly reminded by the living recent history of South Africa that this indeed must be and must remain our common purpose, and that we must be vigilant to maintain it.'

This, again, illustrates our common goals and aspirations, and our joint dedication to maintaining and strengthening the rule of law, while not forgetting our unique country-specific experience.

One downside related to the conference was that, unfortunately, many local attorneys were not able to attend the gathering. I suspect this was primarily due to financial constraints. For this reason, perhaps it is time to look at creating other ways of interacting with our colleagues in the legal profession on a global scale. In this electronic age, I am sure that there are many options available for doing so.

In the meantime, until these options are explored further, we have prepared a report on some of the sessions at the conference.

Of gender and style

On a separate note, you may notice a change in style from this month's *De Rebus* onwards. We have decided that, in a constitutional democracy where discrimination in any guise must be abhorred, it is only appropriate that we reflect this in the pages of our journal. In the past the journal has referred to 'he' when referring generically to a person, which will now change to incorporate gender inclusive language.

We are also in the process of updating our style guide and you may notice more style changes over the next few months. This is part of our aim to ensure that the journal is of the highest quality and standard in all respects.

Would you like to write for *De Rebus*?

De Rebus welcomes article contributions in all 11 official languages, especially from legal practitioners. Practitioners and others who wish to submit feature articles, practice notes, case notes, opinion pieces and letters can e-mail their contributions to derebus@derebus.org.za

The decision on whether to publish a particular submission is that of the *De Rebus* Editorial Committee, whose decision is final. In general, contributions should be useful or of interest to practising attorneys and must be original and not published elsewhere. For more information, see the 'Guidelines for articles in *De Rebus*' on our website (www.derebus.org.za).

Upcoming deadlines for article submissions: 18 June and 22 July 2013.