

27 May 2026

Johannesburg Society of Advocates
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By email: adminofficer@jsabar.co.za

To whom it may concern

TRANSPARENCY REGARDING RACIAL CRITERIA AT THE JOHANNESBURG SOCIETY OF ADVOCATES

I write to you in my capacity as the Head of Public Relations for the South African civil rights organisation AfriForum. Our organisation represents more than 300 000 donating members and as a civil society organisation we have a responsibility to take stances in the interest of the broader South African public, as well as their rights. AfriForum has a particular focus on the rights of minority groups and has a long track record of opposing racial discrimination in all facets of society. It is within this context that we write to you regarding serious allegations about racially discriminatory policies practiced by the Johannesburg Society of Advocates (JSA).

Recently, the JSA has accused Advocate Mark Oppenheimer of spreading “misinformation” because Advocate Oppenheimer claims that its admissions process is highly racialised and discriminatory. AfriForum takes such accusations very seriously, especially due to the implications they have for public trust in the legal profession in South Africa.

According to the Johannesburg Society of Advocates’ own Equality and Diversity Policy published on its website in terms of point 12.4.1, direct discrimination is defined as where “one person is treated less favourably than another would be treated in the same or similar circumstances because of a particular characteristic, such as race or gender.”

The JSA can easily dispel these accusations with the necessary transparency. AfriForum therefore requests the JSA to make public the following information from 2016 to date:

1. The number of annual applicants for pupillage at the JSA during each year in this period.
2. The number of applicants admitted to the pupillage programme during each year in this period.

June 2024

Address: 58 Union Avenue, Kloofsig, Centurion • **Tel.:** 086 10 200 30
Member Affairs – Email: ledesake@afriforum.co.za • **Directors:** Ms A. Bailey, Mr P.J.W. Buys, Dr H.K. Coetzee, Mr P.L. Dekker, Mr F.J.D. de Klerk, Mr G.R. de Vries, Dr D.J. Hermann, Mr W.G. Human, Mr C.M. Kriel and Dr R. Pretorius. • **Company Secretary:** Mr W.A. Vogel.
Registration number: 2005/042861/08 • **NGO number:** 054 - 590

3. The racial and gender breakdown of the applicants in each year, insofar as this information was recorded.
4. The race and gender of applicants admitted to the pupillage programme in each year.
5. All the method(s) used to determine, record, or classify applicants' races.
6. The policies, criteria, guidelines, scoring systems, or other guiding documents, that were used during this period to determine admission to pupillage.
7. Any documents reflecting whether race was considered in pupillage admissions, as well as detailing how that standard was applied.
8. Any documents reflecting the use, consideration or recommendation of racial targets, quotas, caps, preferences, weighting, or other race-based criteria, regarding pupillage admissions.

It is in the public interest, and essential to maintaining confidence in a legal system grounded in merit-based principles rather than racial considerations, that this information requested be properly examined and provided to the public.

It would be indefensible, should these allegations be substantiated, for the Society to endorse a policy definition of direct discrimination while simultaneously failing to recognise, address, or take appropriate action in respect of conduct that falls squarely within that definition, particularly in relation to its own admission criteria.

Yours sincerely



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