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International Bar Association

A Global Directory of Anti-Discrimination Rules Within the Legal Profession: Main Findings

**A paper prepared by the IBA Bar Issues Commission
Regulation Committee**



The International Bar Association (IBA), established in 1947, is the world's leading international organisation of legal practitioners, bar associations, law societies, law firms and in-house legal teams. The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of more than 80,000 lawyers, 190 bar associations and law societies and 200 group member law firms, spanning over 170 countries.

The IBA is headquartered in London, with offices in São Paulo, Seoul, The Hague and Washington, DC. The IBA Legal Policy & Research Unit (LPRU) undertakes research and develops initiatives that are relevant to the rule of law, the legal profession, and the broader global community. The LPRU engages with legal professionals, law firms, law societies and bar associations, governments, non-governmental organisations, and international institutions to ensure innovative, collaborative and effective outcomes.

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International Bar Association

5 Chancery Lane
London WC2A 1LG
T: +44 (0)20 7842 0090
F: +44 (2)20 7842 0091
editor@int-bar.org
www.ibanet.org

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| Dominique Hogan-Doran QC | 5 Wentworth Chambers |
| Alison Hook | Hook Tangaza |
| Heike Loercher | The German Federal Bar |
| Edward Mapara | Law Society of Zimbabwe |
| Merete Smith | The Norwegian Bar Association |
| Laurel S Terry | Penn State Dickinson Law |

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Introduction

In May 2019, the International Bar Association published its groundbreaking report *Us Too? Bullying and Sexual Harassment in the Legal Profession* which, for the first time, provided empirical confirmation that bullying and sexual harassment are rife within the global legal profession.¹ According to the survey data upon which the report was based, approximately one in two female respondents, and one in three male respondents, had been bullied in connection with their employment. In addition, one in three female respondents had been sexually harassed in a workplace context, as had one in 14 male respondents.

As well as outlining troubling evidence of the problems that the legal profession is facing, the report sets out the steps that the IBA is planning to take in order to lead by example in developing various solutions to these issues. The IBA Bar Issues Commission (BIC), which represents the voices and interests of the IBA's Bar and law society members, has taken a keen interest in being part of, and driving forward, this movement for change. The BIC brings together a diverse range of legal regulators, representative bodies and lawyers' associations from nearly 200 jurisdictions around the world.² As such, it is uniquely placed within the IBA to provide a forum for information sharing and collaboration in tackling many of the issues currently afflicting the profession, including harassment, discrimination and poor levels of mental wellbeing.

Evidence of this came most recently in October 2021, with the publication of the IBA's *Mental Wellbeing in the Legal Profession: A Global Study*.³ This report, which shone a light on the mental wellbeing crisis within the global legal profession, relied heavily on the support of BIC members in chairing the task force behind its publication. The report also highlighted the strong links between poor mental wellbeing and a lack of diversity in the profession: younger lawyers, women, ethnic minorities and the disabled were far more likely to report lower levels of mental wellbeing relative to their older male counterparts. The toxic impact of discrimination, harassment and bullying on the mental wellbeing of these groups was also laid bare. Overall, challenges concerning increasing diversity and inclusion, tackling discrimination and improving mental wellbeing within the profession were all shown to be sides of the same problem.

One way the global legal profession has begun to tackle these issues is by introducing specific codes, rules and principles designed to address discrimination at the regulatory level. These might take many forms and differ depending on the regulatory authority and structure of the jurisdiction in question. Not all jurisdictions have them, and in those that do, not all have been produced by the regulator. The purpose of this paper, prepared by the BIC Regulation Committee, is to set out the main findings from the production of a directory of anti-discrimination rules (the Directory) which currently exist from around the world: who has them, and what form do they take? Its aim is to provide IBA members with a snapshot

1 See www.ibanet.org/bullying-and-sexual-harassment, <https://perma.cc/78hb-ldzj>.

2 See www.ibanet.org/bar-associations-home, <https://perma.cc/l65k-jsbs>.

3 See www.ibanet.org/mental-wellbeing-in-the-legal-profession, <https://perma.cc/l6gg-ck63>.

of how different jurisdictions are addressing these problems, in the spirit of collaboration and information-sharing mentioned above.⁴ Neither this paper nor the Directory take any positions on these matters outside of any existing IBA policy. It is hoped that this paper, and the Directory, will be resources used by members to:

- assist in efforts to combat discrimination by providing members with information about the different approaches to this issue in different jurisdictions;
- inspire those who are just beginning their work in this arena to continue their efforts; and
- to build a profession fit for the future and fair for all.

Which countries does the Directory cover?

The countries covered by the Directory are those found in the BIC's *Directory of Regulators of the Legal Profession* (2016).⁵

These are the 163 countries of the World Trade Organization (WTO), plus some additional countries (eg, Sudan) or sub-national jurisdictions with special status (eg, Guam and the US Virgin Islands), for which regulatory information could be found.

A number of countries are not covered, and these mostly fall into one of the following categories:

- countries that were in the process of negotiating WTO membership when the *Directory of Regulators* was being produced. This group includes: Algeria, Bosnia, Ethiopia, Iran, Iraq, Lebanon and Libya, among others;
- relatively new states, post-conflict states or states that had recently reengaged internationally, which had yet to apply for WTO membership formally when the *Directory of Regulators* was being produced: Eritrea, Somalia, South Sudan and Timor-Leste;
- states not engaged with the international community: North Korea;
- small island states that are not WTO member states: some Caribbean states, Comoros and most South Pacific islands (Kiribati, the Marshall Islands, Micronesia, Nauru, Palau and Tuvalu); and

4 In that sense, this paper directly complements the parallel work undertaken by the BIC in relation to the Us Too? project, which saw the publication of a follow-up report, *Beyond Us Too?*, examining regulatory responses to bullying and sexual harassment in the legal profession, in June 2022.

5 See www.ibanet.org/iba_regulation_directory_home, <https://perma.cc/kg8z-s2q5>.

- states of disputed status which nonetheless have existing and separate legal systems: Kosovo and Palestine.

There are also some dependent territories and smaller jurisdictions which come under the sovereignty of countries included in the Directory that have not been covered (eg, the Cayman Islands, the Channel Islands and Gibraltar) and the smaller emirates of the UAE (Ajman, Fujairah, Sharjah, Ras Al Khaimah and Umm Al Quwain).

What does the Directory cover?

As explained above, the purpose of the Directory is to list which jurisdictions have, and which jurisdictions do not have, express anti-discrimination provisions in their relevant regulations, codes of conduct and ethics or professional principles for legal practitioners, as opposed to provisions that are more generally applicable.

Not every example listed comes from a regulator in that jurisdiction. Some examples (eg, the Law Council of Australia or American Bar Association) come from non-regulatory professional bodies, which nonetheless have published model frameworks for codes of ethics, which many regulators within their federal systems have then adopted.

How was the information in the Directory obtained?

The information in the Directory was obtained via desk-based research, using the relevant links found in the *Directory of Regulators of the Legal Profession* for each individual jurisdiction.

While this approach yielded fruitful results, it is not without problems. At the time of writing, the *Directory of Regulators of the Legal Profession* was somewhat out of date in terms of the information it contains, including many of the links to the relevant websites which no longer function, or take the reader to a defunct page or document. Even when the links do work, not every jurisdiction has its relevant codes or regulatory guidelines available online, and many have no website at all.

These technical and practical issues, combined with the idiosyncrasies of regulatory patterns and structures for lawyers around the world, mean that a resource such as this Directory can never hope to provide a foolproof snapshot of all anti-discrimination initiatives currently being undertaken. The picture is necessarily confused, not least for the reasons given in the *Directory of Regulators of the Legal Profession*:

'The number of separate bodies involved in lawyer regulation remains very high in some jurisdictions, with tens and sometimes hundreds of local bars engaged in monitoring lawyer conduct and issuing practising certificates. Overall, nearly 1200 separate bodies are involved in the regulation of lawyers in the 232 jurisdictions reviewed. This staggering number raises important questions about capacity, particularly in the light of the growing number of functions which lawyer regulators are being called on to perform, as well as consistency of approach.'⁶

What does the Directory tell us?

This Directory covers 238 individual Bars, law societies and professional bodies, from the 156 countries listed in the *Directory of Regulators of the Legal Profession*. It should be noted however, that for the various reasons mentioned above (in particular, broken or non-existent websites), no information regarding anti-discrimination codes, rules or regulations could be found for the professional entities in 50 of those countries.

Of the entities that exist in those countries for which information could be found,⁷ if one excludes those in the US,⁸ 47 have some sort of express anti-discrimination provisions within their codes, rules or regulations: 35 per cent. If one includes the US entities,⁹ this figure rises to a little over 41 per cent.¹⁰

However, treating every nation as a single country, regardless of their federal or regional jurisdictional subdivisions, only 20 out of the 106 for which information could be found deal specifically with discrimination in their codes, rules or regulations: just over 18 per cent.

Which jurisdictions have anti-discrimination rules?

On the whole, it is the anglophone, common law jurisdictions which seem to have adopted anti-discrimination provisions more readily than others. Most – though not all – of the state jurisdictions of Australia, Canada and the US have express wording in their rules and codes, with all the regulatory bodies within the UK and Ireland taking a similar approach. By contrast, only a handful of jurisdictions in continental Europe (including Estonia, Finland, France and Norway, among others) have followed suit, and very few elsewhere in the world. How surprised should we be by this?

6 See www.ibanet.org/mediahandler?id=1ecea440-9157-4a78-b4b5-6559c7d2876c, <https://perma.cc/tja3-qn62> accessed 7 March 2022.

7 188 professional entities.

8 54 US professional entities.

9 31 out of the 54 US professional entities listed were found to have express provisions.

10 78 out of the 188.

The answer is possibly not very. It has long been a tradition within civil law jurisdictions to avoid ‘double legislating’ when it comes to issues already dealt with in state law, including discrimination and harassment. Given that the codes of many Bars and regulatory bodies in those countries require a lawyer to uphold law and justice, efforts to combat discrimination are thereby dealt with indirectly, without the need for express provisions.

Denmark is a case in point. The Danish Bar and Law Society’s *Code of Conduct* states that: ‘In a community founded on the rule of law, the lawyer occupies a special position. A lawyer’s professional remit is to promote justice and counter injustice.’¹¹ Other bodies go one step further. Article 1 of the *Basic Rules on the Duties of Practising Attorneys* of the Japan Federation of Bar Associations reads: ‘An attorney recognizes that his/her mission is to protect the fundamental human rights and achieve social justice, and strives to fulfill that mission.’¹² Similar exhortations to achieve ‘social justice’ – of which anti-discrimination must surely be a part – can be found in the *Code of Ethics for Attorneys* of the Korean Bar Association, where the attorney is said to have ‘a mission to advocate for basic human rights and to realize social justice’.¹³

However, beyond general appeals to ‘respect’, ‘human dignity’ or ‘progressive efforts’ in relation to human rights (as found, for instance, in the *Code of Ethics* of the Croatian Bar Association¹⁴), the vast majority of codes only require of lawyers that they uphold the law, refrain from insulting language or derogatory acts in the course of their professional duties or behave in any way that might bring the profession into disrepute.

Sometimes these rules can come close to resembling anti-discrimination regulations. The *Code of Conduct* of the Cyprus Bar Association, for example, states that advocates ‘must abstain from all inappropriate or prejudicial comments against any colleague and from referring to any peculiarities of personal, political or other nature’.¹⁵ Yet, explicit references to combatting discrimination and promoting equality are not to be found in the large majority of the profession’s codes of conduct from around the world.

What sort of approaches have been taken to anti-discrimination rules?

This Directory contains links to the relevant websites and specific rules containing the anti-discrimination provisions, for each jurisdiction and professional body where found.

As one might expect, the list is dominated by the Bars and law societies of the federated state jurisdictions of Australia, Canada and the US. In each case, efforts to get state

11 www.ccbe.eu/fileadmin/speciality_distribution/public/documents/national_regulations/deon_national_coc/en_denmark_code_of_conduct_for_the_danish_bar_and_law_society.pdf, <https://perma.cc/tja3-qn62> accessed 7 March 2022.

12 www.nichibenren.or.jp/library/en/about/data/basic_rules.pdf, <https://perma.cc/2ywm-h7tl> accessed 7 March 2022.

13 <https://digitalcommons.law.uw.edu/cgi/viewcontent.cgi?article=1848&context=wilj>, <https://perma.cc/bz2a-u5v8> accessed 7 March 2022.

14 www.ccbe.eu/fileadmin/speciality_distribution/public/documents/national_regulations/deon_national_coc/en_croatia_the_attorneys_code_of_ethics.pdf, <https://perma.cc/95bw-dthp> accessed 7 March 2022.

15 www.cyprusbarassociation.org/files/disciplinary/new_code_of_counduct_eng.pdf, <https://perma.cc/jt27-upzh> accessed 7 March 2022.

regulators to adopt a uniform or model set of professional conduct rules, which include specific reference to anti-discrimination, have been made by the federal-level representative bodies of each nation.

Overall, the differences of approach taken by the various professional bodies found within these jurisdictions can be summarised as follows:

- most directly prohibit conduct which constitutes discrimination (eg, the model rules found in Australia, Canada, the US and the codes of the Bar Standards Board (BSB) in England and Wales, and the Faculty of Advocates in Scotland);
- others go further, and actively require lawyers to promote equality, diversity and inclusion (eg, the Solicitors Regulation Authority (SRA) in England and Wales) and combat discrimination (eg, the Faculty of Advocates in Scotland);
- some Bars and law societies have made anti-discrimination a core principle of the profession (eg, the BSB and SRA in England and Wales, and the Bars of France and Norway);
- some prohibit discrimination and sexual harassment in general terms (eg, Australia and Canada), whereas others specify in their codes particular kinds of discrimination and harassment, such as on the basis of sex, race, religion and so on (eg, the bodies found in Ireland, the UK and the US);
- there is a notable divide between jurisdictions where discriminatory behaviour is prohibited in any capacity (eg, Canada, England and Wales and the Bar Council of Northern Ireland), and jurisdictions which only prohibit such behaviour in the course of a lawyer's professional duties (eg, Australia and the US);
- some codes/rules make express reference to bullying and sexual harassment (eg, Australia and Canada);¹⁶
- others make explicit reference to protecting minority communities from discrimination (eg, the Law Society of Ireland and the Traveller community; the BSB in England and Wales and those who have undergone gender reassignment; and upcoming changes to the model code in Canada in relation to Indigenous persons).

16 See *Beyond Us Too?* for further details.

Australia

Solicitors

A majority of jurisdictions have now effectively adopted Uniform Rule 42 from the Law Council of Australia concerning anti-discrimination and harassment. This states:

'Rule 42. A solicitor must not in the course of practice, engage in conduct which constitutes:

42.1.1 discrimination;

42.1.2 sexual harassment; or

42.1.3. workplace bullying.'

¹⁷

To avoid unnecessarily duplication, these 'uniform rule' states have been grouped together and given the one link to the central set of solicitor rules (of New South Wales) in the Directory. Western Australia was expected to join New South Wales and Victoria in adopting the Uniform Rule to commence 1 January 2022. However, it was held up due a state election and is being deferred.¹⁸

There is also an initiative afoot to update and clarify Uniform Rule 42, following adoption by the Law Council of Australia of the National Action Plan to Reduce Sexual Harassment in the Australian Legal Profession.¹⁹

The proposed reformulation of Rule 42 is as follows:

'42. ANTI-DISCRIMINATION AND HARASSMENT

42.1 A solicitor must not in the course of, or in connection with, legal practice, engage in conduct which constitutes:

42.1.1 discrimination;

42.1.2 sexual harassment;

42.1.3 any other form of unlawful harassment; or

42.1.4 workplace bullying.

17 www.lawcouncil.asn.au/policy-agenda/regulation-of-the-profession-and-ethics/australian-solicitors-conduct-rules, <https://perma.cc/l62x-c9ma> accessed 7 March 2022.

18 See www.lawsocietywa.asn.au/legal-profession-uniform-law/ for more information.

19 www.lawcouncil.asn.au/files/web-pdf/ascr%2042%20public%20consultation%20paper.pdf, <https://perma.cc/2sj3-m95y> accessed 7 March 2022.

“sexual harassment” means harassment that is unlawful under the applicable state, territory or federal anti-discrimination or human rights legislation, including sexual harassment.’

Barristers

Barristers are separately regulated to solicitors in Australia. New South Wales, Victoria and Western Australia have adopted the Uniform (Barrister) Rules:

‘Rule 123. A barrister must not in the course of practice, engage in conduct which constitutes:

42.1.1 discrimination;

42.1.2 sexual harassment; or

42.1.3. workplace bullying.’²⁰

Numerically, this covers the vast majority of barristers in Australia. Some barrister rules (eg, for Queensland) are modelled on the Australia Bar Association’s 2011 *Model Rules*, but others have their own variations.

Canada

The Federation of Law Societies of Canada’s *Model Code of Professional Conduct* Rule 6.3 has been adopted by all the jurisdictions outside of Quebec. It reads:

‘6.3-1 The principles of human rights laws and related case law apply to the interpretation of this rule.

6.3-2 A term used in this rule that is defined in human rights legislation has the same meaning as in the legislation.

6.3-3 A lawyer must not sexually harass any person.

6.3-4 A lawyer must not engage in any other form of harassment of any person.

6.3-5 A lawyer must not discriminate against any person.

Commentary [1] A lawyer has a special responsibility to respect the requirements of human rights laws in force in Canada, its provinces and territories and, specifically, to honour the obligations enumerated in human rights laws.’²¹

20 <https://nswbar.asn.au/bar-standards/barristers-rules>, <https://perma.cc/a3hb-9mhg#sec.123> accessed 7 March 2022.

21 <https://flsc.ca/national-initiatives/model-code-of-professional-conduct>, <https://perma.cc/lc9m-kh76> accessed 7 March 2022.

The Federation of Law Societies of Canada has recently concluded a consultation process on proposed substantial amendments to these provisions. The amendments, which will expand the relevant rules, particularly in regards to Indigenous persons, add definitions and provide more guidance on their application, are expected to be put to the Council of the Federation for approval in June 2022.

It is also worth noting that the Barreau du Québec's *Code of Professional Conduct of Lawyers* contains the following provision which, while narrower than the provision in the *Model Code*, does prohibit discrimination and harassment:

'4.1. When engaging in his professional activities, a lawyer refrains from any discrimination based on a ground mentioned in section 10 of the Charter of human rights and freedoms (chapter C-12²²) or from any form of harassment.'²³

United States

Given the sheer number of jurisdictions in the US, this Directory lists only the American Bar Association's (ABA) *Model Rule of Professional Conduct 8.4 (g)*, which reads:

'Rule 8.4: Misconduct: (g) It is professional misconduct for a lawyer to engage in conduct that the lawyer knows or reasonably should know is harassment or discrimination on the basis of race, sex, religion, national origin, ethnicity, disability, age, sexual orientation, gender identity, marital status or socioeconomic status in conduct related to the practice of law.'²⁴

Prior to the August 2016 adoption of ABA Model Rule of Professional Conduct 8.4(g), 25 jurisdictions already addressed similar behaviour in the black letter of their rules. Some have revised their rules in the light of the ABA's action, while others have chosen not to amend their rules.

For a snapshot of the position regarding jurisdictional adoption of Rule 8.4(g), see: www.americanbar.org/content/dam/aba/administrative/professional_responsibility/1-state-action-summary84g.pdf.

For the full text of each state's rules, and how they relate to Rule 8.4(g), see: www.americanbar.org/content/dam/aba/administrative/professional_responsibility/mrpc-8-4.pdf.

22 www.legisquebec.gouv.qc.ca/en/document/cs/c-12?&target=, <https://perma.cc/p85p-qfsp> accessed 7 March 2022.

23 www.legisquebec.gouv.qc.ca/en/document/cr/b-1,%20r.%203.1, <https://perma.cc/c8fu-azzd> accessed 7 March 2022.

24 www.americanbar.org/content/dam/aba/administrative/professional_responsibility/mrpc-8-4.pdf accessed 7 March 2022.

United Kingdom and Ireland

Each regulatory body for solicitors and barristers within England and Wales, Northern Ireland and Scotland has taken a different approach to tackling discrimination within their rules, although all address it as an issue.

The BSB of England and Wales and the Law Society of Scotland both use similar language in their texts. The BSB's *Handbook* Core Duty 8 reads:

'You must not discriminate unlawfully against any person'

which is then supplemented by rC12:

'You must not discriminate unlawfully against, victimise or harass any other person on the grounds of race, colour, ethnic or national origin, nationality, citizenship, sex, gender re-assignment, sexual orientation, marital or civil partnership status, disability, age, pregnancy, and maternity, religion or belief.'²⁵

This language is echoed in the Law Society of Scotland's *Rules and Guidance*, which read:

'You must not discriminate on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation in your professional dealings with other lawyers, clients, employees or others'.²⁶

The SRA in England and Wales and the Faculty of Advocates in Scotland have adopted a different approach to their anti-discrimination regulation, in that both require their members to actively promote equality and diversity, rather than calling on them to refrain from actual discriminatory behaviour. For the SRA, this duty is a core principle:

'Principle 6: You act in a way that encourages equality, diversity and inclusion.'²⁷

The Faculty of Advocate's Rules and Guidance elaborate further, saying:

'15 Discrimination: Advocates should have due regard to

- (a) the need to eliminate unlawful discrimination
- (b) the need to promote equality of opportunity and

25 www.barstandardsboard.org.uk/the-bsb-handbook.html, <https://perma.cc/pa6l-cjgg> accessed 7 March 2022.

26 www.lawscot.org.uk/members/rules-and-guidance/rules-and-guidance, <https://perma.cc/ack7-89re> accessed 7 March 2022.

27 www.sra.org.uk/solicitors/standards-regulations/principles, <https://perma.cc/vet2-nx7f> accessed 7 March 2022.

- (c) the need to promote good relations between persons of different groups; And
- (d) any Faculty Code on Equality and Diversity.²⁸

In Northern Ireland, the scope of the rules for solicitors is narrower. The Law Society of Northern Ireland's *Solicitors' Practice (Amendment) Regulations 2018* apply only in the context of acting for a client:

'9. A solicitor shall not refuse to act for a prospective client solely on account of that person's race, colour, ethnic or national origins, sex or creed.'²⁹

The Bar Council's *Bar Code of Conduct*, however, is much broader in scope:

'5.4 A barrister must not treat any person (including, without prejudice to the generality of the foregoing, a lay client, professional client, pupil or fellow barrister) less favourably on the grounds of race, ethnic or national origin, sex, family status, sexual orientation, disability, age, religious belief or political opinion than he would treat any other person in circumstances which are the same or not materially different.'

The Bar Council then goes even further. Their *Code of Conduct* continues:

'The Bar Council will promote equality of opportunity in supporting members of the Bar and those seeking pupillage. The aim is to create an environment in which people treat each other with mutual respect, irrespective of age, disability, marital or civil partnership status, political opinion, race, religious belief (to include similar philosophical belief), sex, pregnancy and maternity, gender reassignment or sexual orientation. The Bar Council will monitor the effectiveness of its policy and the achievement of its objectives.'³⁰

In the Republic of Ireland, both the Bar and the Law Society deal with discrimination in their codes of conduct. The Law Society's *Guide to Good Professional Conduct for Solicitors*, and the Bar's *Code of Conduct* are very broad in scope, with the Law Society's rules also making specific reference to discrimination based on 'membership of the Traveller community'.³¹ Of note as well is the Bar's effort to future proof its Code, stating that 'it shall be the professional duty of Barristers to comply with all laws intended to prevent any discrimination on any grounds'.³²

28 www.advocates.org.uk/about-advocates/professional-standards/guide-to-conduct, <https://perma.cc/5ycz-pcu4> and <https://perma.cc/3krx-xmtp> (January 2022 version) accessed 7 March 2022.

29 www.lawsoc-ni.org/regulations-standards, <https://perma.cc/f728-meke> linking to <https://perma.cc/a8xv-blkl> (as of 2018) accessed 7 March 2022.

30 http://f155c37b9527c4a8c1a3-a15971a48924c42bb509c668e302d36e.r86.cf3.rackcdn.com/code_of_conduct_complete%202019.pdf, <https://perma.cc/5mfp-c8pg> accessed 7 March 2022.

31 www.lawsociety.ie/globalassets/documents/committees/conduct-guide.pdf, <https://perma.cc/mh39-h6mz> accessed 7 March 2022.

32 www.lawlibrary.ie/about/governance/code-of-conduct, <https://perma.cc/2pxf-zeha> accessed 7 March 2022.

Other parts of the world

Other jurisdictions' anti-discrimination regulation mirrors the variety and breadth of the different approaches seen in the UK and Ireland.

In Norway, it is 'the lawyer's duty to promote justice and prevent injustice [...] with no consideration for personal advantage or risk, political belief, race, religion or extraneous considerations'.³³ In France, on the other hand, non-discrimination is a core principle, along with 'honor, loyalty, equality [...] disinterest, fellowship, sensitivity, moderation and courtesy'.³⁴ The Afghan Independent Bar Association, which was established with IBA assistance, has as its second article the lawyer's duty to 'defend human rights and to fight against any kind of discrimination on the basis of gender, ethnicity, language, color, disability or social or economic status'.³⁵ Finally, in Hong Kong, solicitors are forbidden from refusing 'to accept instructions based upon the race, colour, ethnic or national origins, sex or religious or political beliefs of a prospective client'.³⁶ Further examples can be found in the Directory itself.

Conclusion

As stated in the introduction to this paper, its aim is 'to provide IBA members with a snapshot of how different jurisdictions are addressing these problems, in the spirit of collaboration and information sharing'. As noted above, it is not intended as a commentary on the wisdom of the regulatory initiatives undertaken, or not undertaken, to introduce specific anti-discrimination rules into lawyers' codes of conduct around the world.

It is worth noting, however, that the pressure on the legal profession to conform and adapt to ever-evolving concepts of social justice and sustainability is only likely to increase in coming years. Whether in connection with financial crime, climate litigation or the business model of corporate law, received wisdom on the scope of the 'core duties' and 'values' of the profession are being stress-tested like never before. It is hoped that the examples provided in this paper of how certain jurisdictions have actively responded to these challenges will be of use and interest to others who may be considering their own ways of dealing with these issues.

33 www.ccbe.eu/fileadmin/speciality_distribution/public/documents/national_regulations/deon_national_coc/en_norway_norwegian_code_of_conduct_2020.pdf, <https://perma.cc/6r93-9qur> accessed 7 March 2022.

34 www.cnb.avocat.fr/sites/default/files/rin_2021-01-18_consolidefinal.pdf, <https://perma.cc/6c7a-zbc4> accessed 7 March 2022.

35 <https://namati.org/network/organization/afghanistan-independent-bar-association>, <https://perma.cc/e49x-mh4s> accessed 7 March 2022.

36 www.hklawsoc.org.hk/en/support-members/professional-support/professional-guide/the-hong-kong-solicitors-guide--to-professional-conduct--volume-1, <https://perma.cc/x5bv-alsr> accessed 7 March 2022.



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For more information, please contact the IBA Legal Projects Team at LPRU@int-bar.org

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International Bar Association

5 Chancery Lane

London WC2A 1LG

United Kingdom

Tel: +44 (0)20 7842 0090

Fax: +44 (0)20 7842 0091

www.ibanet.org