



A lawyer speaks during a panel discussion hosted by Canadian Association of Black Lawyers (CABL) and the Ontario Bar Association (OBA) created to help facilitate a dialogue between the dozens of attendees and speakers who are looking to promote diversity in their firms.

# The case for diversity

Lawyers, organizations push for more diversity initiatives in Canada's legal profession

BY Frances Olimpo

**F**rank Walwyn considers himself to be among the “fortunate ones.” Since his graduation from law school in 1993, Walwyn has worked his way up to become a partner of Toronto-based Weir-Foulds LLP and president of the Canadian Association of Black Lawyers (CABL). His story makes him an exceptional case — visible minorities are still widely underrepresented in the Canadian legal profession, let alone in the executive ranks of big law firms.

And while non-white lawyers often struggle to be seen in the courtrooms, a growing number of organizations are taking special measures to hear what these disadvantaged communities have to say.

On January 18, CABL and the Ontario Bar Association (OBA) hosted a panel discussion to facilitate a dialogue between the dozens of attendees and speakers to promote diversity in their firms. Large-scale problems were identified such as companies that refuse to collect

statistical information about their staff, a vital component to tracking the progress of equity initiatives. As a result, Canada is embarrassingly decades behind U.S.-based law firms in implementing diversity strategies.

In a 2004 report commissioned by the Law Society of Upper Canada, visible minority groups represented 19 per cent of the Ontario population but only 9.2 per cent of the legal profession. In comparison, 79.4 per cent of the white population makes up 90.2 per cent of the lawyers in that province.

For foreign-trained lawyers like Brit David Gray, the job prospects are even tougher.

Gray no longer practises law and works as an associate in archival research in a firm in Ottawa. He found it difficult to launch his career in Canada even though he held a master's degree from England's University of Leicester and a certificate in German law.

“The barriers are a huge

investment of time, money, effort and commitment to make, to learn halfway through that as a foreign-trained lawyer, particularly if you're not white ... that your chances drop rapidly,” says Gray, adding that more research and publications of figures of employment prospects should be made available for foreign-trained lawyers thinking of entering the legal profession in Canada.

“These are valuable years lost in somebody's life and this is a large sum of money that can be better spent as a deposit on a house in Canada or may even inform the decision not to come to Canada,” he continues.

Walwyn says that strong mentorship, which he benefited from in his firm, makes a significant impact on finding a place in the legal community.

“[New immigrants] are disadvantaged in the fact that they haven't got these built-up relationships over a number of years

that your Canadian lawyers would have,” says Walwyn. “What you find is that the foreign-trained lawyer doesn't have the relationship that permits them access to the legal community ... It's the informal lines of communication that are usually the most fruitful when it comes to job hunting.

“What you find is that for new immigrants, it's never about ability. It's about accessibility.”

Lawyer Arleen Huggins, an executive member of CABL, the former chair of the Canadian Bar Association standing committee on equity and current chair of OBA Equal Opportunity, advises those who want to make connections in the legal community in Canada should network through various legal associations, such as the Hellenic Lawyer's Association, the South Asian Bar Association and CABL.

According to Huggins, the OBA unanimously agreed to make a recent pilot project, which allows several of these associations greater access to the OBA's facilities and resources, a permanent diversity initiative.

But are individual law firms listening? For visible minority and foreign-trained lawyers alike, it's a riddle with a deadline that only time, money and limited resources can answer on an individual basis. 🍁