



Communication and Marketing Department  
Isebe loThungelwano neNtengiso  
Kommunikasie en Bemerkingsdepartement

Private Bag X3, Rondebosch 7701, South Africa  
Welgelegen House, Chapel Road Extension, Rosebank, Cape Town  
Tel: +27 (0) 21 650 5427/5428/5674 Fax: +27 (0) 21 650 5628

[www.uct.ac.za](http://www.uct.ac.za)

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## **UCT's Law Clinic training lawyers to transform the profession**

Since becoming the director of University of Cape Town's (UCT) [Law Clinic](#) in 2013, Yellavarne Moodley's main drive has been to use law as a tool to effect social change, as well as to deliver quality legal support and representation to under-served communities.

While this representation is essential for reducing poverty and inequality, Moodley believes that another key factor for driving social change is ensuring that future lawyers receive the appropriate training. In this regard, the director noted, there is room for improvement in the South African context.

"Much of the research into clinical legal education in South Africa remains Eurocentric. This is partly due to the fact that as clinicians, we do not have enough time to do the research in the same way academics are able to. That being said, the issues that are focused on are those that indigent people have to endure throughout the world," she said.

Adding to this, the director noted that the Law Clinic plays a critical role in ensuring that the legal profession is transformed into one that is more representative of the South African population as a whole.

"Many corporates remain untransformed, or employ few people of colour once they have been admitted as attorneys. Things are changing as companies are pressured. However, I realise that we at the Law Clinic have a pivotal role in educating future lawyers to be culturally competent and to embrace diversity. We have a duty to transform the profession, and we have been making good on that."

For making the necessary changes to ensure that clinical legal work is meaningful in the South African context, Moodley highlighted the importance of practitioners documenting the success and challenges of their work.

"We have been engaging in clinical legal education for almost three decades, and we need to begin documenting what we have studied. However, this can be difficult, due to the time constraints that come with managing a law clinic. The administrative duties are substantial, and little space is left for research," she added.

Despite the challenges, Moodley remains enthused about the chance to serve the public by enhancing the administration of justice and improving education within the field, as well as working within academia to improve institutional support for legal clinical services. Moodley's interest in studying law was piqued in the 1980s, when the school boycotts erupted during the most tyrannical years of the apartheid regime.

As a high-school student at the time, Moodley saw law as the best means for fighting the oppressive system. "I always hated injustice, and believed law was a solution, and a way of working towards a better and more equitable world," noted Moodley.

Faced with a gamut of systemic obstacles to overcome during those stifling years, the path to becoming a legal practitioner was not an easy one. Rather than study law directly, Moodley enrolled in education, with a view to obtaining a qualification in the most expedient and cost-effective way possible.

After obtaining her BA and Higher Diploma in Education, Moodley taught for five years before returning to UCT to study law. Not only did she obtain an LLB, she also went on to complete her master's, with a focus on human rights law. Following this, Moodley represented asylum seekers who had been denied refugee status in South Africa.

In addition to her LLM, which explored the socio-economic rights of foreign children living in South Africa, Moodley is a trained mediator. Mediation, the director believes, is an important, cost-saving alternative to litigation – a cause that has always been close to her heart.

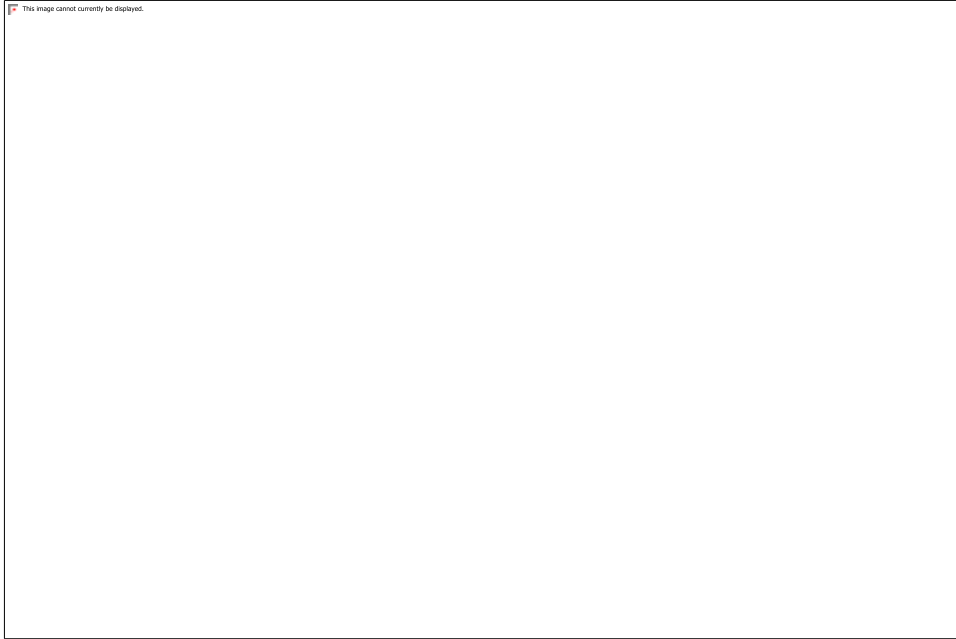
"I always knew that I wanted to provide a legal service to people who could not afford a lawyer, and the clinic was the ideal space to do that," she said.

"It was also a place where I could learn. It was an exciting space; and open to new ideas, because of the convergence between the educational sector, the legal sector, and the community, which was what I was looking for."

Ensuring access to justice, she noted, is essential for creating an equitable society. "It is vital that people who cannot afford a lawyer are not further impoverished or adversely affected by the law. This is a scenario I have seen play out, where people who do not understand or lack the requisite knowledge to navigate the legal system are rendered powerless by not being properly heard, or by not knowing what to do.

"Ignoring a pleading or legal document to attend court can negatively impact one. Similarly, failure to address a court document in the requisite time may mean a decision will be made that can adversely affect your life, or the few assets you have, or even your children. The consequences can be dire, which is why we must ensure access to justice. We cannot simply watch and do nothing," explained Moodley.

*Story by Nicole Forrest, UCT News.*



Yellavarne Moodley

Photo: Je'nine May/UCT

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**Aamirah Sondag**

Media Liaison and Monitoring Officer  
Communication and Marketing Department  
University of Cape Town  
Rondebosch  
Tel: (021) 650 5427

Email: [aamirah.sondag@uct.ac.za](mailto:aamirah.sondag@uct.ac.za)

Website: [www.uct.ac.za](http://www.uct.ac.za)