

# Law firm slammed for racism

## Employment Tribunal decision in *Osita Mba v. Marshall & Galpin Solicitors*

A leading Thames Valley law firm, Marshall & Galpin solicitors has been slammed for racism after an employment tribunal decided that it discriminated against a black lawyer on the ground of his racial or ethnic origin. The tribunal, in Reading, Berkshire, found in a unanimous decision that the firm racially discriminated against Mr Osita Mba by failing to interview him for a position he applied for.

Mr Mba, who represented himself at the tribunal, qualified as a barrister in Nigeria in 2000 with the best performance at the Nigerian Bar Vocational examination. He came to England in 2001 and obtained a masters degree from the University of Oxford in 2002. He qualified as a solicitor in England and Wales in January this year.

Tribunal Chairman Andrew Hogarth QC explained [Para 22 of judgment at page 10]:

"The Claimant is entitled to compensation for the injury to his feelings. It appears to us that it is a serious matter to reject a solicitor for employment on the grounds that he is black African and that if anybody is to comply with the law relating to race discrimination in this country, it should be Officers of the Court. As a result it seems to us that this rejection of the claimant for interview is a matter that should be taken seriously. Solicitors should not behave in this fashion and we award the claimant the sum of £5,000"

The Tribunal was also very critical of Marshall & Galpin's blatant disregard of relevant equal opportunities provisions in their recruitment process. At paragraph 9 of the judgment the Chairman stated:

The respondents, who apparently have an Employment Law Department, have demonstrated that they are remarkably backward in their approach to equal opportunities. Until this application was made to the Employment Tribunal, no member of their staff appears to have undergone any form of Equal Opportunities Training at all. No member of staff appears to have been aware of the Code of Practice issued by the Commission for Racial Equality, no member of staff appears to have been aware of its recommendations regarding the selection and interview of candidates for employment and no member of staff appears to have been aware of the very similar provisions in the Law Society's Code of Conduct for solicitors.