



TWLL REPORT 2022

After 100 years,
women in the law still face
advancement challenges



There has been quite a bit of focus on lawyer compensation rapidly increasing amidst the Great Resignation, given a 37% spike in associate lawyer attrition, but the structural barriers for women lawyers in the law remain.



KEY FINDINGS

Structural barriers and hidden barriers persist, deterring or preventing a truly diverse pool of talent from entering the legal profession.

Barriers persist during the career of a lawyer, particularly incidents of discrimination and a lack of sponsorship, role models, mentoring, practical support, reasonable hours expectations, and flexibility, impacting work-life balance and those lawyers with caregiving responsibilities.

The Transforming Women's Leadership in the Law UK initiative surveyed 56 lawyers and prospective lawyers, ranging from law students on the threshold of their first legal training programme to very senior solicitors to collect their thoughts on how to break down the remaining structural barriers within the legal profession. Survey respondents included public sector lawyers, in-house counsel, barristers, and academic non-practising lawyers. Unfortunately, we found the impediments faced by women in the law have not receded.

To truly address these issues, which are disappointing to see so prevalently still in 2022, lawyers, law firms, businesses, and organisations need to open access to a wide and diverse pool of talent at entry level, and provide support, sponsorship, and flexibility to remove the structural barriers that cause lawyers to leave their professions before they are ready to do so.

Below, we set out some more detail on the topics and findings from our review and some enlightening quotes from the lawyers we surveyed.



It is my mission to leave the profession more diverse and inclusive than the one I entered. As we enter the 100th year of the first woman to be admitted as a solicitor women now make up 52% of practising solicitors and 63% on entry, but yet only make up 35% of partners in private practice. Women still face unacceptable barriers in the workplace that can prevent them from reaching as far as their talent and ability should otherwise take them.

I. Stephanie Boyce
President
Law Society of England and Wales

WHY THE LAW AS A CAREER?

We found that top attractions for a career in the law across all sectors (academic lawyers, barristers, solicitors, public sector lawyers) are consistent across all generations of lawyers and law students that we surveyed.

Our 56 survey respondents told us that the greatest attraction for a career in the law is the perceived intellectual satisfaction and challenge it provides. Lawyers are generally considered to be well-paid, prestigious, and respected professionals; and the legal profession itself is thought to be exciting, fast-paced, and sociable. Respondents also mentioned positive role models, a desire to help, to be on the side of justice, and a love of politics as other contributory factors.

With all this in mind, it is both reassuring and not surprising to see that women make up more than half of would-be lawyers graduating from law school.

With specific reference to salaries and benefits, however, the reality of how well a lawyer is compensated is very much dependant on a range of factors, such as:

- The sector of practice
- Whether the lawyer is employed by a law firm, a corporation, the public/third sector, or self-employed at the Bar
- The practice area of their chosen specialism
- The location and size of their firm or organisation

The large disparity in compensation begins from entry level where a newly qualified solicitor could earn £100,000 more annually in a top ranked global law firm than in a regional or high street practice.

Aside from compensation, of the 41 senior lawyers we surveyed (PQE 10-plus), more than half said they want to continue their career in the law. Intellectual satisfaction still ranks as the most compelling reason to stay, followed by the variety of work and the enjoyment of practising an expertise built up over time. For lawyers in the public sector, the satisfaction of providing a public service and making a difference contributes greatly to job satisfaction.



I still think solicitors have a very important role to play in people's everyday lives.

Private Practice Lawyer

I like being self-employed, and it is still a privilege to be with people at some of the most difficult times of their lives.

Barrister

More than ever, business is getting more and more difficult to support, ethics values are disappearing, and competition is fierce. Lawyers need to be creative thinkers in law, tax, business, HR...

In-House Lawyer

I like the community element of public and third-sector work. Making a difference to other people. Also, the diversity of work.

Public Sector Lawyer

I think there are more now [reasons to be a lawyer], such as better working hours and benefits.

Academic Lawyer

BARRIERS AND BLOCKERS EXPERIENCED

The past few years have seen much more flexible entry into the legal profession through non-traditional routes. In the solicitor profession for instance, there are legal apprenticeships schemes that enable young talent from all backgrounds to qualify as solicitors without going to university. For example, the Trailblazer Legal Apprenticeship Scheme, launched in 2016, provides for school-leavers to work their way through three levels of paid apprenticeship, to become fully qualified solicitors.

However, our respondents tell us that there are nevertheless substantial hidden barriers to gain entry into the highest paid sectors over and above the expected academic results and soft skills. This is resulting in a lack of diversity in terms of social and geographic background, rather than gender.

Mid-level lawyers interviewed also identified a range of barriers and challenges they experience as they progress in their

careers. These include a lack of diversity, female role models, and sponsors, in contrast to the old boys' networks generally acknowledged by the interviewees to be alive and well. Lawyers interviewed also specifically identified sexism, pregnancy, and maternity discrimination as barriers some have personally experienced.

At every level, women lawyers advised perseverance, resilience, and hard work as the solutions to overcoming structural barriers. But this can create conflict with demands in personal lives, such as caregiving, relationships, and achieving a healthier work-life balance. These are, of course, demands that can be felt by male lawyers, too.

Many gave credit to effective sponsorship from department heads, industry peers, and clients who supported their career progression.



It is our duty as members of the profession to grow lawyers into the profession who are representative of diverse communities so that they are in turn able to forge closer working partnerships with in-house public sector colleagues serving communities of all diversity.

Suki Binjal

Solicitor Consultant and founding Director of Belvedere Legal Ltd. and Past President of Lawyers in Local Government

I wish I had spoken up more and challenged some of these behaviours/assumptions, but I was young and worried that it would impact on my career.

Private Practice Lawyer

Yes. I'm an ethnic minority female. This brings all sorts of barriers that I wasn't ready for...

Private Practice Lawyer

There is a noticeable lack of diversity at the top level and the boys club partner pool seems to be alive and well.

Private Practice Lawyer

I felt my state school background was a significant barrier to entry (despite qualifications at the highest level). I hear a lot about "polish," which seems to me to be linked with those who are privately educated. Related to this is the general snobbery that prevails in the profession.

Private Practice Lawyer

I took longer to attain partnership; attribute to moving around and also university/education/network was a barrier.

Private Practice Lawyer

I have also had comments made about my northern accent in my first firm where I trained regularly by partners who told me to "be more posh".

Private Practice Lawyer

People whose job it was to promote my career did not know how to do it. There were other (male) barristers who were easier to sponsor and promote than me. They let me bump along and expected that I would be OK.

Former Barrister

At the Bar, I suffered for years from bad clerking. Getting second pickings on work meant you did not get top pay.

Former Barrister

LEAVING PRIVATE PRACTICE OR THE PROFESSION

Lawyers who start out in private practice in particular identified challenges that made it difficult for them to stay in private practice. Of the lawyers with whom we interacted for this research, less than half chose to stay. Alongside work/life balance issues, many identified a lack of diversity and female role models and sponsors as among the top reasons for why they chose to leave the sector.



I left private practice, but not because I felt the barriers were impossible to overcome but because I came to the realisation that I do not enjoy being in private practice and to continue to climb the ladder would only lead to a more intense version of the same churn with people I didn't necessarily want to pool my money with.

Former Private Practice Lawyer

I would have struggled to stay at a law firm as I am not very keen on marketing, and I didn't want to continue working very long hours after my children were born.

In-House Lawyer

The demands on my time as a trainee and private practice corporate lawyer in the city involved many late nights and weekends and cancelled holidays and social plans. This put me off trying to become a law firm partner, particularly as I saw very few, if any, female role models as partners. They were either single and/or married with children, spending little time with their families at all, and pretty stressed out (albeit paid well!). Not a life I particularly desired.

In-House Lawyer

As lawyers progressed in seniority, the most valued benefit they cited by far was the ability to work flexibly whether in terms of hours or location. However, the volume of hours generally remains high. Training and career progression support and health/life insurance are jointly in second place in terms of value. In addition, there was an acknowledgement that compensation needed to reflect value brought to the organisation beyond financial earnings.



Training internally, mentoring younger solicitors, etc. [were] all very important and always overlooked. Team players get the rough end of the stick.

Value to the company is the metric I think should be used.

Complexity/difficulty of role, level of management responsibility, and contribution to management of the wider legal team. Market (e.g., is the role generalist with a good pool of potential candidates or does it require skills that are not readily available and therefore attract a premium?) Performance, judged against reasonable criteria and not e.g., [on a] forced distribution curve. Feedback from internal clients...

CONCLUSION

Our survey shows that there are three key career stages that require intervention and support by a wide range of stakeholders if firms are to attract a diverse pool of the best talent into the legal industry (and, in particular, into the best paid sectors), and then keep them in the sectors in which they choose to be, for long as they wish to contribute their experience and expertise.

At the entry stage for many lawyers, fees, race, schools, and social and economic backgrounds all contribute to structural barriers that dissuade young talent from entering the profession. Academic institutions, regulators, law firms, and recruiters must all do their part to promote and facilitate access to the profession and remove these structural barriers.

Genuine support is needed to link all the different routes of qualification to a career in law. For example, firms can use a different vernacular in the recruitment process, such as not using “a lack of academic rigour” as proxy for not having a Russell Group university degree. Or they can provide practical assistance, such as paid internships and summer student programmes, so young people from all backgrounds, including those who do not have means to pay for travel, can still access these opportunities.

At the mid-level, many lawyers tell us that a lack of role models and sponsorship, together with a lack of work/life balance, contribute to their decision to leave private practice or the legal profession altogether. These lawyers might have made different decisions or at least have more options if they could see they have support toward a clear and desirable path to progress in their careers.

Why can't law be a career where working demands are better controlled? Many lawyers, not just women, want to rise to the top of their professions and can contribute significant value — they should be judged and rewarded on the value of their contribution, not the volume of hours they work. Mentoring, active sponsorship, practical support, and intervention throughout a lawyer's career is crucial, but this should focus on developing the skills and networks to enable them to succeed — not on advising them on how to subcontract their personal demands.

For the profession to retain the hard-won expertise and experience of the most senior of its lawyers, options and flexibility are key; for example, by providing a working schedule when they can unplug when they need to, without inhibiting their career prospects. A menu of benefits and working arrangements that can be customised to an individual's specific personal circumstances will undoubtedly retain more lawyers, assuming they aren't then penalised for their choices.



When it comes to recruitment, the law sector still is really wedded to the Russell Group in a way that other sectors — even other professional services sectors — are moving away from. We've seen good progress in outreach, but when it comes to offers, 84% of the graduate intake for law firms are from Russell Group universities. That's 24 of the least diverse institutions in the whole of the UK.

Sally Sarah Atkinson

Chief Executive
Social Mobility Foundation

Role models are key. Particularly in transactional practice areas there are still very few senior female lawyers in private practice. Why is this? Because at key moments when women could push on in their careers and move up the ladder they have had to make other choices; the most obvious example being parenthood. It is encouraging that law firms are making progress in this area, however it is slow and significant change will only come when further measures are in place to support all parents have a career break, and creative solutions are applied to lockstep.

Clare Beresford

Chief Executive Officer
Laurence Simons Search

The legal industry is not short on inspiration. Take the Mansfield Rule for example, named after Arabella Mansfield, the first female lawyer in the U.S., which provides standards and protocols for participating law firms to track and measure diversity. By endorsing the Rule, law firms agree to:

- i) Track and document the population of candidates for all governance and senior lawyer roles, and equity partners and leadership promotions openings
- ii) Consider a candidate pool that is 30% women, LGBTQ+, and lawyers of colour
- iii) Provide transparency of the appointment, nomination, and election processes

Started in the U.S. in 2017, there are more than 160 participating U.S. law firms. The Mansfield Rule expanded to the UK in July 2021 and to date, there are just around 14 UK participating law firms.

The structural barriers that continue to engender inequalities in the legal profession require big, bold steps by all leaders in the ecosystem to pick up the pace of change so that generations of lawyers do not continue to identify the same challenges and structural barriers year after year.



Whilst there is more diversity in the in-house legal community than in private practice, nonetheless more needs to be done in all areas and at all levels of the profession to create a more equal future for the next generation.

Sarah Hemsley
General Counsel
Selfridges & Co



Authors

I. Stephanie Boyce, President, The Law Society of England and Wales

Clare Beresford, CEO, Laurence Simons Search

Suki Binjal, Solicitor Consultant and founding Director for Belvedere Legal Ltd.
and Past President of Lawyers in Local Government

Sarah Hemsley, General Counsel, Selfridges & Co

Karen Ngo, Senior Director, Practical Law

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