



Association of Women Solicitors

*Essential for Success*

## **ASSOCIATION OF WOMEN SOLICITORS, LONDON**

### **Response to LSB Consultation: Encouraging a diverse profession**

#### **About Association of Women Solicitors, London**

Association of Women Solicitors, London was founded in 1992 and its aims include representing, supporting and developing the interests of women solicitors.

Membership is open to women solicitors and trainees and associate membership to other women lawyers including barristers, chartered legal executives and paralegals.

For further information please visit our website [www.awslondon.co.uk](http://www.awslondon.co.uk)

## **Response**

Having worked with the Legal Services Board for some time on the issues of concern to women solicitors (see for example our Response to your draft Strategic and Business Plan for 2015/18) we are concerned to see that the Equality Act 2010 protected categories are recited incorrectly on the first page of your paper. “Sex” is incorrectly referred to as “gender” and there is no reference at all to pregnancy and maternity.

The above said we are delighted to see the mention of caring responsibilities which we presume covers both men and women with such responsibilities.

We also endorse wholeheartedly your statements on page 1 that a diverse legal profession will better lend itself to innovation, better meet the needs of consumers and limit wasted talent but that there is still a long way to go before we can be confident that careers in law are open to all at whatever age and stage.

In particular we wonder whether innovation could include a clear re-entry pathway for Returners such as a formal reassessment similar to the Induction & Refresher Scheme available to doctors.

Referring to page 5 paragraph 15 we confirm that we are already in dialogue with the SRA.

We consider that we have the expertise to answer the following questions:

**1) Is the proposal to switch the focus of the guidance to outcomes beneficial to encouraging the diversity of the profession?**

Yes provided the evaluation is also impact based.

**2) Will the proposed guidance allow regulators the opportunity to develop their own approaches to addressing diversity issues in the legal services profession?**

Yes.

**3) To what extent are regulators already demonstrating achievement of the outcomes?**

We remain concerned about the absence of a clear pathway for Returners. Other issues continue to be of concern such as the pay imbalance, underuse of flexible working etc.

**If they are not, why do you think is this?**

Scarcity of published statistics on the numbers of women solicitors who take a career break, why they do so, whether they return and if not why not.

**5) Given the LSB's proposal to assess regulator performance in this area, what would be the most effective way to carry this out?**

Impact based evaluation.

**How long should we allow regulators to implement changes before any potential future performance assessment?**

No longer than 18 months.

**6) Will the proposed guidance:**

**a. deliver better services for consumers?**

Yes. Consumers should have more confidence in a profession more reflective of the 21<sup>st</sup> century population it serves.

**b. support innovation in legal services?**

Yes.

**c. allow regulators to encourage business-led diversity initiatives?**

Yes.

**d. encourage a more diverse profession?**

Yes.

The main issues for women solicitors remain pay disparity, underuse of flexible working, under representation at the top particularly in the private sector, bullying, abuse of maternity entitlements and sexual harassment.

For the avoidance of doubt our view is that the most recent figures published, (indicating that the feminisation of the solicitors' profession is likely to continue) do not negate our concern. Continuing admissions of more women than men will not in our view result in more women reaching senior positions and in fact the reverse may occur as long as there remains insufficient support for female solicitors and not enough interest on the part of the profession in a portfolio type career rather than the traditional linear path. Diversity must be addressed at all career stages.

Discriminatory treatment of vulnerable staff such as paralegals and in particular trainee and junior solicitors the majority of whom are female should be regarded as serious. Bullying, for example and non compliance with the Law Society's own guidance on Equal Pay and Flexible Working should be taken very seriously.

Association of Women Solicitors, London  
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