Race for inclusion: the experiences of Black, Asian & Minority Ethnic solicitors

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At the start of 2020, the Law Society commissioned this research into the representation and experiences of Black, Asian and Minority Ethnic (BAME) solicitors. While annual statistics had shown increases in the overall proportion of Black, Asian and Minority Ethnic solicitors in the profession in the past ten years, conversations with members of our Ethnic Minority Lawyers Division suggested that many were not seeing progress in their own workplaces or areas of practice.

In commissioning the research, we set out to explore the data on representation in greater detail and to assess the progress towards a more inclusive profession through focus groups and interviews with Black, Asian and Minority Ethnic solicitors, those working in HR and recruitment, and thought leaders.

The research is timely, given the global events of 2020. The killing of George Floyd on May 25th and the Black Lives Matter protests around the world brought the issues of racism and racial inequality into much sharper focus, and it was against this backdrop that much of the research was conducted.

In wider society, conversations about race have opened up, and we need to ensure this momentum is used to drive change in the solicitors’ profession too. As this report suggests, we need to question assumptions about cultural ‘fit’, we need to look more closely at how work and development opportunities are allocated, and we need better data, transparency and accountability at senior levels for progress on race equity and inclusion.

The Law Society looks forward to working with law firms, our Black, Asian and Minority Ethnic members, and the wider profession to drive that change. This will deliver a better and more innovative profession that is more responsive to, and can achieve fairer outcomes for, the diverse society it serves.

David Greene
President
Our findings

Our evidence clearly shows that more needs to be done to improve race inclusion in the legal profession, as, despite firms’ actions, little appears to be changing in terms of Black, Asian and Minority Ethnic solicitors’ experiences.

We highlight through statistics and personal stories, the hurdles faced at different career stages and the talent that is not being fully utilised or is being completely lost to the profession as a result. Many law firms are doing a lot of work in the field of diversity, but change is coming too slowly or not at all in many areas and more needs to be done.

Representation

Focusing just on overall representation in the profession can be misleading and a more nuanced perspective is required looking at the experiences of different ethnic groups and in different parts of the profession.

On the face of it, ethnic diversity in the profession is in line with UK society as a whole and has been improving over the years. The proportion of Black, Asian and Minority Ethnic solicitors within the Solicitors Regulation Authority (SRA) population is increasing at a very similar rate to Black, Asian and Minority Ethnic representation in the UK working age population, maintaining a roughly +3.5% higher proportion than the change in the Black, Asian and Minority Ethnic rate within the UK working age population. However, not all groups are faring equally as well. Black solicitors, for example, represent 3% of the profession, whereas Asian solicitors make up 10%, which is nearly double the proportion in the working age population.

Marginalisation of Black, Asian and Minority Ethnic solicitors

In addition, Black, Asian and Minority Ethnic solicitors are more likely than white solicitors to be in smaller firms and certain, generally lower paying, sectors and practice areas. Representation across the profession is not consistently good. A participant in our research noted how they felt pushed into certain sectors:

“I also did a vacation scheme, I did request feedback, I did not get a training contract out of it. The feedback I got … [was] … ‘you are very engaging, you come across really well, I think you would make it in the law, but I think you should stick to High Street firms because people like you are better suited at High Street firms’. I think hearing things like that, rather than allowing it to consume me and accept that as a truth, for me it was, ‘no, I can’ and it was after that that I applied to [large corporate law firm] and stuck it through and made it.”

Asian, female solicitor
Barriers

There are specific barriers to entry to the profession for some Black, Asian and Minority Ethnic groups including a lack of role models and connections in the profession. There is an intersection with a disadvantaged socio-economic background and not having the opportunity to attend an independent school or schools for some Black, Asian and Minority Ethnic groups. Many do persevere though, only to find that, when it comes to entering a firm, it feels like organisations are often looking for a certain ‘fit’ of candidate, which often excludes Black, Asian and Minority Ethnic groups.

As one participant in our research related:

“At education level, it didn’t really affect me that much because you are only judged on the grades that you get. No one really cares where you come from... What became apparent for me was when you started to go to interviews you are not just judging me on a piece of paper, you have to meet me first and you have to speak to me. I had so many experiences where I felt everything went well, but I didn’t get it and I couldn’t work out a good reason as to why.”

Asian, male solicitor

Organisational culture

The culture of law firms, particularly larger City firms, is not felt to be inclusive. Research participants frequently reported feeling like an outsider and not being given the opportunities their white colleagues are.

As one Black female solicitor noted on her early career experiences:

“I didn’t necessarily have a very warm welcome. You kind of got the impression that people were looking at you, what are you doing here? I didn’t feel very welcomed at all and unlike my initial thoughts as to how the landscape would be, it wasn’t very diverse at all.”

Black, female solicitor

Microaggressions

Almost all participants in the research had experienced some level of microaggression based on their ethnicity, including comments about their name or comments about their presumed culture. They often do not want to confront the microaggressions they experience as they have worked hard to get to where they are and do not want to endanger their career. It is considered difficult to raise the topic of racism/racial disparities in the workplace, particularly at the early career stages.

As one of our participants noted:

“When somebody says, ‘you speak English so well’, and you want to explain to them why that is racist, they are more upset about being called racist than they are about the actual racism itself. So, you just think, ‘what’s the point? I just don’t have the energy for this, I have still got eight hours of work to do’.”

Black, female solicitor
**Wellbeing**

Black, Asian and Minority Ethnic solicitors report lower levels of workplace wellbeing compare to white solicitors. Around a quarter (24%) report severe or extreme stress compared to white solicitors, adverse discrimination is reported by 13% of Black solicitors (compared to 8% for white solicitors) and bullying by 16% of Black solicitors (13% for white solicitors).

The feeling of having no voice, has led many to struggle with their mental health, paying for counselling or taking a break from the profession.

Some note feelings of guilt for not doing enough to raise these issues.

> “I burnt out. Now that I’m on a break, I haven’t been afraid to say controversial things. If I don’t, the cycle won’t change. People need to feel uncomfortable, because what I’ve experienced is the reality, and a lot of people who look and sound like me have experienced the same.”

**Black, male solicitor**

**Retention**

Retention rates for Black, Asian and Minority Ethnic solicitors are lower in larger City firms than for their white peers, with many leaving to join smaller firms, or parts of the sector that are more inclusive such as in-house legal departments. Many feel that they have to work much harder than their white counterparts and do not feel as comfortable in their work environment.

“You think, ‘this isn’t the only place I need to work, if these people aren’t going to accept me, then I will just go somewhere else’ then you just leave! … You think, ‘life is too short, I don’t have to put up with this madness, let me just go somewhere else’. I have had people who have left law altogether and gone to work on the finance side, which I do think is generally more diverse from a race point of view, like investment banking.”

**Black, female solicitor**

**Career progression**

Black, Asian and Minority Ethnic solicitors see slower career development up to and including partner status, again impacting on retention rates, and there is a significant ethnicity pay gap. Around half of female Black, Asian and Minority Ethnic solicitors have moved firm or sector from 2015 to 2020. The pay gap is particularly marked when comparing average annual salary with white solicitors where we see a difference of more than £20,000 per year.

**Representation at partner level**

Representation at partner level is poor, particularly in the larger City firms. This has not improved significantly over the years, despite improvements in representation at junior levels. In the top 50 UK firms (by turnover) more than twice as many white solicitors as Black, Asian and Minority Ethnic solicitors achieve partner equivalent status. Just 8% of partners in the largest firms (50+ partners) are Black, Asian and Minority Ethnic, and this has only risen by 1 percent point since 2014.
There are a number of factors driving this, such as finding appropriate mentors and equitable work allocation, but also again, the pressure to fit in.

“In my firm, partnership is still a very exclusive bubble. You have got to be very likeable to be invited in to the private practice partnership model. I need to be agreeable, polite and moderate myself because I know if I am seen as the troublemaker raising these issues, they are not going to want me at the table.”

Asian, female solicitor

In summary
Our research shows that diversity is not just about representation in terms of blunt statistics on Black, Asian and Minority Ethnic representation, but also about feeling included within the profession and being given the opportunity to contribute. Hence, we argue for a wider raft of measures and metrics to achieve diversity and inclusion.

In the words of the campaigner Verna Myers:

“Diversity is being invited to the party. Inclusion is being asked to dance.”

Our recommendations
We outline a number of specific recommendations later in our report for law firms and highlight in particular:

• The case for diversity and inclusion is a vital issue that must be taken much more seriously by the profession, both because of clear commercial and moral duty, given the social impact of the profession. Whilst efforts have been made, many Black, Asian and Minority Ethnic solicitors still feel marginalised in the profession. We urge organisations to consider introducing stronger mechanisms to focus efforts and accelerate change, such as setting clear targets at partner level and key points in the talent pipeline and, where necessary, for different groups within the Black, Asian and Minority Ethnic category (e.g. for Black solicitors), and tying achievements in diversity and inclusion to senior leaders’ pay and bonuses.

• There needs to be a focus on inclusion and creating workplace and professional cultures in which Black, Asian and Minority Ethnic solicitors feel they belong. This needs to begin with more open discussion about race within the profession, which many Black, Asian and Minority Ethnic solicitors said they still felt unable to raise.

Organisations also need to get better at understanding and addressing behaviours like microaggressions and the impact that they have.

• It is important to look beyond representation at entry level to how people are developed, retained and promoted and consider differences in retention and progression. Equality of opportunity in career development for Black, Asian and Minority Ethnic solicitors should be better supported through mentoring and considered work allocation programmes, for example.

• Metrics and evidence are key to track and guide progress, including evaluating the success or otherwise of diversity actions so that organisations can learn what works and adapt their approach accordingly. Metrics on representation need to be at detailed ethnic minority level as we have seen that looking at the group as a whole is misleading. Representation levels need to be measured across the firm from entry level to partner status and retention rates by ethnic group. We also suggest metrics to track and ensure equitable work allocation.
Research aims

This research aims to provide a strong evidence base for determining the amount of progress made in improving ethnic diversity at all levels of the profession, identifying disparities and issues, as well as exploring how far the sector is from achieving racial equality and inclusion. The areas we were asked to explore include:

- Barriers to entering the profession
- Representation at entry level through to partner level
- Barriers to career development
- Experiences of individuals from the Black, Asian and Minority Ethnic communities in the profession
- How representation and experiences have changed since 2010
- Differences within areas of the law such as private practice vs in-house or different parts of the sector
- Actions that have helped or could help improve ethnic diversity and experiences.

While this study will explore existing quantitative evidence and statistics around the representation, movements and progression of professionals from Black, Asian and Minority Ethnic communities in law, the research will also draw upon a robust qualitative analysis of the lived experiences of solicitors and those working in HR and recruitment in the profession, to better understand barriers, biases and challenges that are driving the statistics or even being masked by, the numbers alone.

This research not only highlights some of the reasons why Black, Asian and Minority Ethnic solicitors may be disadvantaged in the legal profession currently, but evaluates some of the efforts and actions being taken by organisations to help address this. Throughout the report, there are perspectives from a HR, recruitment and organisational view, which describe some of the solutions being put in place, as well as assessing the perceived successes and limitations of these in order to provide actionable insights and recommendations for improving the experiences of Black, Asian and Minority Ethnic professionals.

Research method

The Law Society commissioned DJS Research, an independent market research agency, to carry out a secondary analysis of existing available data on ethnic diversity and inclusion in the law profession as well as to conduct primary qualitative research, in order to give an impartial and independent review of the current state of play and suggested recommendations as a result of the findings.

This report looks at evidence provided by the SRA, the Law Society and a number of leaders in the legal profession exploring the inclusion and retention of Black, Asian and Minority Ethnic professionals from trainee to partner level across different areas of the profession. As part of this research, DJS also collected information on the diversity and inclusion (D&I) reporting and statistics published on the websites of the largest 100 law firms in the UK (by turnover).

Throughout the report, existing quantitative information has been presented from official key stakeholder publications and surveys, but the report also presents findings DJS Research has gathered from data mining and statistical analysis of the SRA registered solicitors database from 2015 to 2020, as well as data from career experience research conducted by the Law Society (PC holders survey) from 2015 to 2019.
In order to better understand the lived experiences and issues affecting Black, Asian and Minority Ethnic solicitors, DJS Research conducted a series of 17 roundtable discussions (groups of three to five participants) with a total of 50 participants using video technology with a mix of Black, Asian and Minority Ethnic solicitors across firms, government and in-house legal, and across different regions of the UK in order to provide a good overview of the individual challenges and nuances experienced by different groups in different sectors of the profession.

Number of roundtable discussions with solicitors were broken down as follows:

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<td>Early-Carer</td>
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<td>Private practice</td>
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<td>In-house/ government</td>
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In addition we had three further mixed groups with solicitors.

To gauge and assess the current recruitment practices, organisational values and any solutions being utilised currently to improve ethnic diversity by employers, a further six roundtable discussions with 23 participants using video technology were conducted with HR, recruitment and D&I personnel from a range of organisations across the profession (firms, government and in-house).

The qualitative roundtable discussions sought to engage a range of Black, Asian and Minority Ethnic participants and achieved a good mix of participation and responses from across these groups but strict, representative quotas were not applied to participation, as the Law Society and DJS Research were keen to welcome the views and experiences of all of those willing to participate and not ‘screen out’ participants on the basis of their ethnicity within the Black, Asian and Minority Ethnic category.

The research also focuses on feedback and perspectives gathered from leading voices in the profession through a series of in-depth interviews conducted with eight senior representatives from relevant bodies representing different areas of the legal sector and from Black, Asian and Minority Ethnic individuals at very senior levels in the profession. These views are incorporated with the findings of the report, rather than having their own section as such. Some of the leading voices we spoke to include:

- Farmida Bi, Norton Rose Fullbright
- Koser Shaheen, HM Treasury
- Paulette Mastin, Linklaters
- Sandra Wallace, DLA Piper
- Segun Osuntokun, Bryan Cave Leighton Paisner
- Tobi Rufus, Goldman Sachs

In total we spoke in depth to around 80 people from the profession. We found clear and consistent themes throughout our discussions and are confident in the robustness of our findings.

The findings from all these methodologies are used throughout the report in order to demonstrate, explore and substantiate the themes, challenges and actions.
The categorisation of Black, Asian and Minority Ethnic

The category ‘BAME’ has been used as a way of grouping people of colour from the main minority ethnic communities in the UK and contrasting their experience with the white population. However, the term ‘BAME’ has attracted some criticism recently because of its frequent use and the implication that it is referring to a singular identity or set of experiences. This research refers to exploring the experiences of Black, Asian and Minority Ethnic solicitors in contrast to white solicitors, but we recognise that it is not how many individuals who come from those communities would describe their identity, and there are important differences in the experiences and issues that people of different Black, Asian or minority ethnicities face.

In addition, we recognise that people are made up of a combination of characteristics and that issues such as gender, sexual orientation, and socio-economic background, for example, can impact on experiences in isolation or in intersection with ethnicity.

As we will explore further in this report, the statistics for overall Black, Asian and Minority Ethnic representation in the profession are, on the face of it, improving, but upon further analysis, disparities can be seen between the different ethnic groups.

Throughout the report, efforts have been made, where possible and where pertinent, to demonstrate any findings by individual ethnic groups, but this has been largely determined by the data and statistics, made publicly available by the sources cited.

This report, where possible, aims to capture both the shared experiences of the Black, Asian and Minority Ethnic solicitors who took part in these discussions as well as highlighting the unique and specific experiences relating to some of these individual ethnic groups.

It’s good to talk

The quality and depth of the insight gathered in this report has been very much dependent on the willingness, openness and honesty of those participating in the roundtable discussions. The issues and experiences around race and ethnicity are not always easy to discuss, particularly in an open forum and particularly in relation to a specific place of work.

Many participants noted how refreshing and empowering it was to be given a safe and confidential forum in which they could share their experiences and express their views without fear of consequences on their career prospects. It was widely noted that such conversations were often difficult to have in the workplace and within the legal profession in general, and that they often did not feel confident or able to raise these issues in their workplace and feared the repercussions if they did. It was often commented that raising an issue like gender was much easier to discuss than race, where reactions from other (white) solicitors could often be very defensive.

Despite the perceived barriers around broaching the topic in the workplace, participants were not only very keen to be involved in the roundtables but also strikingly honest and open in discussing their personal accounts of challenges and biases they have experienced.

“I just want to thank the Law Society for setting up these sessions. The important thing is that people feel heard. I know it gets said a lot, but just being heard can make a real difference to people. Making space for these discussions, I welcome and certainly appreciate.”

Black, female solicitor
Race for inclusion: the experiences of Black, Asian & Minority Ethnic solicitors

The Annual Statistics Report 2019, states that Black, Asian & Minority Ethnic solicitors represent 17.5% of PC holders with known ethnicity.

However, representation across Black, Asian & Ethnic Minority groups shows a mixed picture...

The largest firms (50 + partners) have only...

- 8% of Black, Asian & Minority Ethnic partners
- 20% in single partner firms

Black, Asian & Minority Ethnic solicitors are more likely to work in particular sectors and earn less overall...

The study found Black, Asian & Minority Ethnic solicitors felt white trainees were typically encouraged towards corporate and commercial work, whilst they were ‘pushed’ towards personal injury, legal aid, immigration and family work.

A 2017 SRA report shows an increasing share of Black, Asian & Minority Ethnic solicitors leaving private practice to work in-house, especially Black, Asian & Minority Ethnic female solicitors and particularly Asian females.

Results from this research:

A significant proportion of solicitors participating in the roundtable discussions are the first within their family to go to university. They often don’t have the knowledge or connections others might benefit from. They are often not ‘expected’ to go into professions like law by careers advisers.

“I came from a rough area but got into a good university where others had parents in law. They had invisible advantages, of getting work experience, knowing how to talk better. They had support with applications, and I didn’t.”

Several barriers to progressing to partnership have been identified, including a lack of sponsorship and guidance, differential allocation of good work opportunities and, more generally, not fitting in to the (predominantly white) culture of the company.

“The desire to raise issues around diversity and discrimination, is felt to be at odds with progressing to the level of partnership.

“In my firm, partnership is still an exclusive bubble. You have to be likeable. I need to be agreeable and moderate myself. If I am seen as the troublemaker raising these issues, they won’t want me at the table.”

Some solicitors recall that recruiters often suggested they enter into less lucrative and competitive fields of law. The common perception is that Black, Asian & Minority Ethnic candidates are more likely to be successful with applications to these areas.

“A 2017 SRA report shows an increasing share of Black, Asian & Minority Ethnic solicitors leaving private practice to work in-house, especially Black, Asian & Minority Ethnic female solicitors and particularly Asian females.

“I did a vacation scheme, and the feedback was ‘You are very engaging. You come across really well. I think you would make it in the legal profession, but you should stick to High Street firms. People like you are better suited there’.”

In the top 50 UK firms, more than twice as many white solicitors as Black, Asian and Minority Ethnic solicitors achieve partner equivalent status.

Representation of Black, Asian & Minority Ethnic solicitors is improving but varies greatly between different backgrounds...
Black, Asian & Minority Ethnic solicitors report lower levels of wellbeing at work...

**24%**

of Black, Asian & Minority Ethnic solicitors report severe or extreme stress compared to 18% of white solicitors.

Ethnicity was the most frequently recorded factor for Black, Asian & Ethnic Minority solicitors.

When Black, Asian & Minority Ethnic solicitors speak up on matters of race and inequality, they feel disheartened that the ‘safe’ environments in which to do so, often just become talking shops. There are few opportunities to raise such issues with those at the top.

The feeling of having no voice, has led many to struggle with their mental health, paying for counselling or taking a break from the profession. Some note feelings of guilt for not doing enough to raise these issues.

“I burnt out. Now that I’m on a break, I haven’t been afraid to say controversial things. If I don’t, the cycle won’t change. People need to feel uncomfortable, because what I have experienced is the reality, and a lot of people who look and sound like me have experienced the same.”

What works: best practice highlighted by the research

Some of the initiatives respondents have said worked in supporting diversity in the legal profession.

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<td>Address any gaps in ethnicity data and improve response rates by being clear about how data will be used.</td>
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<td>Audit recruitment standards and advertising for bias, demand diverse shortlists, and ensure recruiters are diverse and trained in avoiding bias.</td>
<td>Set targets for senior partners/leaders and for key points in the pipeline.</td>
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<td>Focus outreach, paid work experience and internships on people who face greatest barriers (e.g. because of socio-economic background).</td>
<td>Provide structured mentoring programmes so Black, Asian &amp; Minority Ethnic/all solicitors can easily establish mentoring relationships.</td>
<td>Provide diversity training – ideally face-to-face and impactful – including on allyship.</td>
<td>Publish key metrics such as the ethnicity pay gap and representation in workforce and at senior levels.</td>
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<td>Use fair recruitment practices such as blind shortlisting or contextualised recruitment.</td>
<td>Monitor work allocation to ensure more equitable distribution of development opportunities.</td>
<td>Ensure confidential ways of reporting racism, bullying and harassment, and microaggressions so staff feel safe speaking up.</td>
<td>Evaluate D&amp;I interventions to learn what works and what further action is needed.</td>
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<td>Set targets if intake is not representative for some groups (e.g. Black solicitors).</td>
<td>Put in place a more systematic approach to partner selection.</td>
<td>Include questions in staff surveys to assess inclusion and wellbeing, and analyse results by ethnicity.</td>
<td>Tie senior leaders’ pay and bonuses to D&amp;I outcomes.</td>
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<td>Provide diversity training – ideally face-to-face and impactful – including on allyship.</td>
<td>Publish key metrics such as the ethnicity pay gap and representation in workforce and at senior levels.</td>
</tr>
<tr>
<td>Use fair recruitment practices such as blind shortlisting or contextualised recruitment.</td>
<td>Monitor work allocation to ensure more equitable distribution of development opportunities.</td>
<td>Ensure confidential ways of reporting racism, bullying and harassment, and microaggressions so staff feel safe speaking up.</td>
<td>Evaluate D&amp;I interventions to learn what works and what further action is needed.</td>
</tr>
<tr>
<td>Set targets if intake is not representative for some groups (e.g. Black solicitors).</td>
<td>Put in place a more systematic approach to partner selection.</td>
<td>Include questions in staff surveys to assess inclusion and wellbeing, and analyse results by ethnicity.</td>
<td>Tie senior leaders’ pay and bonuses to D&amp;I outcomes.</td>
</tr>
</tbody>
</table>

www.lawsociety.org.uk

Adverse discrimination is reported by 13% of Black, Asian & Ethnic Minority solicitors and 16% reported bullying, compared to 8% and 13% respectively for their white counterparts.

24% of Black, Asian & Minority Ethnic solicitors report severe or extreme stress compared to 18% of white solicitors.

Ethnicity was the most frequently recorded factor for Black, Asian & Ethnic Minority solicitors.
Black, Asian and Minority Ethnic representation in the profession
A quick look at the UK view

In terms of the overall employment market, government data from 2019 shows that, although the ethnic employment gap still exists, it is narrowing – in 2019, white ethnic groups had an employment rate of 78% compared to 66% for other ethnic groups. However, pay gap data reported by the ONS in 2018 indicates that there are some considerable disparities in the kinds of employment and earnings received – Black employees earn on average 9.2% less whilst employees of Bangladeshi or Pakistani heritage earn 16.9% and 20.2% less than white employees. Some groups in fact earn more than white employees, such as the Chinese ethnic group (30.9% more) and Indian (12% more).

A number of reviews into diversity in the workplace and the experience of Black, Asian and Minority Ethnic employees indicate that there are still some wider issues to be addressed when it comes to ensuring that the UK labour market as a whole is fully inclusive and representative. The 2019 Race at Work Report published by Business in the Community (BITC), found that, while many UK businesses are increasingly starting to measure and monitor some of the key indicators that mark progress towards racial equality, one in four Black, Asian and Minority Ethnic employees in the UK have experienced bullying and harassment. This builds upon findings from the 2017 McGregor-Smith Review, which found that people from Black, Asian and Minority Ethnic backgrounds were, overall, underemployed, underpromoted and under-represented at senior levels. As UK society becomes more diverse these issues need to be tackled now to avoid further perpetuating these problems.

Black, Asian and Minority Ethnic representation and entry

Overall, ethnic diversity in the legal sector appears to be similar to the general population. The table below shows the current composition of the profession by ethnic minority in 2019.

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>No. of PC holders</th>
<th>% of PC holder</th>
</tr>
</thead>
<tbody>
<tr>
<td>White European</td>
<td>96,843</td>
<td>83%</td>
</tr>
<tr>
<td>African-Caribbean</td>
<td>936</td>
<td>1%</td>
</tr>
<tr>
<td>Asian</td>
<td>11,821</td>
<td>10%</td>
</tr>
<tr>
<td>Chinese</td>
<td>1782</td>
<td>2%</td>
</tr>
<tr>
<td>African</td>
<td>2,142</td>
<td>2%</td>
</tr>
<tr>
<td>Other Ethnic origin</td>
<td>3,620</td>
<td>3%</td>
</tr>
<tr>
<td>ALL Minority Ethnic</td>
<td>20,301</td>
<td>17%</td>
</tr>
</tbody>
</table>

- Census data from 2011 shows that Black, Asian and Minority Ethnic communities make up 14.1% of England and Wales’ total population. Data from the Law Society shows a gradual increase in the number of Black, Asian and Minority Ethnic solicitors, from 709 in 1990 to just over 20,000 in 2019. Black, Asian and Minority Ethnic solicitors now represent 17.5% of practising certificate (PC) holders with known ethnicity.

1 ONS data 2019.
2 https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/articles/ethnicitypaygapsingreatbritain/2018
5 PC Holders Survey 2019.
6 https://www.ons.gov.uk/census/2011census
7 https://www.lawsociety.org.uk/topics/research/annual-statistics-report-2019
• The proportion of Black, Asian and Minority Ethnic solicitors within the SRA database is increasing at a very similar rate to Black, Asian and Minority Ethnic representation in the UK working age population, maintaining a roughly 3.5 percentage points higher increase than the change in the Black, Asian and Minority Ethnic rate within the UK working age population.

However, much of the Black, Asian and Minority Ethnic representation in the profession is within the Asian group. The chart below shows a steady rise in the proportion of solicitors being from a Black, Asian and Minority Ethnic background.


![Chart showing Black, Asian and Minority Ethnic solicitor representation (2000–2019)]

However, while the representation of Black, Asian and Minority Ethnic solicitors overall is improving, it varies greatly between different groups within the Black, Asian and Minority Ethnic category:

- The profession has a much greater proportion of Asian lawyers and a lower proportion of Black/Black Caribbean or Mixed-race lawyers. 10% of lawyers are Asian compared to 7% of the UK workforce in 2018. Black lawyers make up 3% reflecting the workforce in 2018 (3%).

- South Asian solicitors are most likely to achieve partner equivalent status, whereas Chinese solicitors fall far behind (note that Chinese is separate to Asian in our data). Overall, we see an under-representation of solicitors from Black African or Caribbean ethnic groups and they tend not to progress to partner roles.

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10 https://www.lawsociety.org.uk/topics/research/annual-statistics-report-2019
The barriers to entry for Black, Asian and Minority Ethnic solicitors

Entering the legal profession is competitive and challenging for anyone, involving a number of different steps, huge financial and time commitments and all with no guarantee of success at the end. Solicitors from Black, Asian and Minority Ethnic groups are more likely to face additional challenges.

Motivations for choosing the profession

Many choose a career in law because they feel it matches well with their personalities and natural traits; often being assertive, analytical and problem-solving, good written and oral communicators, and enjoying debates. There may be additional motivational factors such as a desire to contribute to the common good and rule of law. Role models and parental expectations can also be very influential at an early age.

A number of the Black solicitors who took part in the research mentioned personal experiences influencing their decision to choose law, such as a family member or friend having a poor interaction with the legal system, prompting them to want to play some part in actively improving the system for others ‘like them’ and their families. Some have also taken inspiration from positive Black role models outside of the family, with examples ranging from TV lawyers to talks given at school or college by Black, Asian and Minority Ethnic solicitors.

“I grew up in a middle class area, we were one of perhaps three Black families in the entire area. Our neighbours took a bit of our garden because they felt they could and my parents didn’t actually challenge that decision, because they felt that in the justice system, they probably wouldn’t get a fair deal and perhaps we didn’t have as much money to pursue our rights. I was 12 years old and I thought, I want to go into law because of fairness and justice.”

Black, female solicitor

“For me it was from growing up in quite a deprived part of Birmingham and seeing an awful lot of my friends at school getting on the wrong side of the criminal justice system, and often seeing that they had quite a raw deal. I really wanted to become involved in the criminal justice system so I could be a voice essentially even for those who are disenfranchised. Even at a young age, I knew that is what I wanted to do.”

Black, female solicitor
Asian solicitors participating in the research, more often than others, mentioned a strong sense of pressure and expectation from their families for them to enter into either law or medicine despite usually not having family members in these fields. However, some Asian females note that their parents would have perhaps preferred them not to have pursued such a demanding career.

“I am not bright enough to be a doctor, so a lawyer it was. It was the option that suited me the best from an Indian household where your mum is like ‘you have got to study; you have got to become something’. It comes from standing on the shoulders of a really hard-working family.”

Asian, female solicitor

“A lack of role models and connections for young people

The majority of Black, Asian and Minority Ethnic solicitors, participating in the roundtables conducted for this research, appear to be the first in their family to enter into the law profession. A significant proportion are also the first within their family to go to university. They often did not have the knowledge and connections that others might benefit from. They are also often not ‘expected’ to go into professions like law by schools and careers advisers.

“I said I want to do law, I want to be a barrister, so I am going to do a law degree. She sort of paused, and then she said ‘I am not sure that is for you’. It wasn’t even her place, she wasn’t the careers advisor, this was the history teacher and she said ‘you need to think very carefully about that and I really don’t think that is for you, and I really think you should be reconsidering this’.”

Black, female solicitor

On the whole, the law sector is still predominantly white, especially at senior levels. There is often a lack of visible role models for young people from Black, Asian and Minority Ethnic communities.

“So that is the whole role model point and this idea that ‘you can’t be what you can’t see’, you need a role model to aspire to.”

Black, female solicitor
The intersection with a disadvantaged socio-economic background and ethnicity

Analysis of the Law Society's PC holders survey indicates that Black, Asian and Minority Ethnic respondents are more likely to have gone to state school and been eligible for free school meals compared to the white respondents. Black African and Caribbean are the most likely ethnic groups to have had a state school education. The experience can be different for other ethnic groups however, for example there is an established Asian middle class.

This is relevant, since experiences of getting into law appear to vary greatly depending on socio-economic background. Those from more privileged backgrounds note having far fewer difficulties or initial concerns; but those from more disadvantaged backgrounds recall how the lack of good connections and guidance in terms of softer skills, such as how to best present themselves during an interview, fill in applications or how to navigate through the profession presented difficulties for them.

Without access to connections that can help open doors to opportunities and ways of entering into the profession, such as work placements and the odd ‘good word’ put in for them, many Black, Asian and Minority Ethnic solicitors note having to work even harder, achieve higher and prove themselves even more than their often better connected or more well-off peers.

“A lot of intelligent graduates fell through the cracks because they didn’t have those connections. If you are a working-class person, and your parents are just working in a shop or a factory or something, they are not going to have that connection base to assist you when you are going through a career... It is a burden that you have to bear, and you have to work through it. It feels like you have to work twice as hard to get somewhere.”

Asian, male solicitor

A recent study conducted by the Bridge Group found that 53% of partners in the largest City law firms had attended an independent school. This figure is much higher than amongst senior professionals from other sectors (39%).

“Even to this day, despite us all knowing it’s not right and it’s not fair, we still do get requests for this person’s niece or nephew to have a placement or whatever and although it has been raised, it’s very difficult when the request is coming from one of our biggest clients or a senior partner.”

HR & Recruitment, Private Practice

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A high price to pay
The high cost of entering into the profession is especially prohibitive for those from poorer backgrounds. Many of the participants we spoke to had to take on multiple jobs or part-time jobs, which sometimes resulted in their studies being adversely impacted.

“Coming from a different country, I had no family support network around me. I had to work three different jobs just to get by, so of course when it came to taking the qualifying examination, I failed.”

Black, female solicitor

The initial financial barrier is of course the cost of funding and attending university, with some solicitors noting being fortunate enough to have pre-dated loans and some noting the additional costs associated with having to relocate out of the family home in order to attend a good university.

“The main thing for me was because I was a first year group to go through the £9,000 fees. That was a major issue for me, I was like I can’t take the £9,000 loan each year, I need to apply for a scholarship and, luckily, I got one. If I didn’t, I don’t think I would have thought about going to university, it would have been a big issue for me, being in that much amount of debt afterwards without a guarantee.”

Asian, male solicitor

In addition to this, there is then the financial pressure faced when funding the LPC qualification and the level of uncertainty solicitors face about being able to secure a training contract. Despite many of the solicitors securing good grades at good universities, as well as holding down part-time jobs, many found themselves going between paralegal positions before securing an opportunity.

Those fortunate enough to have benefitted from support schemes, often felt that these are no longer available, indicating that there might be even fewer financial support schemes available to trainees now than there used to be, and certainly fewer opportunities to receive support in relation to the volume of candidates looking to break into the profession.

A sense of not belonging at university
Whilst many universities are very diverse, some of the solicitors in the roundtables note a distinct lack of peers from similar backgrounds to their own when attending Russell Group universities (even more recent graduates) especially and, in their view, in particular when pursuing a degree in law.

Note that the experience of the law degree, of its teaching, its curriculum and its attainment outcomes are found to differ for students from different ethnic groups, necessitating (as Kent Law School’s research proposes) a new anti-racist legal pedagogy, to tackle the barriers to inclusion at this early level in the profession.15

This sense of being the ‘odd one out’ appears to have left some questioning for the first time whether or not law was for ‘people like them’ and left some questioning how well received they might be when trying to enter into the profession itself.

“When I did an LPC back in 2007, I may be underestimating here, but there were only maybe three out of 100 non-white students. Actually, I remember feeling so out of place because most of my peers had come from backgrounds where they were familiar with commercials, their dad owned a business, they had gone to private school, it was expected of them to do this.”

Black, female solicitor

The solicitors we spoke to note a feeling of going against the expectations set of them in pursuing a career such as law, which required them to be particularly self-determined, confident and self-motivated in order take a different path to those they went to school with. Attending universities where they had little in common with those around them also required an even greater strength of character in order to succeed.

“Magic Circle firms generally tend to take graduates from specific universities, such as Cambridge and Oxford and if you look at the statistics of how many law graduates are coming out of these universities, who are of a Black, Asian and Minority Ethnic background, it is tiny for the ones who will be applying for training contracts. So, that would explain why generally you have such a low percentage of Black, Asian and Minority Ethnic solicitors in these tier one firms.”

Black, female solicitor

Those who are not fortunate enough to get scholarships and cannot afford to pay for student accommodation are often limited to the institutions local to them.

“I felt limited as to the universities that I could apply to because I was paying. I had to go to my local university, which was fine. It was a good school, but certainly since being in the profession, I have definitely not been blind to the fact that it is harder to get on based on where I attended.”

Black, female solicitor

“I came from a rough area but got into a very good University where all the other students had parents in law so they had all these invisible advantages, getting work experience, they knew how to talk better, they had support with applications and I had none of that so I felt very out of place there.”

Asian, female solicitor

The clear preference amongst law firms to pursue candidates from the Russell Group universities is well documented and is consistently noted amongst both solicitors and recruiters alike in the roundtables conducted. However, the challenges for those from disadvantaged backgrounds in entering these particular institutions can mean that they can be particularly isolating and inhospitable places for those from under-represented ethnic minority groups.
The right ‘cultural fit’ for the profession

The solicitors attending the roundtables often refer to having made it ‘despite the system’ and that they had to learn how best to ‘navigate the system’. The profession is notoriously hard to enter, training contracts are in no way guaranteed and a position at a big City firm is very hard to achieve. Particularly after the financial crash in 2008, many had to work their way up through work experience or paralegal schemes, and a number of the solicitors we spoke to had considered giving up at, at least, one stage. We spoke to solicitors who did manage to enter the career, but many others would not have made it.

The majority note this disappointing realisation that appears to happen to virtually all Black, Asian and Minority Ethnic solicitors that instead of a defined, linear route to progression, organisations are looking for a very specific ‘fit’ of candidate to integrate well into their existing culture, which according to roundtable participants, more often than not, excludes Black, Asian and Minority Ethnic solicitors.

“A recurring theme to emerge from the roundtables is of solicitors meeting all the necessary qualifications, experience and training but getting rejected on the basis of ‘cultural fit’ which, with hindsight, they now personally interpret as ‘not being white’.

“I had gone through the whole process really successfully. The agency called me up and said ‘there is no reason why you wouldn’t end up in this role, in the testing you have done so far you have been the top performing candidate… but they haven’t seen you yet’. At that point I realised that is where the real crunch was… I had the interview and they said basically he didn’t see me fitting into the culture for the organisation. That is the only reason I didn’t get the job, I said ‘what does that mean?’ and the recruiter said ‘I can tell you what it is but I am sure you already know’.”

Black, male solicitor

“The amount of times I kept getting rejected and getting the same answer ‘not the right fit for the company’ or ‘not the right fit for the culture’, when those who were accepted actually performed more poorly in the written assessments, over time it becomes blatantly obvious what they mean.”

Black, female solicitor

“At education level, it didn’t really affect me that much because you are only judged on the grades that you get. No one really cares where you come from... What began to be apparent for me was when you started to go to interviews you are not just judging me on a piece of paper, you have to meet me first and you have to speak to me. I had so many experiences where I felt everything went well, but I didn’t get it and I couldn’t work out a good reason as to why.”

Asian, male solicitor
A lack of clear or constructive feedback from both firms and recruiters as to why they were not being accepted for roles, despite meeting all the qualifications, appears to be particularly upsetting and demoralising for Black, Asian and Minority Ethnic candidates; taking a toll mentally to have to continually pick themselves back up again and put themselves through the recurring process of initial false hope and success, to result in rejection at the face-to-face stage.

“It gets to the stage where recruiters don’t even want to give you feedback because it’s the same thing again and again so you’re left with nothing. Nothing you can work on or build upon other than knowing it’s down to something you can’t change about yourself which is the colour of your skin. Mentally that is a very difficult thing to go through.”

Asian, female solicitor

Many said they tried to navigate around these barriers by opting for jobs where the interview process did not involve a face-to-face interview until the very end, in order to try and prove themselves through exams and telephone interviews first, before being discounted because of their ethnicity.

The influence of names
Several Black, Asian and Minority Ethnic solicitors refer to feeling at an initial advantage because they happen to have a ‘white name’; others believe that they have been at a disadvantage because they do not. This includes:

• Hearing from colleagues/those involved in the recruitment process, that they were aware of applications being discounted because those assessing CVs were unsure how to pronounce the name of the candidate.

• Hearing of colleagues in the profession who were rejected time and time again until they changed their name to a western one.

“There was no point changing my name as my education was in Nigeria so there was nowhere to hide. I know of colleagues who were rejected time and time again until they changed their name to a westernised one and suddenly, they had no issues in getting offered an interview.”

Black, female solicitor

• Being confused with other colleagues/applicants with other non-western names, particularly those starting with the same letter.

• Being able to get through CV selection using a western name but to be met with apparent surprise when greeted at interview.

“My friend who is also Nigerian went to Oxford so spoke the Queen’s English. He had a series of very successful telephone interviews with this guy and got on really well with him. When he went for his face-to-face interview, the guy he had been speaking to walked into the interview room, gave him a confused look and walked out again. He could hear him asking the receptionist where he was and when the receptionist confirmed the correct guy was in the room he insisted that there must have been a mistake. He didn’t get the job.”

Black, male solicitor
The generation gap
In addition to some of the barriers mentioned above, there appears to be an additional challenge faced by Black, Asian and Minority Ethnic solicitors who are first or second generation immigrants. They are less likely to have a family member who has 'paved the way' for them, or is in a professional career where they can pass on advice about how to get to university or instil softer skills around application forms and interview techniques.

Those who did start their education in a foreign country, recall experiencing further difficulties in trying to establish themselves in the UK; they perceive that admissions processes appear to disadvantage those entering from African and Asian countries versus those from countries such as Australia or Canada; employers appear to avoid applications referencing education attained outside the UK.

In order to overcome biases in the application and recruitment processes, many Black, Asian and Minority Ethnic solicitors feel pressure to overcompensate with their performance during tests and at the telephone interview stage. However, for those with a clearly non-British accent, this route around initial biases in the process becomes even more difficult.

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“I found it interesting that virtually all other Black and Asian people in the legal sector I came across were actually from 3rd or even 4th generation backgrounds. They were actually very different to me with completely different life experiences and a different class to me. Their parents had already broken through those barriers so that was actually quite isolating.”

Asian, female solicitor

The marginalisation of Black, Asian and Minority Ethnic solicitors in the sector
While statistics indicate that Black, Asian and Minority Ethnic representation across the profession as a whole is improving, there is a clear disparity in Black, Asian and Minority Ethnic representation across different firm types;

- In small firms, almost a quarter of all solicitors are from Black, Asian and Minority Ethnic backgrounds but just one in ten solicitors are from a Black, Asian and Minority Ethnic background in the largest firms.16

- Black, Asian and Minority Ethnic solicitors are proportionately represented in most regions compared to local populations, but substantially under-represented in London compared to the local population.17

- The Law Society’s PC holders survey shows a greater proportion of white solicitors working in Commerce and Industry. Black solicitors have a higher likelihood to be working in local government, and Mixed and Asian groups working in private practice.18

- Analysis of the SRA database shows that the proportion of Black, Asian and Minority Ethnic solicitors decreases as size of firm increases. In firms with up to 20 fee earners, 23.9% of individuals are from Black, Asian and Minority Ethnic backgrounds, whilst only 10.9% of individuals in large firms with more than 250 fee earners are from Black, Asian and Minority Ethnic backgrounds.

- This is also reflected in the Black, Asian and Minority Ethnic proportions in the firms with the highest turnover. The proportion of Black, Asian and Minority Ethnic solicitors decreases from 30% within firms with up to £1million turnover to 10.9% within firms with a turnover of £100million or more.19

16 DJS Research analysis of SRA solicitors database.
19 DJS Research analysis of SRA solicitors database.
A 2017 SRA report shows an increasing share of Black, Asian and Minority Ethnic solicitors leaving private practice to work in-house. This trend is most pronounced amongst Black, Asian and Minority Ethnic female solicitors moving in-house, particularly those of Asian origin.20

Standing a better chance: some sectors and areas are deemed to be more open to considering Black, Asian and Minority Ethnic candidates

In the roundtables conducted, some solicitors recall that recruiters and others advising would often suggest they enter into fields of law that are less lucrative and competitive and into sectors such as family law, personal injury and high street firms. The common perception appears to be that Black, Asian and Minority Ethnic candidates are more likely to be successful with their applications to these types of organisations.

Indeed, even those working internally in HR and recruitment within firms echo the claim that recruitment organisations tend to not send them applications from Black, Asian and Minority Ethnic candidates, but they do recognise that this may well be in response to these candidates having been historically less successful at gaining a place with them in the past:

“We are now saying to agencies to please send us a more diverse pool of candidates as this hasn’t always been the case, now, whether or not that is as a result of these types of candidates having not been successful in the past, I’m not sure, but there’s definitely more that can be done at that stage.”

HR & Recruitment, Private Practice

Some Black, Asian and Minority Ethnic solicitors believe that, despite having the right experience and qualifications, there are certain firms that they will have less chance of getting into. So, instead, they target applications at organisations, they feel, are more likely to accept and consider Black, Asian and Minority Ethnic candidates (especially those with existing senior Black, Asian and Minority Ethnic employees). One solicitor participating in the roundtables was even told as much by a large commercial firm:

“I also did a vacation scheme, I did request feedback, I did not get a training contract out of it. The feedback I got … [was] … ‘you are very engaging, you come across really well, I think you would make it in the law, but I think you should stick to High Street firms because people like you are better suited at High Street firms.’”

Asian, female solicitor

In-house legal departments and large City firms are also noted to appear to be less welcoming due to the images they portray of themselves in terms of marketing materials and often the way they go about targeting their recruitment at very specific types of candidates within the top tier universities:

“I stopped going to law fairs at university because they were just horrific. We had all the big magic circles firms there but there weren’t any high street firms, only the big firms used to turn up and what they used to do is have these banners up, free pens, mints whatever and they used to send along quite often trainee solicitors… They looked at me and my friends and they looked the other way.”

Asian, male solicitor

20 https://www.sra.org.uk/sra/how-we-work/reports/diversity-legal-profession
Black, Asian and Minority Ethnic solicitors recall having targeted their applications to firms in more ethnically diverse areas (inner city) as they felt it would be a better fit for them and they may be more likely to have fellow Black, Asian and Minority Ethnic colleagues, even if this meant having to commute some distance away from the area they lived in:

“Even though I live in Bristol I applied for jobs in Birmingham as at that time there were very few firms with good levels of diversity and I felt like I would have less chance of being successful and less chance of fitting in.”

Asian, female solicitor

Movement away from firms: a hope that the grass may be greener

In the roundtable groups conducted with solicitors working either in-house or in government, it is clear that many have consciously made the decision to move away from law firms in the hope that their experiences and prospects may be better than their experiences within these firms, including:

- A hope that these organisations may be more ethnically diverse and therefore make them feel like they ‘fit in’ more.
- A hope that organisations outside of the law profession may be less corporate in their culture, which in turn would be more welcoming to those from different backgrounds.
- A hope that being one of very few law professionals working within these organisations, the work they are assigned may be distributed more fairly and be more fulfilling.
- A hope that they may experience fewer microaggressions and racial biases in these organisations.

In reality, solicitors outline a mixed picture regarding the employment experience that these organisations provide for Black, Asian and Minority Ethnic solicitors. Some do report an increase in higher-profile work and responsibility, as well as a more progressive approach in terms of work-life balance than in law firms they had been employed by. However, instances of racial biases and microaggressions appear to be hard to entirely avoid, much to the dismay and disappointment of some who were hoping to escape these experiences.

“I didn’t necessarily have a very warm welcome. You kind of got the impression that people were looking at you, what are you doing here? I didn’t feel very welcomed at all and unlike my initial thoughts as to how the landscape would be, it wasn’t very diverse at all.”

Black, female solicitor

Retention of Black, Asian and Minority Ethnic solicitors

Although representation as a whole for Black, Asian and Minority Ethnic solicitors is improving, we know from quantitative data gathered that Black, Asian and Minority Ethnic solicitors are more likely to move sector throughout their career. Our analysis of the SRA database shows that a greater proportion of white males remain in the same firm and sector, whereas Black, Asian and Minority Ethnic females are the group who are most likely to have moved firm or sector, with around half having done so within the six years from 2015 to 2020.

The largest proportion of Black, Asian and Minority Ethnic solicitors who have moved from another sector are now working within government and other in-house roles.
Black, Asian and Minority Ethnic solicitors are also more likely to set up as sole practitioners. Black, Asian and Minority Ethnic solicitors are in fact twice as likely to be sole practitioners than white solicitors. 21

Retention rates within organisations appear to be closely linked to progression; when we look at those who became partners between 2015 and 2020, we see that 42% of white males who became partners stay in the same sector and firm, but only 20% of Black, Asian and Minority Ethnic males are promoted within their existing employer, indicating Black, Asian and Minority Ethnic solicitors seem particularly disadvantaged and tend to have to move firm or sector to take advantage of promotions to partnership roles. 22

A number of law firms we spoke to during the roundtables also note that many of their challenges around improving diversity in the business are more in relation to retaining Black, Asian and Minority Ethnic staff as opposed to just attracting and recruiting them.

“The retention thing is something I am a bit disheartened by actually because there is so much work and so much being put into attracting young talent into the pipeline and then you just look at the curve and people are dropping off. It is just not acceptable really; we need to do something to be more inclusive.”

HR & Recruitment, Private Practice

Better practice to ensure representation in the profession

A commitment to change

All of the firms we spoke to during our research are committed to improving diversity and inclusion at their company. There is increasing focus on this, not just as a social responsibility issue, but as a commercial issue, as clients are taking representation into account when choosing which firms will represent them. Groups of in-house clients are also leading initiatives such as the General Counsel for Diversity & Inclusion. Increasingly, clients are asking for information on representation at all levels across the firm and when considering any work done specifically for them.

There are also a number of schemes that encourage firms to sign up to a commitment such as the national Race Charter, the recruiter, Rare’s, ‘Race Fairness Commitment’ and the Law Firm Anti-Racism Alliance (in the US), as well as a number of internal schemes and commitments from the law firms themselves.

“You think, ‘this isn’t the only place I need to work, if these people aren’t going to accept me, then I will just go somewhere else’ then you just leave! … You think, ‘life is too short, I don’t have to put up with this madness, let me just go somewhere else’. I have had people who have left law altogether and gone to work on the finance side, which I do think is generally more diverse from a race point of view, like investment banking.”

Black, female solicitor

21 DJS Research analysis of SRA database.
22 DJS Research analysis of SRA database.
Upon review of the websites for the largest 100 law firms in the UK (based on turnover), it appears that most of the largest law firms are proactive with their policies regarding diversity.

Out of the 100 law firms reviewed, 73 have diversity statistics (including ethnicity breakdown) available on their websites. A few of them only display global figures, but sharing UK-specific data is a more common practice. In addition, 11 firms are voluntarily publishing ethnicity pay gap reports in addition to gender pay gap reports.

However, the data published is rarely broken down further by ethnicity within the Black, Asian and Minority Ethnic category, which leads to inequalities facing some groups being potentially understated.

The vast majority of firms have a diversity statement on their website, usually focusing on their dedication to creating a culturally diverse environment for their employees. Only a couple of firms have no mention of their diversity strategy on their websites.

There are firms who go beyond statements, and also report on social mobility, gender identity, disability, sexual orientation, age, caring responsibility, and faith/belief. Collecting and monitoring this data is challenging, however, as it requires a large enough percentage of employees to be willing to share information about themselves, and enough resource to be allocated for data analysis.

One of the reoccurring themes throughout firms’ websites is that their clients care about diversity strategies they have in place, and tend to expect law firms to be proactive in their approach.

Other drivers for promoting and reporting on diversity often mentioned are:

1) Increasing employee satisfaction, productivity and retention
2) Having access to more varied opinions, and therefore being able to be more effective and efficient as a company
3) Breeding creativity
4) Better responding to needs of different communities

Not all firms disclose representation for Black, Asian and Minority Ethnic solicitors at the firm, but the numbers usually vary between 12% and 20%, and there is a visible positive trend compared to previous years, when data is available.

Key policies/practices across different organisations:

- Reverse Mentoring Programme: junior members of the organisation from under-represented groups mentor their senior colleagues
- Some firms have recruitment marketing programmes aimed specifically at Black, Asian and Minority Ethnic lawyers
- Diversity initiatives: such as a multiculturalism network that organises events to promote certain cultures and traditions (e.g. celebration of Nowruz, Chinese New Year, Ramadan etc.).

Many firms recognise though that they have not yet gone far enough and that there are some barriers to them doing more, but they are keen to learn and do what they can. The barriers often relate to time, resources and momentum to do the things they plan on and also a feeling at senior levels that some initiatives are going ‘too far’.

Blind and contextualised recruitment

We spent quite a bit of time in our HR/recruiter discussions (as well as our solicitor discussions) exploring what could be done to improve representation within their organisations and across the profession.

A number of larger firms and organisations are using blind recruitment techniques that are either applied in-house or by recruitment agencies. We received mixed feedback in regard to blind recruitment with recruiters generally being more positive about it as a practice than solicitors.
Blind recruitment allows candidates that would have been rejected at the outset, an opportunity to progress further through the process than they would have done otherwise. It helps senior level staff to re-focus on personal attributes and achievements rather than factors that may have traditionally swayed them, for or against candidates. There are concerns, however, that biases are simply pushed back to the face-to-face stage of the process and it may be more draining and hurtful for solicitors to experience biases at a later stage after having invested more time and effort into the process.

However, blanking out names and ethnicity does little to stop employers from still valuing certain attributes, experiences and achievements that continue to put Black, Asian and Minority Ethnic candidates at a disadvantage e.g. valuing work experience gained due to family connections, valuing attendance at particular universities, being impressed by hobbies and activities more likely to be pursued by those from privileged backgrounds etc. Although true blind recruitment should remove all markers such as names of schools and universities.

Overall, contextualised recruitment appears to be considered a more sophisticated and useful technique in helping to ensure that Black, Asian and Minority Ethnic candidates are more likely to be considered. Especially tools that help to ensure that the achievements of those from underprivileged backgrounds are upweighted against those from more privileged backgrounds and that life experiences such as additional jobs to help fund education are considered and balanced against academic achievements.

“The contextualised piece is something I have been trying to introduce here because the people who my firm wanted to attract five or so years ago, your Oxbridge students, and you look at their pathway into qualification and then you maybe compare that with an individual who may be the first in their family to go to university, and all of the hurdles, the microaggressions, the under representation that person had to endure in order to qualify. That resilience, depth of character and determination is really what we want in the firm, but if we are purely looking at the grades, we have missed all of that.”

HR & Recruitment, Private Practice

However, although some firms appear to be willing to take factors such as background and social mobility into consideration, others still stop short of being willing to re-consider their position on academic attainment, which in itself may be one of the largest barriers to improved diversity.

“In terms of the partners, they want to do the right thing but they still want the academic best, that is something I feel is quite non-negotiable. They do like people with a very strong academic background. They are all open to improving the diversity, improving the inclusion, whilst retaining the same quality.”

HR & Recruitment, Private Practice
Unconscious bias training
Training in recognising unconscious bias on selection is seen to be useful, but too often can be ‘fluffy’ and lack impact and consist of just a half hour, online course. In-person training that recognises the need for difficult conversations is seen to be more effective.

Improved data collection and reporting
When reviewing the websites of the largest 100 law firms in the UK (by turnover), of the firms reviewed, 73 have diversity statistics (including ethnicity breakdown) available. However, the data published is rarely detailed, which leads to the under-representation of some groups within the Black, Asian and Minority Ethnic category and the reasons for that not being addressed. Additionally, firms are generally not reporting on how diversity statistics vary across the different levels of seniority in the organisation. Many of the Black, Asian and Minority Ethnic solicitors we spoke to in the roundtables believe that knowing that people from a similar background to themselves are not only present, but clearly progressing well within an organisation, would go some way in helping to reassure them and encourage them to apply.

Due to a lack of available data from recruiters and blind recruitment practices, some HR and recruitment personnel participating in the roundtables note that it is currently very difficult to measure and monitor the proportion of successful Black, Asian and Minority Ethnic candidates in relation to the overall number of those expressing interest. It may therefore be worthwhile working with recruitment agencies to help better collect and monitor ethnicity data in a way which still withholds the information during the live application process.

“We know that, overall, the statistics show that Black, Asian and Minority Ethnic representation is improving but this can mask important differences between ethnic groups within that category. Similarly, it may also be interesting to report on and explore the statistics based on the different immigrant generations.”

HR & Recruitment, Private Practice

“We only reason the figures for Black, Asian and Minority Ethnic representation is improving is because the higher proportions in the community but also because there are more entering now who are perhaps 3rd or 4th generation whose parents or grandparents have already broken down those barriers and paved the way for them. The generation of Black, Asian and Minority Ethnic solicitors now, many of them went to private schools or had parents in law too, so the experience for those who are first or second generation is really quite different.”

Asian, female solicitor
Diversity targets

Although many of the HR and recruitment personnel we spoke to in the roundtables express an increased focus and level of importance being placed on improving ethnic diversity in their firms (which many recognise simply is not good enough at the moment), we found that few firms have either set targets in this area or are indeed likely to consider setting ethnicity targets in the near future.

Targets around gender diversity seem to be more reasonable to set for some, predominantly because they were perceived to be more achievable. Many claim that ethnicity targets are just not feasible or indeed popular amongst senior staff, either due to the size of the firm or the lack of available Black, Asian and Minority Ethnic candidates. However, given that some firms are unwilling to reconsider their position on academic attainment and attendance at specific universities, it may be that they are unnecessarily shrinking the Black, Asian and Minority Ethnic talent pool. One of the few firms that has set targets, notes difficulties in both achieving and setting these:

The general consensus on targets amongst solicitors is that they are a useful tool to help ensure that improved diversity is not only addressed but effectively measured. However, some were more wary that targets may result in positive discrimination. The topic did spark lively debate amongst solicitors with some stating that certain organisations will only make a real change if they are forced to. Targets are considered useful in aiding improved representation for Black, Asian and Minority Ethnic solicitors in a system where they are clearly disadvantaged.

Concerns around diversity targets include:

- Organisations may only set targets that they know can be very easily achieved or would have otherwise been achieved without making any real changes.
- Organisations may have a false sense of being diverse and inclusive based on meeting targets and quotas for recruitment, and not address issues relating to retention, progression and culture.
- Organisations may struggle to determine appropriate proportions for targets without there being good, up-to-date data around:
  - the ethnic mix in the local population
  - the proportion of Black, Asian and Minority Ethnic law graduates coming out of individual universities
  - the proportion of Black, Asian and Minority Ethnic candidates who register interest in roles advertised but are not successful/or put forward by recruitment agencies
- They may be divisive and controversial to introduce.

“We have set a goal to increase overall representation of ethnic minority groups across the UK business to 14% by 2022 and specifically to 10% of our partnership by 2025... It isn’t looking like we are going to achieve it, but I think for us targets are problematic. Some people are really against them and some people are for them. We decided to do it because it felt like a way of maintaining the focus and maintaining the pressure on it, and because it is an external thing, we are accountable to the wider industry, to our clients and to the communities around... It is aspirational as well, what gets measured, gets done... I think in a law firm where everybody is focused on chargeable hours and various other targets, it kind of fits from that perspective... It is helpful in lots of ways to have that focus.”

HR & Recruitment, Private Practice
The perceived benefits of targets include:

- They compel organisations to take timely actions that bring about tangible change.
- They compel organisations to more effectively measure and monitor levels of diversity.
- Even if numbers are not met, it may help to at least try and make internal and recruitment processes fairer.
- Even if they do put Black, Asian and Minority Ethnic candidates at a slight advantage this only helps to redress the number of disadvantages that the candidate is likely to have faced as someone from a Black, Asian and Minority Ethnic background throughout the whole education, training and recruitment process.

Diverse recruitment panels

Where possible, having diverse recruitment panels is felt to be a quick, achievable and easily actionable way to help ensure that those selecting candidates are not going to be simply shortlisting those who ‘are an image of their younger selves’ (e.g. attended the same university, have similar hobbies and aspirations etc.). This is often noted to be a key influencing factor in selection, whether conscious or unconscious. Solicitors often recall the importance to them during their job searches to identify organisations that already had employed solicitors from a similar background to their own. Some feel that having a Black, Asian and Minority Ethnic representative on the panel would have helped to put them more at ease in an interview situation.

However, it is noted that in smaller organisations or organisations where there currently are fewer Black, Asian and Minority Ethnic employees, it can be, practically, very difficult to ensure diverse panels and potentially very difficult and taxing for a small number of Black, Asian and Minority Ethnic employees to sit in on numerous recruitment panels in addition to their own workloads.

Proactively targeting and supporting students

Feedback from Black, Asian and Minority Ethnic solicitors suggests that talks from legal professionals at their school or college were often quite impactful on their decision making, particularly for those with few role models in their families or immediate circles. Many also noted the difficulties in understanding what options are open to them in law and difficulties around understanding how to best go about pursuing a career in the field with little guidance at their disposal.

It is widely suggested by both solicitors and firms that employers taking a more proactive role in attending career events, providing talks or even looking at sponsorship opportunities for students in disadvantaged areas, are a good way of ensuring future Black, Asian and Minority Ethnic talent in the profession. This approach is likely to make a real difference to the lives of some that would have otherwise not considered law to be a viable pathway for them.

Some organisations do note that smaller organisations or organisations without a dedicated D&I function, resources and manpower may not have the opportunity to conduct these types of activities.

“Outreach to schools is something that has been flagged and talked about quite a lot for us recently as well. People have said things like perhaps events before they are going to secondary school, people are deciding and closing themselves off to certain things such as law, because there is that perception that it is not for them or they can’t see those examples... [but] where D&I teams are small, in relation to the overall size of the organisation, and I think resources are a big challenge, it is such a big piece to tackle.”

HR & Recruitment, Private Practice
Black, Asian and Minority Ethnic experiences in the law profession
Black, Asian and Minority Ethnic solicitors report lower levels of health and wellbeing

Quantitative analysis of data from the Law Society PC holders survey over the past five years also demonstrates that Black, Asian and Minority Ethnic solicitors report lower levels of wellbeing at work and higher levels of stress. The Law Society PC holders survey shows that 95% of solicitors report some level of work-related stress (mild to extreme). However, the individual wellbeing measures for Black, Asian and Minority Ethnic solicitors appear to be especially concerning and may go some way to explain why Black, Asian and Minority Ethnic solicitors are more likely to feel the need to move roles or into different sectors more frequently than their white colleagues, in seeking an improved career experience:

- 24.3% of Black, Asian and Minority Ethnic respondents reported severe or extreme stress compared to 17.6% of the white solicitors (highly significant).

- The highest levels of stress were recorded by the mixed ethnicities (25.5%) and Asian solicitors, where 24.8% reported high levels of stress.

- 3.2% of the white solicitors and 4.1% of Black, Asian and Minority Ethnic solicitors have taken time off work due to stress. However, white solicitors took an average of 16 days, which is double that reported for Black, Asian and Minority Ethnic solicitors. This appears to indicate that Black, Asian and Minority Ethnic solicitors perhaps feel less comfortable or able to take the time off.

- White solicitors give a higher general health rating with a significantly greater proportion giving a rating of ‘Very Good’ health compared to Black, Asian and Minority Ethnic solicitors. Asian solicitors report the lowest health ratings.

- White solicitors are significantly more likely to report higher levels of life satisfaction and happiness, as well as being more likely to feel that the things they do in their life are worthwhile. Out of the Black, Asian and Minority Ethnic groups, Asian solicitors report the lowest levels in these areas.23

<table>
<thead>
<tr>
<th>% Scoring 8-10 for...</th>
<th>White</th>
<th>Black, Asian and Minority Ethnic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overall, how satisfied are you with your life nowadays?</td>
<td>66%*</td>
<td>51%</td>
</tr>
<tr>
<td>Overall, to what extent do you feel the things you do in your life are worthwhile?</td>
<td>67%*</td>
<td>57%</td>
</tr>
<tr>
<td>Overall, how happy did you feel yesterday?</td>
<td>59%*</td>
<td>51%</td>
</tr>
<tr>
<td>Overall, how anxious did you feel yesterday?</td>
<td>13%</td>
<td>13%</td>
</tr>
</tbody>
</table>

*significantly higher than the average at 95% confidence level.

A need to work harder and longer to prove themselves

Part of the reason why Black, Asian and Minority Ethnic solicitors may be experiencing lower levels of wellbeing and higher levels of stress may be due to the fact that they appear to feel the need to have to work harder and longer than their white colleagues in order to be accepted, recognised and to progress. From our analysis of the Law Society’s PC holders survey we learnt that:

- Full-time Black, Asian and Minority Ethnic solicitors are working an average of 1.5 hours more per week and part-time Black, Asian and Minority Ethnic solicitors are working 0.9 hours more than their part-time white counterparts.
- Black, Asian and Minority Ethnic solicitors working in private practice, in particular, are significantly more likely to be working longer hours than white solicitors in this setting.

Feedback gathered in the roundtables appears to indicate that Black, Asian and Minority Ethnic solicitors very much feel that they have to go above and beyond their white colleagues in terms of effort in order to ensure that they are recognised by senior colleagues when it comes to considerations around progression, remuneration and bonuses.

“...it was a running joke at my firm. There were four Asians, who used to stay the longest and we were known as ‘the curry club’, because we stayed the longest. Quite often we were there until half 7 or 8pm trying to make the difference, to try and be noticed. Whereas, none of our white colleagues did that, they would just go home or go to the gym or whatever they did at half 5.”

Asian, male solicitor

A pressure to change: fitting into the firm culture

As previously noted, we know that many law firms tend to opt for candidates that meet a particular fit in terms of background, name, accent and education but in the roundtables it was also frequently noted that, even once successful in gaining a position, Black, Asian and Minority Ethnic solicitors still feel the pressure to adapt to and embrace a culture that is often far removed from their own. Examples of this included:

- A pressure to partake in ‘white male’ social activities – particularly drinking alcohol, sporting events, going to the races or other gambling related venues and socialising in pubs/bars late at night in order to make connections and get noticed amongst senior staff. Many note that even official company outings and events tend to have a focus on these types of activities and attendance is often compulsory or, at least, non-attendance was frowned upon.

“...it was a little bit more discriminatory than perhaps the public sector, in regard to somebody like me. I think I was always trying harder, working harder and certainly didn’t feel I got as much recognition for what I did.”

Black, female solicitor

“...I was always trying harder, working harder and certainly didn’t feel I got as much recognition for what I did.”

Asian, male solicitor

“We received feedback once about a work event we held which was wine tasting. The venue couldn’t provide any alternative for those who didn’t drink so they either couldn’t participate or participate and spit it out which obviously isn’t ideal.”

HR & Recruitment, Private Practice
• A pressure to enjoy or partake in white, middle class hobbies such as skiing, golfing or cultural events not necessarily observed by those from different backgrounds.

“I have to second guess everything I say and do, it is such a level and the most trivial things, with what I am eating, with what I listen to, what my interests are, what I talk about, how I talk, what I wear and when we go lunches or drinks... I find that really difficult.”

Asian, female solicitor

• Having to adopt western hairstyles rather than wear their hair in its natural state (this is particularly the case for Black females).

“I dare not go with the braided hair that would be too much. This Black woman being a little bit ‘out there’ with her smart trousers suit and at the same time sporting a braided look. So, I didn’t have the braids.”

Black, female solicitor

In order to adapt and try and ‘fit in’ to the culture, Black, Asian and Minority Ethnic solicitors note a number of ways in which they have had to adapt what they say, do and even how they look and act:

• Avoid talking about their own family, background or cultural/religious observances.

• Having to dress in formal western clothes, rather than traditional ethnic formal clothes or over-dress in order to battle pre-conceptions.

“Black solicitors note in particular feeling the need to tone down their personalities and appear less confident, vocal and assertive in order to avoid being labelled as ‘aggressive’ or ‘sassy’. They feel that this is very much due to cultural stereotyping and that similar traits in a white solicitor would be viewed much more positively.

“For white males it is great, you were really assertive there, that is full on fantastic but why as a Black female is it considered aggressive? Not that I have had to change who I am but I have had to bite my tongue quite a lot and hold back a bit, but I felt that was needed to survive and just get on with it.”

Black, female solicitor
UK law firms were compared unfavourably to in-house law and US law firms that tended to be seen to be more diverse generally in terms of employee representation. In-house law tended to be larger companies with more progressive policies around diversity and greater ethnic diversity. US law firms tended to just be more diverse in part because of the greater ethnic diversity in the US, although some noted that this was still not reflected in senior leadership. UK law firms were often seen to be stereotypically “British” and a little old fashioned and elitist.

**Discrimination takes many forms: experiences of othering, exclusion and microaggressions**

Analysis of the Law Society’s PC holders survey shows that:

- Discrimination was reported by 13% of Black, Asian and Minority Ethnic solicitors (8% for white solicitors) and 16% reported bullying (14% for white solicitors). Ethnicity was the most frequently recorded factor for the Black, Asian and Minority Ethnic solicitors.

- A third of Black African and Caribbean solicitors say they have experienced some form of discrimination or bullying in the workplace – the highest reported experience of any ethnic group.24

**Chart 2: Experience of discrimination or bullying by ethnic group**

Of those who experienced discrimination, solicitors were asked what they attributed the discrimination to. Ethnicity was the most frequently recorded factor for the Black, Asian and Minority Ethnic group and gender was the main reason cited by white solicitors.

Note that female solicitors are more likely to be Black, Asian and Minority Ethnic (19%) than male solicitors (14%). Religion was also much more likely to be mentioned by Black, Asian and Minority Ethnic groups.

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Table 4: Reported discrimination

<table>
<thead>
<tr>
<th>What do you attribute the discrimination to (those who experienced discrimination)</th>
<th>White</th>
<th>Black, Asian and Minority Ethnic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Your age</td>
<td>23.7%</td>
<td>21.3%</td>
</tr>
<tr>
<td>Your religion</td>
<td>1.7%</td>
<td>11.3%</td>
</tr>
<tr>
<td>Your ethnicity</td>
<td>7.6%</td>
<td>62.5%</td>
</tr>
<tr>
<td>Your sexual orientation</td>
<td>3.4%</td>
<td>2.5%</td>
</tr>
<tr>
<td>Your sex</td>
<td>64.4%</td>
<td>32.5%</td>
</tr>
<tr>
<td>A disability</td>
<td>5.9%</td>
<td>1.3%</td>
</tr>
</tbody>
</table>

Although many of the solicitors in the roundtables have often experienced clear and explicit racism in their personal lives, much of the discrimination and racism experienced tends to fall into the ‘microaggressions’ category whereby the actions are not explicit and racial slurs are not used but they can be as hurtful and demoralising, especially if frequently encountered. As we have mentioned elsewhere Black, Asian and Minority Ethnic solicitors found it difficult to report such instances.

The variety of microaggressions experienced by solicitors include:

Othersing: This included pointing out, scrutinising or mocking cultural differences in the form of ‘banter’ or ‘jibes’. This could include things like colleagues constantly focusing on or referring to religious/food observances or ways of dressing.

Misidentification: Black, Asian and Minority Ethnic solicitors with non-western names note being frequently referred to by the wrong name by colleagues they work with on a regular basis or having their names mixed up with other colleagues from the same background. One of the more upsetting forms of misidentification also includes being frequently mistaken for someone less senior. Instances of misidentification include:

- Being mistaken for interpreters or family liaison (particularly females)
- Being mistaken as waiting staff at company or legal sector events
- Being mistaken as security (particularly Black males)
- Being mistaken as cleaners
- Being mistaken as or related to defendants (particularly Black solicitors)

Although many of the biases experienced are felt to be ‘unconscious’ or ‘subconscious’ there is a feeling that organisations are still aware that they are wrong but not willing to openly talk about them or address them as they are not viewed as explicit enough to act on.

“If I did something at the weekend that was an Indian-culture thing you will get a comment back to you which makes you feel like, ‘oh that is a really odd thing to do, because you don’t ski on the weekend, or you don’t play golf or whatever it is’. Just having a very weird response that makes you feel ‘othered’.”

Asian, female solicitor
Cultural assumptions and exclusions:
this tends to include experiences such as assumptions made about what types of work they can or cannot take on, what types of clients it would be appropriate for them to work for, as well as events they perhaps would or would not want to attend. These assumptions often lead to feeling both excluded and a sense of missing out on the key opportunities to make a good impression with senior colleagues and ultimately progress in the organisation.

“A hard topic to raise and a heavy load to bear
Although many of the biases experienced are felt to be unconscious, there is a feeling amongst solicitors that organisations are still aware that they are wrong but not willing to openly talk about them or address them as they are not viewed to be explicit enough or would be too divisive to raise amongst staff.

Many of the issues Black, Asian and Minority Ethnic solicitors face appear to be as a result of deeply ingrained prejudices and structural inequalities which they believe companies find hard to address. There is perhaps fear in openly talking about them and addressing, as it would be a recognition that there is racism within the organisation and “nobody takes kindly to being called a racist”.

“In one roundtable group, it was mentioned how, when the Law Society Gazette has covered issues around ethnicity in the past, the comments section has demonstrated a very strong and angry backlash. This level of anger and fear is not so apparent when issues around gender and disability are being raised.

Black, Asian and Minority Ethnic solicitors often recall feeling a sense of pressure and duty to raise issues and make a stand in order to help improve the situation for junior colleagues but feel that this is not easy to do and risks being detrimental to career progression (bearing in mind how hard they have often had to work to get to this point in their careers).

Those that have raised these issues in the past feel that they were often labelled as ‘trouble makers’ or ‘rebellious’ and that those who are perceived to ‘rock the boat’ too much are more likely miss out on opportunities to progress.

Additionally, when Black, Asian and Minority Ethnic solicitors do try and speak up on these issues they feel disheartened that the only ‘safe’ environments in which they can do so, such as D&I forums or events, often just become talking shops. There are noted to be few opportunities to raise these issues amongst those at the top of organisations who are in positions to make real changes.

“When somebody says, ‘you speak English so well’, and you want to explain to them why that is racist, they are more upset about being called racist than they are about the actual racism itself. So, you just think, ‘what’s the point? I just don’t have the energy for this, I have still got eight hours of work to do’.”

Black, female solicitor

“I felt like sometimes I wasn’t being invited to social events because they assumed that, as an Asian female, I must have to get home in the evening and wouldn’t want to stay out... I was once asked if I was going to have an arranged marriage.”

Asian, female solicitor

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Black, female solicitor
This feeling of having no voice, being fearful of speaking up, or just feeling as if they are ‘banging their head against a brick wall’, has led many solicitors to struggle with their mental health, paying for counselling or just leaving/taking a break from the profession. Some also note feelings of guilt for not doing enough to raise these issues at the time of experiencing them, instead avoiding doing so, out of fear for their careers.

Similarly, HR professionals and recruiters often note numerous policies or approaches to improving recruitment techniques and attracting Black, Asian and Minority Ethnic candidates, but there are fewer examples of proactively trying to change the culture or address microaggressions. Targets and metrics tend to focus overwhelmingly on representation rather than career experiences and are thus less likely to drive action.

**More culturally diverse events**

Some organisations have started a process of reviewing and expanding their company events and activities to make them more inclusive. Examples include:

- Ensuring that activities and events are taking place during the day or early evening to support those with families.
- Trying to incorporate more events into the calendar that have less of a drinking focus, or at least provide good non-alcoholic alternatives (which is noted to not always be the case).
- Trying to include events that celebrate other cultures and other religious festivals.
- Catering for the needs of those celebrating religious festivals or observing religious practices, e.g. organising food in the evenings for solicitors observing Ramadan etc.

However, a few organisations even note that trying to make fairly benign changes such as these can, in themselves, be difficult both in terms of internal backlash from staff who like these more ‘traditional’ forms of activities and also in a bid to continue to please clients.

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**Better practice to address poor experiences amongst Black, Asian and Minority Ethnic groups**

Black, Asian and Minority Ethnic solicitors often struggle to think of good examples within the profession of better practice or where real, proactive change is being made in terms of improving career experiences.

The experiences and reported barriers faced by solicitors are very consistent, even amongst those recently qualified versus those who qualified over 20 years ago with the same examples of discrimination coming up, demonstrating very slow, or limited, progress despite improvements in representation amongst those entering the profession.

“I burnt out and now it has left me at a crossroads and seriously considering not coming back into the profession, at all. Now that I am on a break I have not been afraid to come out and say things that are quite controversial, mainly because if I don’t say it the cycle is never going to change and people need to feel uncomfortable, because that is the reality, what I have experienced; and this is what a lot of people who look like me, and sound like me have also experienced.”

Black, male solicitor
Education and training on microaggressions

A small number of organisations note having training on biases and microaggressions, although feedback on the quality and depth of training currently available is quite mixed. Some training sessions are noted to skim over microaggressions without giving particularly clear, relatable or tangible examples of what could actually be deemed as a microaggression. As a result, some organisations state that they are considering asking staff internally to provide some anonymised examples that can be used in future sessions to help make the training more pertinent and impactful.

Training is felt to be most effective when it is made mandatory and particularly mandatory for more senior level staff so that they can lead by example.

However, there also appear to be few examples of how organisations are currently measuring the impact or effectiveness of such training.

D&I and race equality action groups

Many of the solicitors we spoke to in the roundtables are one of very few Black, Asian and Minority Ethnic professionals in their organisations, and are often members of diversity action/working groups. These groups are considered to be very helpful in terms of providing safe spaces for discussing race issues, although some frustrations are noted, i.e. that such forums are not always well attended or listened to, by the more senior level staff who are in a better position to support and drive the necessary changes identified in these forums.

In order for such groups to be effective it is therefore suggested that they should be led at partner level and where possible, to bring in external experts to help assess the effectiveness of these groups.

“We undertook some bias training about 18 months ago now. Whether there has been any measurable change, we didn’t really follow it up. We didn’t cover microaggressions in what I consider to be the true sense. I do think it would have been helpful to perhaps speak to some of our colleagues about their lived in experiences. Just so we could leave all on the same level as to what a microaggression is.”

HR & Recruitment, Private Practice

“It is something that we certainly mooted but at the same time we are a private practice law firm and the bottom line is profit, so that can often be a bit of a hurdle to climb because of the clients that we are seeking. If our pipeline clients do like golfing days and ski trips and drinks after work, if we want to reach that bottom line there does need to be a cohort available to do whatever or go wherever the clients are going to be.”

HR & Recruitment, Private Practice

“We are looking to set up a race equality action group which is partner led and we are looking to get an external reference for that group and also to carry out a review, complete audit.”

HR & Recruitment, Private Practice
**Reverse mentoring**

Reverse mentoring pairs a senior individual with a junior Black, Asian and Minority Ethnic solicitor to help them learn from their experiences and apply this learning to the business. It was also noted by some Black, Asian and Minority Ethnic solicitors who had been involved in reverse mentoring that it gave them more confidence to speak out more generally. It also gave them access to a sponsor.

**Safe and anonymous feedback services**

Interestingly, despite virtually all of our solicitors having noted microaggressions at work, very few of those working in HR report being aware of such instances having been raised or brought to their attention – suggesting that many experiences are going unreported.

Solicitors feel that better and more anonymous ways of bringing these examples to the attention of their employers may be helpful in making organisations more aware of the full extent of the problem and therefore encourage more action and investment in addressing race issues.

One early career solicitor at a large private corporate firm said their firm uses a service called workinconfidence.com, which employees can use as a forum to communicate things back to their employer in confidence. Some organisations also note having their own internal systems for gathering feedback but where Black, Asian and Minority Ethnic solicitors are one of very few others like them in their organisations, the importance of using trusted, external resources to help provide feedback, are felt to be all the more important to help protect their anonymity.

It is important to make sure such feedback is broken down by ethnicity as issues may be facing a minority group to a much greater extent than other employees but it could be hidden as an issue if only whole workforce data is presented.

Finally, one other suggestion to get feedback and understand what issues might be faced by Black, Asian and Minority Ethnic solicitors is through confidential exit surveys.
Career development of Black, Asian and Minority Ethnic solicitors
The ethnicity pay gap
Evidence from the Law Society’s PC holders survey indicates that Black, Asian and Minority Ethnic solicitors are earning less overall and taking up fewer senior positions:

- The average salary for white solicitors is higher (£36.13 per hour) compared to Black, Asian and Minority Ethnic solicitors (£27.01 per hour) this equates to a difference of £9.12 per hour between these two groups (a 25% pay gap).

- Black, Asian and Minority Ethnic solicitors are less likely to have a permanent position (91%) compared to the white Europeans (95%).

- White solicitors are more likely to be in a management position than Black, Asian and Minority Ethnic solicitors (68.3% of white solicitors have some management responsibility compared to 64.7% of Black, Asian and Minority Ethnic) and white solicitors are also more likely to manage other lawyers (53.9% versus 46.2% of Black, Asian and Minority Ethnic solicitors).  

The pay gap is particularly marked when comparing the average annual salary for full time solicitors, where we see a difference of more than £20,000 per year.

<table>
<thead>
<tr>
<th>Average salary (including bonus)</th>
<th>White</th>
<th>Black, Asian and Minority Ethnic</th>
<th>Pay gap %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full-time</td>
<td>£85,912*</td>
<td>£64,599</td>
<td>-25%</td>
</tr>
<tr>
<td>Part-time</td>
<td>£49,031</td>
<td>£47,070</td>
<td>-4%</td>
</tr>
</tbody>
</table>

*significantly higher than the average at 95% confidence level.

Black African and Caribbean solicitors have the lowest levels of remuneration overall.

Chart 3: Remuneration by ethnic group

![Chart showing remuneration by ethnic group]

<table>
<thead>
<tr>
<th>Ethnic Group</th>
<th>Full-time</th>
<th>Part-time</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>£85,912</td>
<td>£49,031</td>
</tr>
<tr>
<td>Mixed/multiple ethnic group</td>
<td>£76,172</td>
<td>£48,834</td>
</tr>
<tr>
<td>Asian or Asian British</td>
<td>£62,291</td>
<td>£41,597</td>
</tr>
<tr>
<td>Black/African/Caribbean/Black British</td>
<td>£53,862</td>
<td>£38,682</td>
</tr>
<tr>
<td>Other ethnic group</td>
<td>£73,394</td>
<td>£62,291</td>
</tr>
</tbody>
</table>

White solicitors are, on average, typically older and have more experience than Black, Asian and Minority Ethnic solicitors, which, it could be argued, possibly inflate salaries for this group. In addition to the Black, Asian and Minority Ethnic population being younger as a whole, representation has not had time to ‘catch up’ and, added to this, the lower retention rates for Black, Asian and Minority and Ethnic explains why white solicitors are on average typically older. However, when reviewing remuneration within age groups, we see that in almost every group and working level, white solicitors still receive a higher salary than Black, Asian and Minority Ethnic solicitors.

<table>
<thead>
<tr>
<th>Age</th>
<th>Working</th>
<th>White</th>
<th>Black, Asian and Minority Ethnic</th>
<th>Pay gap %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 35</td>
<td>Full-time</td>
<td>£58,144</td>
<td>£54,827</td>
<td>-6%</td>
</tr>
<tr>
<td>35-44</td>
<td>Full-time</td>
<td>£85,745*</td>
<td>£66,599</td>
<td>-22%</td>
</tr>
<tr>
<td>45-54</td>
<td>Full-time</td>
<td>£116,378*</td>
<td>£71,758</td>
<td>-38%</td>
</tr>
<tr>
<td>55-64</td>
<td>Full-time</td>
<td>£87,551*</td>
<td>£69,572</td>
<td>-20%</td>
</tr>
<tr>
<td>65+</td>
<td>Full-time</td>
<td>£62,540</td>
<td>£44,625</td>
<td>-29%</td>
</tr>
<tr>
<td>Under 35</td>
<td>Part-time</td>
<td>£42,336</td>
<td>£41,265</td>
<td>-3%</td>
</tr>
<tr>
<td>35-44</td>
<td>Part-time</td>
<td>£47,840</td>
<td>£52,705</td>
<td>+10%</td>
</tr>
<tr>
<td>45-54</td>
<td>Part-time</td>
<td>£52,153*</td>
<td>£45,288</td>
<td>-13%</td>
</tr>
<tr>
<td>55-64</td>
<td>Part-time</td>
<td>£50,766</td>
<td>£40,050</td>
<td>-21%</td>
</tr>
<tr>
<td>65+</td>
<td>Part-time</td>
<td>£45,782</td>
<td>£20,000</td>
<td>-57%</td>
</tr>
</tbody>
</table>

* significantly higher than the average at 95% confidence level. 26

Table 6: Mean salary by ethnic group

In addition to issues with career development this pay gap is likely to be driven by the types of firms that Black, Asian and Minority Ethnic solicitors are poorly represented at. Namely larger firms, City firms and sectors like corporate that tend to be higher paid. The solicitors we spoke to in the roundtables often feel that career progression in the profession appears to be as much as, if not a greater barrier, than entering the profession and many are very much aware of there being a ‘glass ceiling’ that is very difficult for them to break through.

“I think the glass ceiling does exist. I have seen that and experienced it myself, I have been passed over for promotion and the job was given to a younger white female. She was just two years PQE and I had been at that firm for eight years myself, waiting for the opportunity. They were very good at making you grateful for having a job in the first place and secondly, they were very good at squeezing the extra ounce out of you, and dangling the carrot of promotion.”

Asian, male solicitor

Some solicitors also feel that organisations are happy to superficially improve diversity figures by recruiting more Black, Asian and Minority Ethnic candidates, but that many are not committed to and do not actively support such employees to progress and occupy senior positions.

Part of the problem is attributed to senior level staff being predominantly white and middle class and therefore being more likely to promote and pay attention to those who they see as a reflection of themselves.

Having a sponsor is seen to be a key way to be allocated work that would improve career development and value in the firm, as well as benefiting from the guidance and favour of the sponsor.

Black, Asian and Minority Ethnic groups and partner status – why are so few partners Black, Asian and Minority Ethnic?

- Almost three quarters of partners in firms with turnover greater than £100million are white males.27
- In the largest 50 UK firms (by turnover), white solicitors are twice as likely as Black, Asian and Minority Ethnic solicitors to achieve partner equivalent status.
- Just 8% of partners in the largest firms (50+ partners) are Black, Asian and Minority Ethnic and this has only risen by 1% since 2014.
- In single partner firms, 34% of partners are from a Black, Asian and Minority Ethnic background (compared to 20% across all firms).
- The proportion of Black, Asian and Minority Ethnic and white solicitors reaching partner level within smaller organisations (those with up to 20 fee earners) is broadly similar and is higher than the proportion reaching senior posts in larger firms.
- A 2017 SRA report has shown that high street firms give Black, Asian and Minority Ethnic males, white females, and Black, Asian and Minority Ethnic females the greatest opportunities to become a partner. The average probability of progression to partner is 35%, 33% and 30% respectively.28

“Sponsors gravitate to people like them, so if you are a white, middle class, magic circled trained MD, you will sponsor somebody who is like you. I have seen in the bigger environments whenever anybody gets promoted they look the same and they are laughing about the good old days at this Oxford College or whatever and you just think how do I reach that?”

Black, female solicitor

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27 DJS Research analysis of SRA database
28 https://www.sra.org.uk/sra/how-we-work/reports/diversity-legal-profession
The table below shows that both white and Black, Asian and Minority Ethnic women are significantly less likely to achieve partner status and are disadvantaged by their gender. However, a slightly higher proportion of female partners are Black, Asian and Minority Ethnic than male partners, suggesting that the gender disadvantage is not as strong for Black, Asian and Minority Ethnic groups.

<table>
<thead>
<tr>
<th></th>
<th>% White</th>
<th>% Black, Asian and Minority Ethnic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male Partners</td>
<td>87.7%</td>
<td>12.3%</td>
</tr>
<tr>
<td>Female Partners</td>
<td>84.0%</td>
<td>16.0%</td>
</tr>
</tbody>
</table>

A number of reasons are given as barriers to progressing to partnership, including lack of sponsorship and guidance, lack of opportunities and allocation of work and, more generally, not fitting in to the general (predominantly white) culture of the company.

Promotion to partner (particularly to equity partner) is more likely to be on the basis of ‘grace and favour’ and therefore ‘fitting in’ is essential. Even when we consider tangible factors such as hours billed, this is dependent on being given these opportunities in the first place.

In the roundtables, the desire to raise and address issues around diversity and discrimination and bring them to the attention of senior management, is felt to be at odds with also progressing to the level of partnership. This has appeared to leave some solicitors with a tough choice between toeing the company line and accepting unreasonable behaviours, or making a stance but at the expense of progressing to partnership.

“In my firm partnership is still a very exclusive bubble. You have got to be very likeable to be invited in to the private practice partnership model. I need to be agreeable, polite and moderate myself because I know if I am seen as the troublemaker raising these issues, they are not going to want me at the table.”

Asian, female solicitor

have had to work so much harder in order to be recognised and progress within larger firms, these efforts are perhaps better spent working for themselves to help build up their own business.

The fact that single partner firms appear to have a greater proportion of Black, Asian and Minority Ethnic partners than larger firms may indicate that setting up their own practice may be seen as the only viable option for progression for Black, Asian and Minority Ethnic solicitors.

“What you will find with many sole practitioners is that they did work in a law firm, don’t get any offer of progression and then they leave and set up by themselves instead where they can be a partner. I can probably bet my bottom dollar to say that a very high proportion of these people felt frustrated in their previous roles, that they have left and they have gone to set up by themselves – because it is a risk.”

Asian, male solicitor

29 DJS Research analysis of SRA solicitors database.
The perception of partnership status being out of bounds to Black, Asian and Minority Ethnic solicitors within firms may also go some way in explaining why Black, Asian and Minority Ethnic solicitors sometimes feel the need to move away from firms to in-house or government roles in order to continue to progress.

“I felt like I needed to make that transition to the public sector because the pay was better, there was better job security, and for me I felt there was more opportunity to develop and progress my career. I didn’t think I could do that in the private sector because the heights are partnership, that is the furthest you can go and was out of reach to me.”

Black, female solicitor

**Better practice to ensure career development for Black, Asian and Minority Ethnic solicitors**

**A commitment to change**

There is a perception that not much has changed in the career development opportunities for Black, Asian and Minority Ethnic solicitors, particularly for certain ethnic groups and in larger firms. However, representation at senior and partner level is seen to be a key issue to address, to improve representation across the profession as a whole.

Large corporate clients are now actively asking for information on firms’ representation at partner level and indeed at all levels, both on a firm wide basis, as well as for the work the firm specifically undertakes for them. There is increasing understanding that as well as ensuring fairness, that a diverse workforce, making full use of all the talent available, and different backgrounds, experiences and perspectives, is more likely to improve performance, collective knowledge and problem-solving, and provide better results for customers.

**Targets for representation at partner level**

In order to make some tangible improvement, most HR professionals we spoke to recognised the need to measure representation and set targets, particularly at partner level.

There are a number of ways firms can open up their potential consideration set for promotions rather than simply looking for someone cast from the same mould every time. Firms can look within for emerging talent and identify them for development or potentially look outside to other firms. Some feel that a perceived lack of talent amongst the Black, Asian and Minority Ethnic group is being used as an excuse for not achieving targets for representation at partner level.

**Career development opportunities**

An equal allocation of work is seen to be a key means in which Black, Asian and Minority Ethnic solicitors would not be disadvantaged in their career development. Work allocation is crucial for career development as solicitors are measured on the number of hours they bill and the client relationships that come from this work allocation. In addition more complex work and work for higher status clients is likely to attract more recognition.

This could be achieved by a sponsorship arrangement where the sponsor identifies and allocates work that will help the individual progress their career. Or, some other system that ensures fair allocation of work. Some customers for example, insist on understanding hours worked on their behalf by level and by minority group in order to check equal opportunity of work.

Mentors can also more generally provide advice and feedback to help Black, Asian and Minority Ethnic solicitors’ development. If mentorship can be formally arranged by the firm rather than arrived at ad-hoc through connections, then this kind of mentorship is less dependent on fitting in with the predominantly white culture and less likely to disadvantage Black, Asian and Minority Ethnic solicitors.
Now is an important time for change for the experiences of Black, Asian and Minority Ethnic solicitors

The overall feeling in the profession is that more needs to be done to address the issues that Black, Asian and Minority Ethnic solicitors face. The Black Lives Matter movement in 2020, which began after this research was commissioned, has brought these issues even more strongly to the fore.

Our research highlights through statistics and personal stories, the disadvantage that Black, Asian and Minority Ethnic solicitors face throughout their career and the talent that is not being fully utilised and sometimes being completely lost to the profession as a result. Many law firms are doing a lot of work in the field of diversity, but change is coming too slowly or not at all in many areas and more needs to be done.

There are several potential barriers for Black, Asian and Minority Ethnic solicitors entering the profession

The nature of the law profession means the focus is on academic high achievers and those who have access to work experience in the sector. This tends to exclude Black, Asian and Minority Ethnic solicitors who are more likely to be academically disadvantaged and not have the connections others might enjoy. Having an independent school background still gives advantages in the profession, even compared to other senior positions in the UK.

The profession is also still seen to be predominantly white and for some Black, Asian and Minority Ethnic people this is a barrier to consider pursuing a career in law. Black, Asian and Minority Ethnic role models need to be given greater visibility in the sector.

The profession is however attractive to many Black, Asian and Minority Ethnic individuals and can offer potentially rewarding and fulfilling careers.

In addition, many law firms have made efforts to try and encourage Black, Asian and Minority Ethnic representation through outreach, scholarships and consideration of their recruitment practices and recognise the value of diversity.

However, focusing solely on representation in the profession can be misleading

On the face of it, Black, Asian and Minority Ethnic representation is in line with UK society as a whole and has been improving over the years. However, looking at representation across the profession by the Black, Asian and Minority Ethnic category can be very misleading. Black solicitors for example are poorly represented. In addition, it appears that Black, Asian and Minority Ethnic solicitors tend to be encouraged into smaller firms and certain, generally lower paying, sectors and practice areas, and representation across the profession is not consistently good.

So, as well as measuring Black, Asian and Minority Ethnic as a group across the profession, representation should also be measured by firm and by specific ethnic group to more clearly highlight the issues.
The culture of law firms, particularly larger City firms is not seen to be inclusive for Black, Asian and Minority Ethnic groups

Whilst representation at entry level across the profession is broadly representative of the working population, Black, Asian and Minority Ethnic solicitors frequently report feeling like an outsider in law firms. The culture of many law firms, particularly larger and City firms is often very white and elitist, with a focus on things like Oxbridge experiences and hobbies like skiing, for example. So, whilst representation levels could be seen to be adequate, this is not always reflected in the extent to which they feel included, summed up by the quote below from the campaigner Verna Myers:

“Diversity is being invited to the party. Inclusion is being asked to dance.”

Some Black, Asian and Minority Ethnic solicitors do not feel like this, but often because an element of their background (e.g. an Oxbridge education) offsets their ethnic background and ‘allows’ them to feel included.

Almost all research participants have experienced some level of microaggression based on their ethnicity, including comments about their name or presumed comments about their culture. Black, Asian and Minority Ethnic solicitors often do not want to confront this as they have worked hard to get where they are and do not want to endanger their career, particularly at the early stages. It is considered difficult to raise the topic of racism/racial disparities in the workplace.

Of those with experience working in other sectors, such as in-house law, there is a feeling that law firms are significantly less diverse. UK law firms are also seen as less diverse than US law firms.

Retention rates for Black, Asian and Minority Ethnic solicitors are low in larger City firms particularly, with many leaving to join smaller firms, industries that are more inclusive and in-house law

Many Black, Asian and Minority Ethnic solicitors feel that they must work much harder than their white counterparts and do not feel as comfortable in their work. This leads to higher reported working hours and stress levels, which often, in turn, leads to Black, Asian and Minority Ethnic solicitors leaving the law firm to find work where they can feel more at home. Several Black, Asian and Minority Ethnic solicitors refer to the relief of setting up their own practice or finding an inclusive environment where they feel they can be themselves.

As a result, Black, Asian and Minority Ethnic solicitors are often being marginalised into smaller firms and lower paying industries. Talent is being lost by the larger firms.

Black, Asian and Minority Ethnic solicitors see slower career development, again impacting on retention rates

Another key contributor for low retention rates is frustrations in career development. Black, Asian and Minority Ethnic solicitors often refer to feeling that they are constantly passed over for promotion. This is explained as, in part, due to not fitting in and some level of unconscious bias, but also because they are less likely to access important career opportunities if they do not make connections with senior people (often white) in the firm.

Black, Asian and Minority Ethnic solicitors are less likely to develop in their career and we have identified significant wage gaps compared to their white counterparts.
Representation at partner level is poor, particularly in the larger City firms

Whilst representation at entry level is adequate for many groups, representation at partner level in the larger City firms is very poor. In the largest 50 UK firms (by turnover), more than twice as many white solicitors as Black, Asian and Minority Ethnic solicitors achieve partner equivalent status. This has not improved significantly over the years, despite improvements in representation at junior levels. Again, as for career development more broadly, this is explained due to not fitting in, some level of unconscious bias and a lack of career opportunities. But, the requirement to fit in is of even more importance at partner level, so the barrier is that much higher.

Representation at partner level is particularly important as this is where decisions are taken which will impact on diversity policies and partners are highly visible role models for young Black, Asian and Minority Ethnic solicitors.

The importance in employing data and evidence in evaluating the impact of initiatives

Whilst not mentioned a great deal in our discussions there is a clear need to evaluate the impact of any actions taken by firms. This is in part because we have seen that change has been slow despite many actions and we need to quantify what is working and what is not. Whilst representation levels were measured and often at different levels in the firm, we came across very few examples where the direct impact of individual initiatives was being measured. This could be through a range of means depending on the initiative and could include employee and exit surveys too.
Recommendations for law firms and organisations
We outline below the key issues identified in this report and steps firms can take to address them.

<table>
<thead>
<tr>
<th>Issue</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Entry to the profession</strong></td>
<td>• Measure entry level representation, and wherever possible, break down data for different ethnicities rather than just focusing on the Black, Asian and Minority Ethnic category as whole.</td>
</tr>
<tr>
<td></td>
<td>• Set targets if not representative for some groups (e.g. Black solicitors).</td>
</tr>
<tr>
<td></td>
<td>• Targeted action to reach students or individuals from Black, Asian and Minority Ethnic groups who are likely to face the greatest barriers to entry (e.g. because of socio-economic background), through school and university outreach programmes, paid work experience and internships.</td>
</tr>
<tr>
<td></td>
<td>• Audit recruitment standards, procedures and advertising for bias, demand diverse shortlists from recruiters, and ensure the staff involved in recruitment are diverse and representative and receive unconscious bias training.</td>
</tr>
<tr>
<td></td>
<td>• Use fair recruitment practices such as blind shortlisting or contextualised recruitment.</td>
</tr>
<tr>
<td><strong>Retention, development and progression</strong></td>
<td>• Monitor representation for different Black, Asian and Minority Ethnic groups at all levels, how long they stay and how well they progress compared to white colleagues.</td>
</tr>
<tr>
<td></td>
<td>• Set targets, if not representative, for senior partners/leaders, and for key points in the pipeline.</td>
</tr>
<tr>
<td></td>
<td>• Provide structured mentoring programmes to make it easier for Black, Asian and Minority Ethnic solicitors to find and establish mentoring relationships/sponsors at senior level.</td>
</tr>
<tr>
<td></td>
<td>• Monitor the allocation of work to ensure more equitable distribution of development opportunities e.g. this can be done through instructing a work allocation manager.</td>
</tr>
<tr>
<td></td>
<td>• Put in place a more systematic approach to partner selection.</td>
</tr>
<tr>
<td>Issue</td>
<td>Action</td>
</tr>
<tr>
<td>-------</td>
<td>--------</td>
</tr>
</tbody>
</table>
| **Focus on inclusion** | • Demonstrate a clear commitment to diversity and inclusion at senior level. Clearly articulate the business case and openly encourage conversations about race. Have a senior level sponsor for race inclusion to champion issues and ensure accountability.  
• Use reverse and reciprocal mentoring to help build more inclusive leadership.  
• Provide diversity training – ideally face-to-face and impactful – tailored to different staff, including on how to be an ally.  
• Ensure there are confidential ways of reporting racism, bullying or harassment, and microaggressions, so staff feel safe speaking up and know where they can get support.  
• Include questions in employee surveys and exit surveys to assess inclusivity of culture and wellbeing of staff and analyse results by ethnicity.  
• Ensure culturally diverse and inclusive corporate and staff events by working with your race network or similar. |
| **Data and evaluation** | • Address any gaps in ethnicity data – improve data collection by being transparent about how the data will be used, building ongoing confidence in staff and encouraging better disclosure.  
• Take a more data-driven approach to D&I by analysing metrics to identify problem areas and design tailored D&I interventions.  
• Increase accountability by publishing key metrics such as the ethnicity pay gap and representation in workforce and at partner and leadership levels.  
• Evaluate D&I interventions to learn, assess what works and identify where further action or adaptations are needed. |