



THE GRANGE GROUP

**EQUALITY AND DIVERSITY
IN THE LEGAL PROFESSION
IN SCOTLAND**

A Law Society of Scotland Study

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FOREWORD

When this project started it was never envisaged that an even greater response rate would be achieved than our previously successful 'Women in the Legal Profession' study. Yet even more solicitors in Scotland, a total of 3017, took time to complete and return this research questionnaire; suggesting that almost a third of the profession already recognise that the Society needed to collect such data, and the underlying reasons why.

We are now placed ahead of many professions and employers, having sought out not just the data required by the Equality Duties placed on us, but on all areas of equality legislation – preparing us for future challenges as well as current ones. Such a large response to this independently managed study means we can be confident of the data and the trends identified, and that the information can be used for the future planning both of the Law Society of Scotland and the firms and other organisations, which employ Scottish solicitors.

It is hoped that every firm and employing organisation in Scotland will find this data of use. It allows analysis of the composition of an organisations' own solicitor teams, in light of reliable national data on the profession as a whole. It identifies the issues many, possibly including you and your colleagues, perceive face them in relation to employment policies and career development. It provides insight into the attitudes of individuals in the profession to a range of equality issues. Finally, it assists in setting the agenda for future equality work of the Society; the 'discrimination' rule in our Codes of Conduct has already been amended, partly in light of specific feedback in this study, and other areas the Society should be examining were also identified.

To continue to attract and retain the brightest and the best to the profession, to continue to retain the confidence of all those who rely on a vibrant and innovative legal profession in Scotland, and to continue to ensure the profession is accessible to all we have to ensure that equality and diversity are a core part of the Society's work. This data, along with the earlier Women in the Profession study, now allows us to move forward with implementation of our Equality Strategy, ensuring we meet our legal obligations. In the longer-term future we will need to come back and monitor some of these areas again, to start to build a comparative data set over a period of time and to evaluate the value and effectiveness of any work undertaken.

Finally, we would like to express our thanks to The Grange Group, and in particular Bill Robertson and Greg Robertson, for all their work on this project. Our thanks also go to each and every solicitor who took time out to support this project.

Ruthven Gemmill
President

Douglas Mill
Chief Executive



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EXECUTIVE SUMMARY

Overall aim of the Study

The Law Society of Scotland commissioned this study so that the perceptions of the legal profession in Scotland could be documented on the key issues of diversity, discrimination and related policy matters.

Objectives of the Study

By completing this study, the Law Society sought to achieve the following:

- To invite all members of the Society to participate in the study.
- To ensure the study identified and profiled the profession using indicators such as: race, gender, faith, disability status, sexual orientation, educational background, organisation context, position and salary.
- To assess perceptions of members on the range and incidence of discrimination and gather descriptive narrative on specific instances.
- To develop and utilise a paper-based questionnaire that would enable reliable data to be collected.
- To have all quantitative and qualitative data processed, classified and analysed.
- To receive a report summarising the findings.
- To ensure confidentiality of all data received.
- To publish the findings in the public domain.

Methodology

Prior experience of conducting similar types of research led the Society to adopt a written questionnaire approach. The initial criteria and set of questions was produced by the Society. Following discussion and revision a final draft was submitted to and approved for issue by the President's Committee.

All members of the Society were invited to participate.

We would like to record our thanks to Neil Stevenson who managed this project on behalf of the Society.

Response

A total of 3017 questionnaires were returned to us for processing and analysis. The response rate of just over 28% exceeded expectations.

Profile of respondents

Almost identical numbers of men and women responded indicating that a larger proportion of female than male members of the Society participated in the Study.

The vast majority of respondents (89%) classified themselves as being White Scottish.



Most respondents indicated that they are heterosexual. Only 3% of respondents indicated that their sexual orientation is other than heterosexual. 2% of respondents preferred not to indicate their sexual orientation.

The broad age breakdown of the respondents shows that 40% are aged 35 or under, 25% are aged between 36 and 45 and 35% aged 46 and over. This also suggests that a much higher proportion of members under the age of 30 participated relative to other age groups.

A majority of respondents (60%) indicate a Christian religion/faith. A further 36% indicate that they have no religion or faith. The representation of other religions or faiths is therefore comparatively small.

Only 2% of respondents indicate that they have a disability.

The profile of respondents is thought to be consistent with the overall membership population.

The small number of respondents in the following classifications: ethnic groups other than White, those with a sexual orientation other than heterosexual, religions/faiths that are non-Christian and those with a form of disability has made it almost impossible to draw robust conclusions and so our commentary relating to these groups is limited.

Qualifications and entry to the profession

A large majority (84%) of respondents have a Scots Law degree as their first degree. The proportion indicating this declines as the age group increases with only 4% of those under age 35 attaining a non-legal degree before commencing legal training. This compares with around 10% for other age groups.

There are higher proportions of women than men indicating they attained a non-legal qualification prior to commencing legal training.

There are clear age group differences for entry through the Law Society examinations with 5% being under age 35, 17% aged between 36 and 45 and 12% aged 46 and over.

The jobs held by parents reveal interesting patterns some of which are consistent with changing social trends over the past 20 years. It is noticeable that the younger the respondent is the more likely it is that their mother will have either a skilled or professional job. The proportion of respondents under the age of 35 indicating that their mother was a full-time parent/carer when they entered training is less than half that for those aged 46 and over.

We also note that the proportion of respondents indicating that their father was in the legal profession when they commenced legal training reduces the younger the respondent is. It is also clear that there is an increasing trend towards fathers having a professional job when the respondents join the legal profession.

Of the 231 respondents indicating that their father was in the legal profession when they commenced training 60% are male. There are also clear age group differences with the trend moving from the father being a solicitor to increasing proportions being an advocate or classified as other legal.

The majority of respondents completed training by the age of 30. There are variations between male and female respondents with 62% of males indicating that they completed training by age 25. The comparable figure for females is 52%.



Details of current career

Experience

Those with at least 20 years experience make up the largest group of respondents. Ethnic groups tend to be represented proportionately higher as the level of experience falls. We also note that there are clear gender differences with the proportion of male respondents increasing as the level of experience lengthens.

Place of Work

The majority of full-time respondents (75%) are in private practice. There are a slightly higher proportion of respondents working part-time in other sectors. The incidence of discrimination is noticeably higher (34% vs. 26%) in other sectors. There are proportionately more female respondents working in other sectors. The proportion of respondents from other sectors increases as the age profile of respondents increases. As might be expected the experience profile of respondents is higher in sole practitioner practices. The converse is true in larger practices where the age profile of respondents reduces as the size of practice increases. The incidence of discrimination reduces as the size of practice increases.

Current Position- Private Practice

Although the number of respondents from ethnic minority groupings is small the proportions are maintained across all roles in private practice apart from Equity Partner, which accounts for 24% of all respondents yet only 16% of those of an ethnic origin other than White. The proportion of male respondents grows as the level of seniority increases. The incidence of discrimination is proportionately higher in less senior roles. The incidence of respondents with a parent in the legal profession when they commenced training is noticeably higher at Equity Partner level. Respondents working part-time are proportionately higher at Associate level.

Current Position- Other Sectors

The numbers of respondents from ethnic groups other than White are too small to draw reliable conclusions. The incidence of male respondents increases with level of seniority. The association between age and level in the organisation is still present in other sectors but is not as strong. The incidence of discrimination is higher at senior levels. There are proportionately higher numbers of male respondents at Managing Director level than for other roles.

Career Gaps

It is more common for females to indicate that they have had a career break. Prevalence is greatest in the 36 to 45 age group. Although the numbers are quite small the incidence of career breaks for those respondents that have a sexual orientation other than heterosexual is consistent with the overall population of respondents. Incidence of career breaks is significantly higher in other sectors. It is also much more common for respondents working part-time to indicate that they have had a career break. It is possible however that this could be influenced by a change of role following return from a career break.

The gender of the individual does appear to have a bearing on the number of career breaks an individual takes with multiple breaks being more common amongst female respondents. This is simply a reflection of maternity leave being the most common purpose for a career gap or break. The incidence of multiple breaks is highest in the 36 to 45 age group. The incidence of discrimination is much higher where respondents have taken a career break and this appears to increase with the number of breaks that are taken. The place of work appears to make little difference to number of breaks that are taken.



The vast majority of breaks that are taken are 12 months or less. Generally speaking as the duration of the gap increases the proportion of males relative to females increases and this is true regardless of the number of breaks that are taken. Gaps in excess of 12 months are most common in the 46 and over age group. The duration of breaks does tend to be higher in other sectors. Full-time staff tend to take shorter breaks than part-time staff.

Maternity leave is by far the most common reason for a career gap or break. The incidence of sabbaticals is greater in the first most recent break. Long-term sickness is proportionately higher in males than females.

Hours of Work

There is a higher proportion of female than male respondents that work part-time. Those under the age of 35 are more likely to work full-time than respondents in other age groups. Part-time workers are more likely than full-time workers to have suffered some form of discrimination.

There are differences between male and female respondents in the number of hours that are worked. Those working less than 40 hours are twice as likely to be female rather than male. Whereas those working more than 50 hours are three times more likely to be male rather than female.

Place of work has some bearing on the hours worked and there is a higher of proportion of those working more than 40 hours in private practice.

Salaries

There are clear gender differences in the salary/earnings reported to us. Between the thresholds of £45,001 and £60,000 there is little difference between the proportion of male and female respondents. Below £45,000 there are proportionately more female than male respondents. Above £60,000 there are proportionately more males.

Attitudes and experiences

Attitudes

There are differences in attitudes across ethnic groups. Generally those of an ethnic origin other than White are more likely to agree/less likely to disagree with the statements than respondents of a White ethnic origin.

There are also differences in the views of men and women where women are more likely to agree/less likely to disagree with the statements than men.

The age of the respondent does have a bearing on prevailing attitudes but there is no consistent pattern to this as it depends on the issue concerned.

The views expressed tend to be considerably stronger where the respondent has suffered some form of discrimination.

There are differences in attitudes on certain matters depending on whether the respondent's parents worked in the legal profession when the respondent started training. These differences are most evident on issues such as social class, where you went to school, gender and full-time/part-time working.

There are also differences in attitudes to a number of the issues depending on the sexual orientation of the respondents however where differences exist they tend to be relatively small.



Attitudes also vary depending on where the respondent works. In private practice respondents are more likely to agree that *law is a macho profession* and that *women tend to be pushed towards certain areas of law*. They are also more likely to disagree that: *race affects a persons progress in the legal profession, your options are more limited if you are a black lawyer in Scotland* and *there is overt discrimination against disabled people within the profession*.

Respondents in other sectors are more likely to agree that: *Social class matters in the Scottish legal profession, Where you went to school is still important when going for your first job* and *Women have to work harder to achieve the same*.

Differing attitudes also prevail depending on whether the respondent works part-time or full-time. Part-time workers are more likely to agree that: *Taking maternity leave affects career progression* and *Women have to work harder to achieve the same*. They are also more likely to disagree that: *Part-time solicitors are treated the same as full-time solicitors* and *Male and female solicitors are always treated the same*. Full-time workers are more likely to disagree with most of the other statements.

Experience of discrimination

In total 22% of respondents indicate that they have suffered some form of discrimination. Partners are by far the most stated source of discrimination. The most common forms of discrimination are: *Not considered for promotion, Left out of communication, and Allocation of work*. The stages in career that discrimination tends to be experienced are: *In seeking promotion, During a traineeship, and Seeking a traineeship*.

Only 9% of those suffering discrimination actually reported it. The most stated reasons for not reporting are: *Nothing would happen, Concern over being labelled a troublemaker, Possible victimisation, and Concerns about confidentiality*.

The most commonly stated suggestions as to what the Law Society should do about discrimination are: *Promote best practice, Issue guidelines to all solicitors, Provide training* and *Provide an advisory service*.



Conclusions

This study has provided a useful set of data to help the Law Society of Scotland build a profile of the profession using a range of indicators that are useful when considering Equality and Diversity. As such the information provided to us will establish a base dataset against which future changes can be monitored and trends in perception can be identified.

Prevailing attitudes to diversity and equality vary, sometimes quite markedly, across virtually all of the demographic indicators. This is particularly evident when considering gender, ethnic origin, sexual orientation, age and role. Unfortunately the small numbers in certain categories has made it impossible to draw firm conclusions.

The incidence of discrimination should concern the Profession. Even allowing for the fact that this Study may not be fully representative of the membership there are still 662 individuals who feel they have suffered some form of discrimination in their career. The fact that over one third of those suffering discrimination are under the age of 35 suggests that this is as much a current as a historical problem.

The Study encouraged members to indicate which of a number of options the Society should adopt to tackle discrimination. We feel that The Society should take account of the views expressed and implement those options where more than 50% of the respondents indicate approval. In particular we urge the Society to ensure that clear guidelines covering the recruitment of trainees and the ongoing career development of members to ensure that fairness and equity prevails both in initial selection and subsequent internal appointments.

We also feel that there is scope for the Society to go further. In particular we feel that some form of independent advocacy service should be provided and actively promoted so that members are encouraged to report all instances of discrimination.

We also feel that the Society should consider whether it could usefully fulfil an auditing function over employment practice throughout the profession. This should cover both the existence of appropriate policies and implementation and ongoing utilisation of these.

Finally we think that it would be an important step in right direction for the Society to set targets for the reduction in incidence of discrimination, monitor performance against these and publish results on a regular basis.



METHODOLOGY

Following initial approval from the President's Committee we were commissioned to conduct this study.

We attended a preliminary project planning meeting during which an initial draft set of questions was tabled by Law Society staff. We subsequently reviewed these questions and suggested minor amendments, which were incorporated in a final draft. The resulting questionnaire was submitted to and approved for issue by the Society's Diversity Advisory Group.

Questionnaires were issued by the Society on 12th May 2006 and members were given three weeks to respond.

The completed questionnaires were submitted to Grange/OHM Data Services for confidential data processing.

Statistical tables were compiled and submitted to us for analysis along with a verbatim record of all additional narrative comments provided by respondents.

We then reviewed and analysed all of this data prior to compiling a draft report that was submitted to and reviewed by Law Society staff.

The project was managed on behalf of the Society by Neil Stevenson.

PROFILE OF THE RESPONDENTS

A total of 3017 respondents completed the survey. Of these 2923 are of a White ethnic origin, 50 other than white and 44 indicated not stated. It should also be noted that 12 respondents indicated more than one sub-classification. This represents a response rate of just over 28%.

TABLE 1: ETHNICITY ¹				
(a) White	Scottish		Other British	
	2674	89%	163	5%
	Irish		Other	
	37	1%	59	2%
(b) Mixed	15	<1%		
(c) Asian	Indian		Pakistani	
	8	<1%	15	<1%
	Bangladeshi		Chinese	
	0	<1%	1	<1%
	Other			
	3	<1%		
(d) Black	Caribbean		African	
	0	0%	0	0%
	Other			
	1	<1%		
(e) Other	9	<1%		
(f) Not Stated	44	1%		

Table 1 shows that the majority class themselves as White and Scottish. Our understanding based on information made available from the Law Society, is that these figures are broadly consistent with the overall membership population.

TABLE 2. GENDER		
Male	1501	50%
Female	1492	49%
Not Stated	24	1%

The gender split is almost even. This indicates, again based on information provided by the Law Society, that a larger proportion of female than male members responded.

TABLE 3. WHETHER CONSIDERS SELF TO BE TRANSGENDER		
Yes	7	<1%
No	2833	94%
Not Stated	177	6%

Less than one percent of the respondents considered themselves to be transgender.

¹ These categories are based on the current groupings used by the UK Census.



TABLE 4. SEXUAL ORIENTATION		
Heterosexual	2862	95%
Gay Man	61	2%
Lesbian	13	<1%
Bisexual Man	12	<1%
Bisexual Woman	5	<1%
Other	4	<1%
Not Stated	60	2%

The vast majority of respondents indicate that they are heterosexual. We have no comparative data to assess how proportionate this is.

TABLE 5. AGE OF RESPONDENT		
Less than 25	193	6%
25-30	590	20%
31-35	425	14%
36-40	406	13%
41-45	370	12%
46-50	373	12%
51-55	303	10%
56-60	195	7%
61-65	71	2%
66 or older	46	2%
Not Stated	45	2%

This indicates that a much higher proportion of members under the age of 30 relative to other age groups responded to the survey.

TABLE 6. RELIGION/FAITH ²		
None	1097	36%
Church of Scotland	1125	37%
Roman Catholic	395	13%
Other Christian	225	7%
Buddhist	9	<1%
Hindu	3	<1%
Muslim	20	1%
Jewish	22	1%
Sikh	4	<1%
Other	33	1%
Not Stated	84	3%

We have no comparative data to assess how proportionate this is.

TABLE 7. WHETHER HAVE A DISABILITY		
Yes	70	2%
No	2892	96%
Not Stated	55	2%

We have no comparative data to assess how proportionate this is.

² These categories are based on the current groupings used by the UK Census.



TABLE 8. TYPE OF DISABILITY³		
Reduced Physical Capacity	27	39%
Hearing Impairment	19	27%
Visual Impairment	10	14%
Physical co-ordination difficulties	8	11%
Mental Illness	6	9%
Learning Disabilities	3	4%
Speech Impairment	2	3%
Severe Disfigurement	2	3%
Other	6	9%
Not Stated	7	10%

A number of respondents indicate that they have more than one type of disability.

³ The classifications are taken from The Disability Rights Commission's recruitment monitoring system.

QUALIFICATIONS AND ENTRY TO THE PROFESSION

TABLE 9. WHETHER SCOTS LAW WAS FIRST DEGREE		
Yes	2522	84%
No	479	16%
Prefer not to answer	16	1%

Almost equal proportions of men (83%) and women (85%) indicate that Scots Law was their first degree. We note that the proportion indicating this reduces in higher age groups with 89% of those under 35, 84% of those aged between 36 and 45, and 78% of those aged 46 and over.

TABLE 10. QUALIFICATIONS ATTAINED BEFORE COMMENCING LEGAL TRAINING		
Non-legal Degree	392	82%
Non-legal Professional Qualification	41	9%
Higher, A-level or equivalent	49	10%
Other	59	12%
Prefer not to answer	8	2%

Those under age 35 (4%) are much less likely to have attained a non-legal professional qualification than other age groups (10%). This pattern is repeated for Higher, A-level or equivalent with 8% being under age 35, 12% aged between 36 and 45 and 11% aged 46 or over. The pattern changes however when other qualifications are indicated with 17% being under 35, 13% aged between 36 and 45 and 9% aged 46 or over.

There are also differences between men and women in that 11% of women (men 7%) indicate they attained a non-legal professional qualification, 12% (men 9%) Higher, A-level or equivalent and 14% (men 11%) other qualifications.

TABLE 11. HOW ENTERED THE PROFESSION		
Law degree	419	87%
Law Society Professional Exams	53	11%
Prefer not to answer	7	1%

Age group differentials are also evident in this category. Those indicating that they completed a Law degree comprise 93% of those aged under 35, 81% of those aged between 36 and 45 and 87% of those aged 46 or over. The pattern changes again with entry through Law Society professional examinations where 5% are under age 35, 17% are aged between 36 and 45 and 12% are aged over 46.

There are only small differences in the percentages reported between men and women.

We are aware that the route to qualification has changed several times over the past 50 years and this may have had an impact on the data.

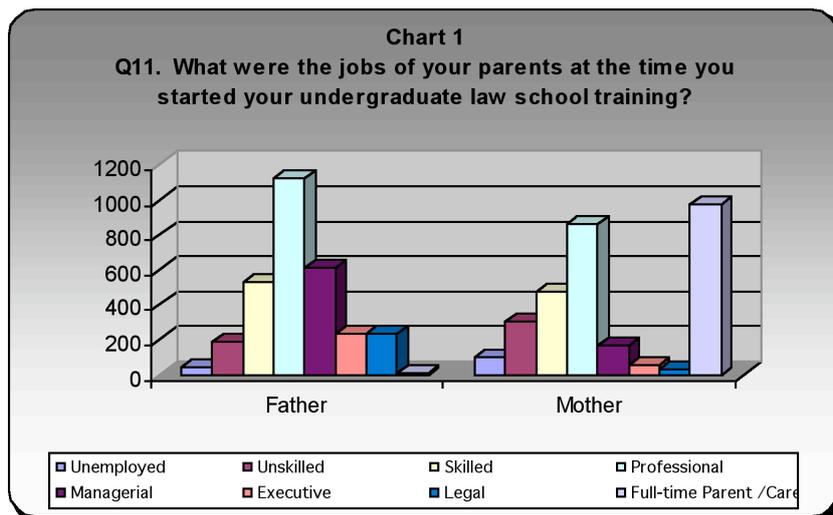


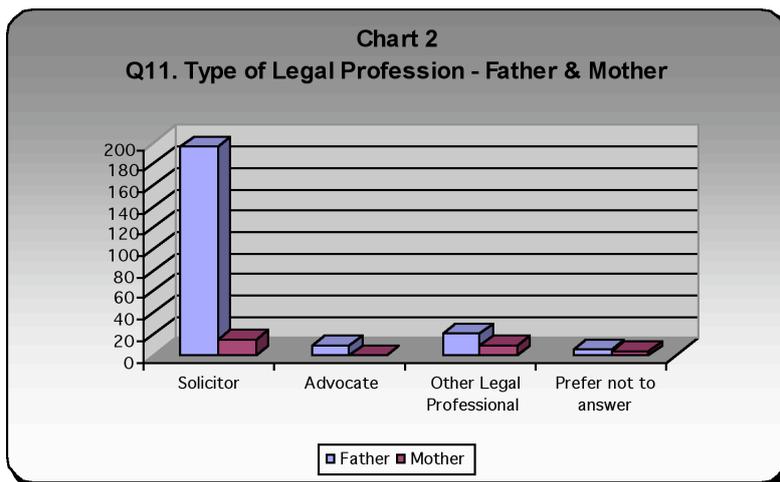
Chart 1 shows clear differences between the profile of occupations between father and mother at the time of the respondent commencing training. The columns in the chart are shown in the same order as the legend at the bottom starting with the top line, reading left to right.

A number of the variations are accentuated when the age group of the respondent is considered. For example when referring to the father's occupation:

- 41% respondents aged up to 35 indicate that their father held a professional job compared to 36% of those aged 35 to 45 and 34% of those aged over 46.
- 6% of respondents aged up to 35 indicate that their father worked in the legal profession compared to 7% of those aged 35 to 45 and 10% of those aged over 46.

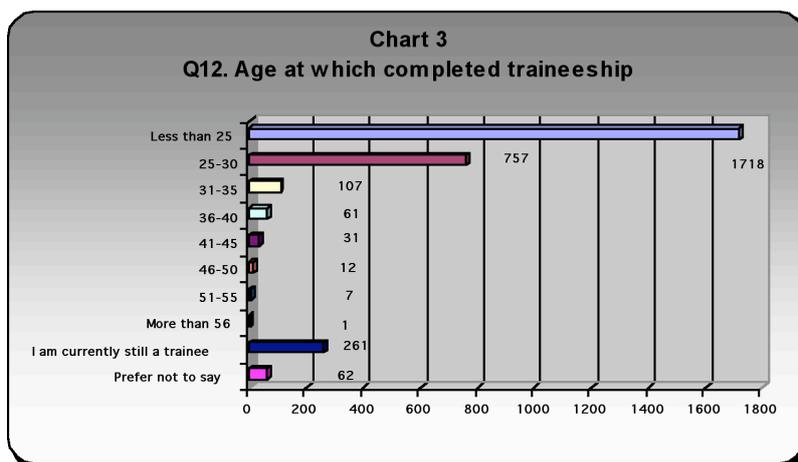
When referring to the mother's occupation the degree of variation is more obvious:

- 20% of respondents aged up to 35 indicate that their mother held a skilled job compared to 16% of those aged between 35 and 45 and 11% of those aged over 46.
- 37% of those under 35 indicate that their mother held a professional job compared to 30% of those aged between 35 and 45 and 18% of those aged over 46.
- 21% of those aged under 35 indicate that their mother was a full-time parent/carer compared to 30% of those aged between 35 and 45 and 49% of those aged over 46.



A total of 231 respondents indicated that their father was in the legal profession when they started training. In this instance 60% of the respondents were male.

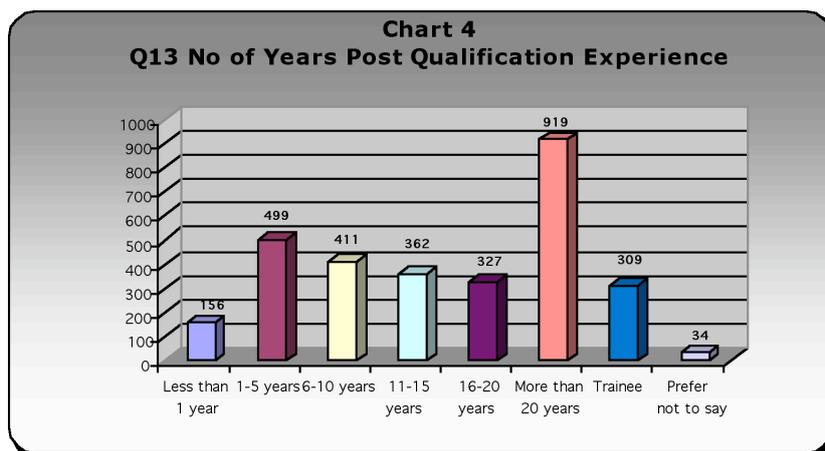
There are variations across the age groups. Of those under age 35, 77% indicated that their father was a solicitor, 7% an advocate and 14% "other legal". In the 36 to 45 age group 87% indicated that their father was a solicitor, 4% an advocate and 6% "other legal". For those 46 and over the percentages were 91%, 3% and 7% respectively. We understand that the numbers of advocates in the profession has grown rapidly over the past few years and this may explain some of the variation.



The vast majority of respondents (82%) completed training by the age of 30. There is some variation between males and females where 62% of the males (females 52%) indicated they completed under age 25. The percentages at other age breaks are very similar. However 12% of the female respondents (males 5%) are still undergoing training.



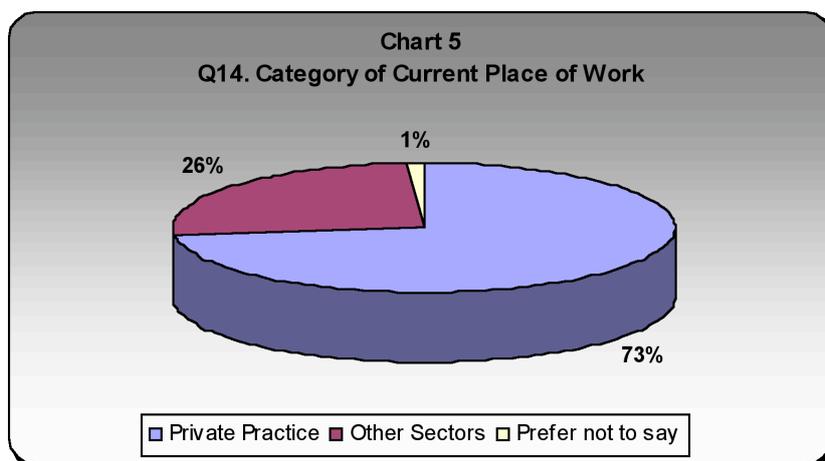
DETAILS OF CURRENT CAREER



The largest group is those with more than 20 years experience.

Looking at the ethnic comparisons we note that 36% of those respondents other than white have less than 5 years experience against 21% for those who are white. For those with between 6 and 10 years experience the figures are 14% for both categories. Between 11 and 20 years the figures are 18% and 23% and over 20 years the percentages are 14% and 31%.

Gender comparisons are also worth noting. For those with less than five years experience 14% of the respondents are male and 29% female. Between 6 and 10 years experience 12% are male and 16% are female. Between 11 and 15 years experience 10% are male and 14% female. Between 16 and 20 years the percentages are equal at 11%. Of those with over 20 years experience 46% are male and 15% female.



The majority of respondents are in private practice. Of those in full-time roles 75% are in private practice. This figure for part-time roles is 70% reflecting a slightly higher proportion of part-time roles in Other Sectors.

This differential between private practice and other sectors is also evident in the incidence of discrimination where 34% of the incidence is in other sectors, yet it accounts for only 26% of all respondents.

Similar differences in the gender balance also exist where other sectors, which has 26% of total respondents, accounts for 22% of the males and 29% of the females.



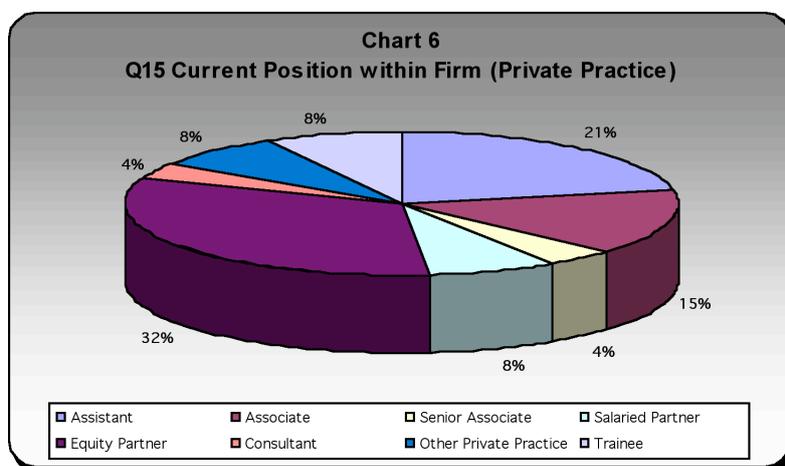
There are also clear differences in the age profile of respondents where private practice, which accounts for 73% of the total, has 80% of the respondents who are under 35, 67% of those between the ages of 36 and 45, and 70% of those over 46.

For those in private practice the male/female split varies according to the size of practice. It appears that the larger the practice the proportionately higher the level of female respondents is.

Size of practice also impacts on the age profile of respondents where the age profile tends to reduce as practice size increases. At a Sole Practitioner level 1% of the respondents under 35, 3% of those aged 36 to 45 and 9% of those aged 46 and over category. However for those in practices with 16 or more partners 54% are aged under 35, 27% are aged between 36 and 45 and 20% are aged 46 or over.

The data also suggests that the incidence of discrimination also reduces as the size of practice increases. Sole Practitioner level, accounts for 5% of the respondents and 5% of those indicating they have suffered discrimination. However private practice with 16 or more partners accounts for 36% of respondents and 29% of those indicating they have suffered discrimination.

It is also likely that a proportion of the respondents have worked both in-house and in private practice during their career. As it is not known how many respondents fall into this category it is possible that some of the incidence of discrimination may not relate to the respondent's current role.



This chart should be read clockwise from twelve o'clock using the labels in the legend at the bottom commencing with the top line and reading left to right.

Notwithstanding the fact that the actual numbers of those with an ethnic origin other than White are very small it is worth noting that generally the proportion of respondents in this category remains consistent at all levels. The main exception is Equity Partner, which accounts for 24% of all respondents yet only 16% of those of an ethnic origin other than White.

The position is quite different when Gender is considered. Generally the proportion of female respondents reduces as the level of seniority increases. For example Assistant level accounts for 16% of all respondents but 22% of female respondents. Whereas Equity Partner level accounts for 24% of all respondents but only 10% of all female respondents. In comparison 37% of all male respondents are at Equity Partner level.



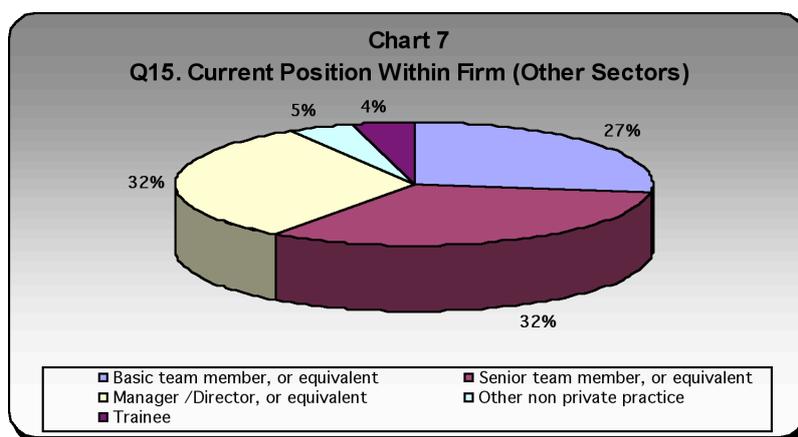
As might be expected there is an association between age and the level at which the respondent is at. For example at Assistant level, which accounts for 16% of all respondents, 30% aged under 35. Whereas Equity Partner level accounts for 24% of all respondents, yet 3% of those aged under 35, 30% of those aged between 36 and 45 and 44% of those aged 46 and over.

The incidence of discrimination suggests that, but this is proportionately higher in less senior roles. For example Equity Partner level, comprising 24% of all respondents, accounts for 11% of the incidence whereas at Associate level comprising 11% of all respondents the incidence is 14% and at Assistant level, comprising 16% of all respondents, the incidence is 21%.

The figures for Sexual Orientation do not show a consistent pattern which might be due to the relatively small numbers involved in the other than heterosexual categories. Assistant level (16% of all respondents) accounts for 16% of heterosexual respondents but 22% of those in other categories. The other figures are: At Associate level (11% of all respondents) 11% heterosexual and 7% other; at Senior Associate level (3% of all respondents) 3% heterosexual and 5% other; at Salaried Partner level (5% of all respondents) 5% heterosexual and 8% other; and at Equity Partner level (24% of all respondents) 24% heterosexual and 25% other.

The incidence of respondents with parents in the legal profession is noticeably higher at Equity Partner level (31% compared to 24% of all respondents). Again the numbers involved are quite small.

Working status proportions (Full-time or Part-time) vary according to the level the respondent works at. Assistant level (16% of all respondents) accounts for 17% of full-time and 14% of part-time respondents. Associate level (11% of all respondents) accounts for 9% of full-time and 21% of part-time respondents. The proportions at both Senior Associate and Salaried Partner level are consistent with overall response figures. However Equity Partner (24% of all respondents) accounts for 26% of full-time and 8% of part-time respondents.



It proved impossible to agree a common set of categories to cover both private practice and other sectors. For this reason the above classifications were provided by The Law Society of Scotland in order to highlight the variation in roles that exist in the differing work environments.

Once again the number of respondents with an ethnic origin other than White is very small and any conclusions drawn could be misleading.



The gender profile of respondents in other sectors reveals the following comparisons: Basic Team Member level (7% of respondents all respondents) accounts for 4% of male respondents and 9% female respondents. Senior Team Member level (8% of all respondents) accounts for 8% of male respondents and 6% of female respondents. Managing Director level (8% of all respondents) accounts for 9% of male respondents and 6% of female respondents.

The association between age and level whilst present is not as obvious in other sectors. For example at Basic Team Member level which accounts for 7% of all respondents, 8% of respondents are under 35, 8% are aged between 36 and 45 and 3% are aged 46 and over. At Senior Team Member level which accounts for 8% of all respondents, 5% are under 35, 12% are between 36 and 45, and 8% are 46 or over. At Managing Director Level which accounts for 8% of all respondents, 2% are under 35, 10% are between 36 and 45, and 13% are 46 or over.

The incidence of discrimination is much higher at Senior Team Member level than at others. This group accounts for 8% of all respondents yet 13% indicate that they have suffered some form of discrimination.

The numbers relating to sexual orientation other than heterosexual are too small to enable comment on this category.

This is also the case with those who parents are in the legal profession. However the figures at each level are generally consistent with the overall respondent profile.

With regard to Working Status (Full-time or Part-time) we note that at Basic Team Member level (7% of respondents) 6% are full-time and 10% part-time. At Senior Team Member level (8% of respondents) 7% are full-time and 12% are part-time. At Managing Director level (8% of respondents) 8% are full-time and 5% part-time.

TABLE 12. WHETHER HAD ANY CAREER GAPS/BREAKS		
Yes	713	24%
No	2253	75%
Prefer not to answer	51	2%

The significant figures in this category are:

The 713 who have had career gaps or breaks comprise 38% of all female respondents and 9% of all male respondents.

Prevalence is greatest in the 36 to 45 age category where 39% of respondents indicate they have had career gaps or breaks. By comparison the figure for under 35 is 14% and for age 46 and over, the figure is 23%.

Although the number of respondents for those with a sexual orientation other than heterosexual is low the level of incidence is consistent with the overall population of respondents.

Where the respondent has parents working in the legal profession the incidence is proportionately less: 17% for those whose parents do work in the profession and 24% for those who do not. Once again the actual figures are quite small.

There are significant variations depending on the sector that the respondent works in. For those in private practice 20% indicate that they had had career gaps or breaks, whereas in other sectors the comparable figure is 35%.



The differences are even more marked when working status is considered where 16% of full-time respondents indicate that they have had career gaps or breaks and the comparable figure for part-time staff is 71%.

TABLE 13. NUMBER OF CAREER GAPS/BREAKS		
1	362	51%
2	232	33%
3	79	11%
>3	29	4%
Prefer not to answer	11	2%

The gender of the individual does appear to have a bearing on the number of career gaps or breaks that are taken. Of those male respondents who have had career gaps or breaks 75% have had one, 18% have had two, 1% have had three and 3% more than 3. The comparable figures for females are 45%, 36%, 14% and 4%.

There are also variations depending on the age profile of the respondent. For example in the under 35 category, 69% of those who have had career gaps or breaks have had one break, 25% have had two, 3% have had 3, and 1% have had more than 3. In the 36 to 45 category the figures are 37%, 42%, 15% and 5%. And for those aged 46 and over the comparable figures are 55%, 26%, 12% and 5%.

Those who have taken a career break or gap (24% of all respondents) account for 44% of those who feel who they have suffered some form of discrimination.

The proportion of those who have had a career break or gap and experienced discrimination appears to rise as the number of gaps or breaks taken increases. For those taking one break (51% of those who have had a career gap or break) 42% have suffered some form of discrimination. For those with two breaks (33%), the comparable figure is 38%. For those with three breaks (11%) the figure is 14%. And for those taking more than 3 (4%) the figure is 6%.

The number of respondents with a sexual orientation other than heterosexual and those who have parents in the legal profession is too small to comment further.

The place of work of the respondent seems to make little difference to the number of breaks or gaps taken.

Working status does however. For those respondents who are full-time 62% have had one break (part-time 34%), 26% have had two breaks (part-time 42%), 8% have had three breaks (part-time 16%) and 2% have had more than three (part-time 6%).

There is also some variation according to the position that the respondent holds.

**TABLE 14. DURATION OF MOST RECENT BREAKS**

	Break 1		Break 2		Break 3	
3-6 months	303	42%	189	56%	61	56%
7-12 months	239	34%	102	30%	26	24%
13-24 months	64	9%	22	6%	6	6%
25-60 months	40	6%	5	1%	3	3%
More than 60 months	51	7%	7	2%	1	1%
Prefer not to answer	16	2%	15	4%	11	10%

Table 14 shows that the vast majority of breaks are 12 months or less. Full-time staff are more likely than part-time staff to indicate a gap/break duration of between 3 and 6 months. The converse is true for breaks of between 7 and 12 months.

There is insufficient data to comment further on the following classifications: those with an ethnic origin other than White; those with a sexual orientation other than heterosexual; and those whose parents work in the legal profession to comment further.

Generally speaking as the duration of the break or gap increases, the proportion of males relative to females increases. This is true regardless of the number of breaks taken.

Respondents under the age of 35 are more likely to have breaks of between 7 and 12 months than those in other age groups. Those between the ages of 36 and 45 are more likely to have a break of between 3 and 6 months as a first break than those in other groups. Those aged 46 and over are more likely to have a second or third gap or break of between 7 and 12 months than those in other groups. They are also more likely to have breaks/gaps in excess of 12 months than those in other groups.

Those in private practice have a higher incidence of gaps/breaks of 3-6 months duration than those in other sectors. The converse is true for breaks of 7-12 months. This is true regardless of the number of breaks taken.

TABLE 15. PURPOSE OF MOST RECENT BREAKS

	Break 1		Break 2		Break 3	
Sabbatical	75	11%	17	5%	5	5%
Maternity Leave	425	60%	271	80%	82	76%
Paternity Leave	1	0%	0	0%	0	0%
Long-term sick leave	43	6%	8	2%	2	2%
Other	162	23%	28	8%	10	9%
Prefer not to answer	15	2%	16	5%	10	9%

There is insufficient data to comment further on the following groups: those with ethnic origin other than White; those with a sexual orientation other than heterosexual; and those whose parents work in the legal profession.

The incidence of sabbaticals is much greater in the first most recent break than in others indicating perhaps that this is a more recent development.

Males are more likely to take a sabbatical than females. Sabbaticals account for 11% of all respondents who had a 1st gap/break yet 34% of males and only 5% of females had a sabbatical.

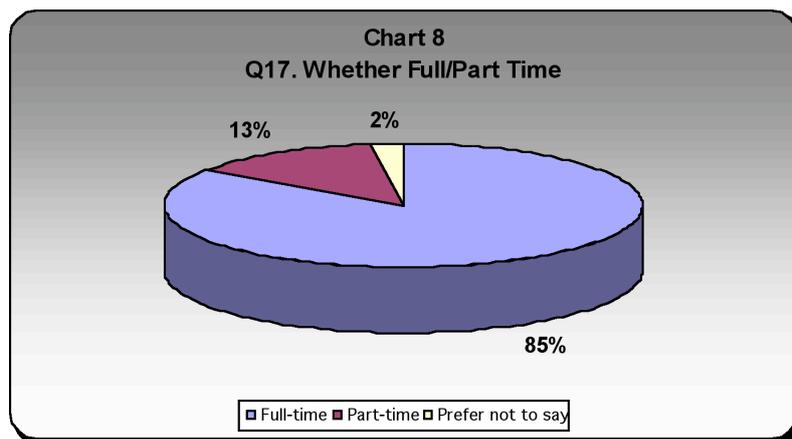


Long-term sickness also seems proportionately higher in males than females for the 1st gap/break. This accounts for 6% of all respondents having a 1st gap/break yet the figure for males is 10% and females 5%. The actual incidence is very small however.

The numbers of male respondents having 2nd or 3rd gap/breaks is too small to comment further on any gender related aspects.

There are a higher proportion of respondents who have had maternity leave in the 36 to 45 age group than in other age groups regardless of the number of breaks taken.

Part-time staff are more likely to indicate maternity leave as the purpose than full-time staff regardless of the number of breaks taken. The incidence of other purposes is too low to comment further.



As might be expected there is a higher proportion of female than male respondents in the part-time category and the converse is true for those working full-time.

Although the numbers are small those with an ethnic origin other than White are more likely to be full-time rather than part-time.

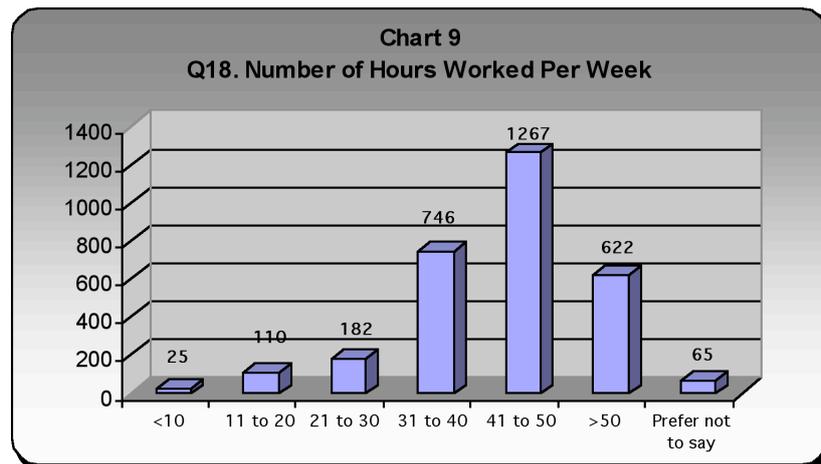
Those under 35 are more likely to work full-time than other age groups.

Those in the 36 to 45 age group are more likely to work part-time than other age groups.

The number of respondents indicating that they have suffered some form of discrimination is proportionately higher in part-time staff (23% of this group but comprising 13% of all respondents) than full-time staff (74% comprising 85% of all respondents)

Although the numbers with a sexual orientation other than heterosexual is small, respondents in this group seem more likely to be full-time than part-time.

There are proportionately more respondents in private practice who are full-time and less who are part-time than those in other sectors.



Females are more likely than males to indicate that they work less than 40 hours a week. For hours ranging between 41 and 50 there is little difference between male and female respondents. However those indicating that they work more than 50 hours are more likely to be male (31% of male respondents yet 21% of all respondents) than female (11% of female respondents yet 21% of all respondents).

Generally speaking when the hours worked are less than 30 per week the proportion the 36 to 45 age group is higher than in other age groups. This is consistent with the high proportion in this age group who work part-time. The numbers of respondents working between 31 and 50 hours per week seems to suggest that the lower the age group of the respondent the higher the number of hours worked is. There is a difference however where the hours worked exceeds 50 per week as the proportion in the 46 and over age group is higher than other age groups.

Although the numbers are quite small in certain of the sub-categories, the proportion of respondents indicating that they have suffered some form of discrimination is relatively higher when less than 40 hours are worked (particularly so if less than 30 hours are worked). This again is consistent with the higher proportion of part-time respondents indicating some form of discrimination. Incidence of discrimination is comparatively lower when the hours worked exceed 40.

There seems to be an association between the number of hours worked and the place of work. Generally speaking there is a higher proportion of respondents indicating that they work up to 40 hours per week in other sectors. When the hours worked exceed 40 hours per week respondents are more likely to work in the private practice.



TABLE 16A. CURRENT SALARY/EARNINGS PER ANNUM COMPARED WITH THE GENDER, AGE AND WORKING STATUS OF THE RESPONDENT.

	Total	Gender		Age			Working Status	
		Male	Female	Up to 35	36 to 45	46 +	Full-time	Part-time
Less than £10,000	17	11	6	2	2	13	5	7
	1%	1%	<1%	<1%	<1%	1%	<1%	2%
£10,001 - £15,000	130	44	85	112	5	8	118	12
	4%	3%	6%	9%	1%	1%	5%	3%
£15,001 - £20,000	230	68	160	195	15	15	214	15
	8%	5%	11%	16%	2%	2%	8%	4%
£20,001 - £25,000	91	31	60	52	19	18	67	24
	3%	2%	4%	4%	2%	2%	3%	6%
£25,001 - £30,000	254	68	181	157	54	39	203	50
	8%	5%	12%	13%	7%	4%	8%	13%
£30,001 - £35,000	325	101	223	171	85	64	259	63
	11%	7%	15%	14%	11%	6%	10%	16%
£35,001 - £40,000	295	119	175	152	80	59	247	44
	10%	8%	12%	13%	10%	6%	10%	11%
£40,001 - £45,000	230	95	134	103	75	51	188	41
	8%	6%	9%	9%	10%	5%	7%	10%
£45,001 - £50,000	149	67	82	57	41	49	132	17
	5%	6%	9%	5%	5%	5%	5%	4%
£50,001 - £55,000	128	64	63	47	39	41	107	20
	4%	4%	4%	4%	5%	4%	4%	5%
£55,001 - £60,000	97	52	44	25	28	42	86	10
	3%	3%	3%	2%	4%	4%	3%	3%
£60,001 - £70,000	152	91	61	25	53	73	134	18
	5%	6%	4%	2%	7%	7%	5%	5%
£70,001 - £80,000	105	82	22	15	28	60	91	12
	3%	5%	1%	1%	4%	6%	4%	3%
£80,001 - £90,000	82	54	28	15	25	42	77	5
	3%	4%	2%	1%	3%	4%	3%	1%
£90,001 - £100,000	76	54	22	9	29	38	68	8
	3%	4%	1%	1%	4%	4%	3%	2%
More than £100,000	412	340	69	25	142	242	396	14
	14%	23%	5%	2%	18%	24%	16%	4%
Prefer not to say	244	234	2	46	56	132	159	39
	8%	11%	5%	4%	7%	13%	6%	10%

The numbers of respondents in the subsets of the following areas are too low to comment further: Ethnicity, Sexual Orientation, Religion/Faith/Belief, and Disability.

There are proportionately more female than male respondents earning up to £50,000. There is little difference in the proportions of male and female respondents earning between £50,001 and £60,000. There are proportionately more male than female respondents earning more than £60,000. This is particularly so for those earning more than £100,000 where this accounts for 14% of all respondents yet 23% of male and only 5% of female respondents.



From an age perspective those earning less than £30,000 are more likely to be under age 35. This is still true when earnings are between £30,001 and £45,000 but there is also a noticeable increase in the proportion of respondents aged between 36 and 45 at these levels. For earnings ranging between £45,001 and £55,000 there is little difference across all age groups. For earnings between £55,001 and £70,000 there are equal proportions of respondents aged between 36 and 45 and those aged 46 and over. The number of respondents aged under 35 and earning more than £55,000 is too low to comment further. When earnings exceed £70,000 there is tendency for the proportion of respondents aged 46 and over to be slightly higher than those aged between 36 and 45. This is particularly true when earnings exceed £100,000, which accounts for 14% of all respondents but 24% of those aged 46 and over.

The respondents indicating that they have suffered some form of discrimination are proportionately higher between the earnings thresholds of £20,001 and £60,000.

There are proportionately more respondents earning between £10,000 and £20,000 working in private practice than there are in other sectors. The opposite is true for earnings thresholds between £25,001 and £50,000. Place of work seems to make little difference in earnings between £50,001 and £80,000. There are comparatively more respondents in private practice earning in excess of £80,000.

There are proportionately more respondents working full-time rather than part-time (13%:7%) when earnings are between £10,001 and £20,000. The converse is true when earnings are between £20,001 and £45,000 (38%:56%). Working status seems to make little difference when earnings are between £45,001 and £80,000 (21%:20%). However respondents are more likely to be working full-time when earnings exceed £80,000 (22%:7%). Those preferring not to indicate salary or earnings are less likely to be full-time (6%:10%)

TABLE 16B. CURRENT SALARY/EARNINGS PER ANNUM COMPARED WITH THE LENGTH OF POST-QUALIFICATION EXPERIENCE OF THE RESPONDENT.

	Total	Number of years post-qualification experience							
		< 1	1 - 5	6 - 10	11 - 15	16 - 20	> 20	Trainee	Prefer not to say
Less than £10,000	17	1		4		2	10		
	1%	1%		1%		1%	1%		
£10,001 - £15,000	130	7		3	3	1	7	106	3
	4%	4%		1%	1%	<1%	1%	34%	9%
£15,001 - £20,000	230	19	2	2	7	1	8	186	5
	8%	12%	<1%	<1%	2%	<1%	1%	60%	15%
£20,001 - £25,000	91	22	30	2	7	5	14	10	1
	3%	14%	6%	<1%	2%	2%	2%	3%	3%
£25,001 - £30,000	254	74	92	19	16	20	29	2	2
	8%	47%	18%	5%	4%	6%	3%	1%	6%
£30,001 - £35,000	325	18	131	43	44	40	45	1	3
	11%	12%	26%	10%	12%	12%	5%	<1%	9%
£35,001 - £40,000	295	2	117	64	33	27	51		1
	10%	1%	23%	16%	9%	8%	6%		3%
£40,001 - £45,000	230	2	60	56	43	24	44		1
	8%	1%	12%	14%	12%	7%	5%		3%
£45,001 - £50,000	149	2	22	40	20	18	45		2
	5%	1%	4%	10%	6%	6%	5%		6%
£50,001 - £55,000	128		15	43	16	17	36		1
	4%		3%	10%	4%	5%	4%		3%
£55,001 - £60,000	97	1	3	22	20	14	37		
	3%	1%	1%	5%	6%	4%	4%		
£60,001 - £70,000	152		4	23	28	22	75		
	5%		1%	6%	8%	7%	8%		
£70,001 - £80,000	105		2	17	15	10	61		
	3%		<1%	4%	4%	3%	7%		
£80,001 - £90,000	82		3	14	10	13	41		1
	3%		1%	3%	3%	4%	4%		3%
£90,001 - £100,000	76	1	1	7	10	19	37		1
	3%	1%	<1%	2%	3%	6%	4%		3%
More than £100,000	412	1	4	25	53	69	257	1	2
	14%	1%	1%	6%	15%	21%	28%	<1%	6%
Prefer not to say	244	6	13	27	37	25	122	3	11
	8%	4%	3%	7%	10%	8%	13%	1%	32%

There appears to be a fairly strong relationship between length of post-qualification experience and earnings. Whilst distinct thresholds are clearer at some levels more than others the key observations we would make are:

- 94% of trainees earn £20,000 or less.
- 61% of those with less than 1 year's post-qualification experience earn between £20,001 and £30,000.
- 79% of those with 1 to 5 year's post-qualification experience earn between £25,001 and £45,000.
- 50% of those 6 to 10 year's post-qualification experience earn between £35,001 and £55,000.
- 36% of those with 11 to 15 year's post-qualification experience earn between £40,001 and £70,000.
- 27% of those with 16 to 20 year's post-qualification experience earn in excess of £90,000, as do 32% of those with more than 20 year's experience.



TABLE 16C. CURRENT SALARY/EARNINGS PER ANNUM COMPARED WITH THE LENGTH OF POST-QUALIFICATION EXPERIENCE OF THE RESPONDENT, SHOWN BY GENDER AND SECTOR.

	Average	Number of years post-qualification experience							Prefer not to say
		< 1	1 - 5	6 - 10	11 - 15	16 - 20	> 20	Trainee	
All Respondents									
Total	53000	27140	36380	51820	59380	66100	75420	16380	-
Male	65840	28910	38070	60420	72820	78210	81010	17090	-
Female	40880	26350	35560	45960	49940	53570	59570	16080	-
Male – Female ratio	1.61	1.10	1.07	1.31	1.46	1.46	1.36	1.06	-
Private Sector									
Total	54880	27100	36840	54210	65550	72200	81760	16400	-
Male	68810	29100	38440	62040	77320	85030	86300	17100	-
Female	40460	26300	36050	48240	55040	55840	64060	16000	-
Male – Female ratio	1.70	1.11	1.07	1.29	1.40	1.52	1.35	1.07	-
Other Sectors									
Total	47570	27100	35040	45740	47480	53800	58920	16600	-
Male	55560	28100	36980	55080	59470	59760	62940	17500	-
Female	41950	26500	34130	40990	42400	50040	53470	16500	-
Male – Female ratio	1.32	1.06	1.08	1.34	1.40	1.19	1.18	1.06	-
Private Sector – Other Sectors ratio	1.15	1.00	1.05	1.19	1.38	1.34	1.39	.99	-

This provides a different perspective and highlights the clear differences that exist across sectors and gender groups. The figures are based on the midpoint of each of the salary ranges described in the survey questionnaire.

Whilst no attempt has been made to analyse this data in more detail for example by type of role, size of organisation or other demographic criterion, we hope that the above information will encourage a more in-depth debate on what we feel ought be an issue of concern to the profession.



ATTITUDES AND EXPERIENCES

TABLE 17. ATTITUDES AND EXPERIENCES					
	Strongly Agree	Agree	Disagree	Strongly Disagree	Don't Know
Understanding different cultures can help your work as a solicitor	27%	63%	3%	1%	6%
Clients would rather deal with someone of their own ethnic background	1%	22%	32%	3%	42%
Taking maternity leave affects career progression	14%	47%	17%	1%	21%
Social class matters in the Scottish legal profession	10%	42%	35%	6%	7%
Where you went to school is still important when going for your first jobs	11%	40%	32%	5%	12%
Women have to work harder to achieve the same	12%	34%	37%	6%	12%
Law is a 'macho' profession	5%	28%	50%	13%	4%
Women tend to be pushed towards certain areas of law	4%	26%	49%	9%	12%
Part-time solicitors are treated the same as full-time solicitors	2%	25%	44%	14%	15%
Male and female solicitors are always treated equally	2%	22%	50%	12%	14%
Women don't want the 'top jobs' because they interfere with family life	2%	19%	46%	14%	19%
A person's race affects their progression in the legal profession	2%	18%	41%	10%	29%
Men work more hours than women	2%	18%	50%	13%	17%
Being openly gay makes it harder to attract clients	2%	15%	24%	4%	57%
Your options are more limited if you are a black lawyer in Scotland	2%	13%	23%	4%	58%
If someone is openly gay they are treated differently at work	2%	13%	38%	5%	42%
Clients prefer a male lawyer working on their case	1%	7%	61%	10%	21%
There is overt discrimination against disabled people within the profession	2%	7%	42%	10%	39%
A disabled person struggles to do the job of a solicitor	0%	6%	40%	10%	44%
Men don't want the 'top jobs' because they interfere with family life	1%	1%	59%	26%	13%

For the purposes of this section we use the term agree to include agree and strongly agree and disagree to include strongly disagree and disagree.



Understanding different cultures can help your work as a solicitor

There is a consistent view of this across all demographic groups with 90% respondents agreeing with the statement.

Clients would rather deal with someone of their own ethnic background

Only 23% of respondents agree with this statement whilst 42% don't know. Those with an ethnic origin other than white (30%) are more likely to agree with the statement. The tendency to agree increases with the age of the respondent with 17% of those under 35, 21% of those aged between 36 and 45 and 30% of those aged 46 and over all agreeing with the statement.

Taking maternity leave affects career progression

The majority of respondents (61%) agree with the statement. Females (71% agree) are more likely to agree with the statement than males (52% agree). Those aged under 35 (66% agree) and 36 to 45 (64% agree) are more likely to agree with the statement than those aged 46 and over (54% agree). Those who have experienced some form of discrimination (77% agree) are more likely to agree than those who have not suffered discrimination (57% agree). Respondents who work part-time (71% agree) are more likely to agree than full-time staff (60% agree). All other demographic groups are broadly in line with the overall position (60% agree).

Social class matters in the Scottish legal profession

Views on this are quite polarised with 52% of respondents agreeing and 41% disagreeing with the statement. Those of an ethnic origin other than White (78% agree) are more likely to agree than those of White ethnic origin (52% agree). Females (60% agree) are more likely to agree than males (44% agree). Generally the lower the age group of the respondent the more likely they are to agree with the statement. Those who have suffered some form of discrimination (72% agree) are more likely to agree than those who have not suffered discrimination (46% agree). Those with a sexual orientation other than heterosexual (60% agree) are more likely to agree with the statement than those who are heterosexual (52% agree). Those whose parents were not in the legal profession when they started training (53% agree) are more likely to agree with the statement than those respondents whose parents were (41% agree). Those working in other sectors (61% agree) are more likely to agree than those in private practice (49% agree). The views of both those respondents who work full-time and those who work part-time are broadly consistent with the overall position (52% agree).

Where you went to school is still important when going for your first jobs

The majority of respondents (51%) agree with the statement. Those of an ethnic origin other than White (71% agree) are more likely to agree than those of White ethnic origin (51% agree). Females (55% agree) are more likely to agree than males (47% agree). Generally the higher the age group of the respondent the less likely they are to agree with the statement. Those who have suffered some form of discrimination (67% agree) are more likely to agree than those who have not suffered discrimination (46% agree). Those with a sexual orientation other than heterosexual (57% agree) are more likely to agree with the statement than those who are heterosexual (51% agree). Those whose parents were not in the legal profession when they started training (52% agree) are more likely to agree with the statement than those respondents whose parents were (39% agree). Those working in other sectors (57% agree) are more likely to agree than those in private practice (49% agree). The views of both those respondents who work full-time and those who work part-time are broadly consistent with the overall position (51% agree).



Women have to work harder to achieve the same

Views on this are polarised with 45% agreeing and 43% disagreeing with the statement. Those of an ethnic origin other than White (68% agree) are more likely to agree than those of White ethnic origin (45% agree). Females (67% agree) are more likely to agree than males (24% agree). Those aged 36 to 45 (49% agree) and those aged under 35 (48% agree) are more likely to agree with the statement than those aged 46 and over (40% agree). Those who have suffered some form of discrimination (75% agree) are more likely to agree than those who have not suffered discrimination (37% agree). The views of heterosexuals (46% agree) and those with a sexual orientation other than heterosexual (43% agree) are broadly consistent with the overall view. Those whose parents were not in the legal profession when they started training (46% agree) are more likely to agree with the statement than those respondents whose parents were (40% agree). Those working in other sectors (50% agree) are more likely to agree than those in private practice (44% agree). Respondents who work part-time (65% agree) are more likely to agree than those who work full-time (43% agree).

Law is a 'macho' profession

The majority of respondents (63%) disagree with the statement. Those of a white ethnic origin (63% disagree) are more likely to disagree than those of an ethnic origin other than White (50% disagree). Males (73% disagree) are more likely to disagree than females (52% disagree). Generally the higher the age group of the respondent the more likely they are to disagree with the statement. Those who have not suffered some form of discrimination (69% disagree) are more likely to disagree than those who have suffered discrimination (40% disagree). Those who are heterosexual (63% disagree) are more likely to disagree with the statement than those with a sexual orientation other than heterosexual (48% disagree). Those whose parents were in the legal profession when they started training (66% disagree) and those respondents whose parents were not (62% disagree) are broadly consistent with the overall position. Those working in private practice (66% disagree) are more likely to disagree than those in other sectors (54% disagree). Respondents who work full-time (64% disagree) are more likely to disagree with the statement than those who work part-time (57% disagree).

Women tend to be pushed towards certain areas of law

The majority of respondents (58% disagree) disagree with the statement. Those of a white ethnic origin (56% disagree) are more likely to disagree than those of an ethnic origin other than White (34% disagree). Males (64% disagree) are more likely to disagree than females (52% disagree). Those who have not suffered some form of discrimination (63% disagree) are more likely to disagree than those who have suffered discrimination (52% disagree). Those with a sexual orientation other than heterosexual and those who are heterosexual are both in line with the overall position. Those whose parents were in the legal profession when they started training and those respondents whose parents were not are also consistent with the overall position. Those working in private practice (61% disagree) are more likely to disagree than those in other sectors (48% disagree). Respondents who work full-time (59% disagree) are more likely to disagree with the statement than those who work part-time (51% disagree).

It also worth noting that 48% of those of an ethnic origin other than white agree with the statement compared to 30% of all respondents.



Part-time solicitors are treated the same as full-time solicitors

The majority of respondents (58%) disagree with the statement. Those of an ethnic origin other than White (64% disagree) are more likely to disagree than those of White ethnic origin (58% disagree). Females (66% disagree) are more likely to disagree than males (51% disagree). Those aged between 36 and 45 (66% disagree) are more likely to disagree than respondents in other age groups. Those who have suffered some form of discrimination (74% disagree) are more likely to disagree than those who have not suffered discrimination (54% disagree). Those whose parents were not in the legal profession when they started training (59% disagree) are more likely to disagree than those respondents whose parents were (50% disagree). Those working in other sectors and those in private practice are both consistent with the overall position. Respondents who work part-time (71% disagree) are more likely to disagree with the statement than those who work full-time (57% disagree).

Male and female solicitors are always treated equally

The majority of respondents (62%) disagree with the statement. Those of an ethnic origin other than White (76% disagree) are more likely to disagree than those of White ethnic origin (62% disagree). Females (78% disagree) are more likely to disagree than males (46% disagree). Generally the higher the age group of the respondent the more likely they are to disagree with the statement. Those who have suffered some form of discrimination (85% disagree) are more likely to disagree than those who have not suffered discrimination (55% disagree). Those with a sexual orientation other than heterosexual (71% disagree) are more likely to disagree with the statement than those who are heterosexual (62% disagree). Those whose parents were not in the legal profession when they started training (63% disagree) are more likely to disagree with the statement than those respondents whose parents were (52% disagree). Those working in other sectors and those in private practice are broadly consistent with the overall position. Respondents who work part-time (74% disagree) are more likely to disagree with the statement than those who work full-time (60% disagree).

Women don't want the "top jobs" because they interfere with family life

The majority of respondents (60%) disagree with the statement. Those of White ethnic origin (60% disagree) are more likely to disagree than those of an ethnic origin other than White (54% disagree). Both male and female respondents are broadly in line with the overall position. Those who have suffered some form of discrimination and those who have not are both consistent with the overall position. Those with a sexual orientation other than heterosexual (65% disagree) are more likely to disagree with the statement than those who are heterosexual (59% disagree). Those whose parents were in the legal profession when they started training and those respondents whose parents were not are both broadly in line with the overall position. The same is true of those working in other sectors and those in private practice. Respondents who work full-time (61% disagree) are more likely to disagree with the statement than those who work part-time (55% disagree).



A person's race affects their progression in the legal profession

Overall 51% of respondents disagree with the statement. Males (53% disagree) are more likely to disagree than females (48% disagree). Those of a white ethnic origin (51% disagree) are more likely to disagree than those of an ethnic origin other than white (32% disagree). Generally the lower the age group of the respondent the more likely they are to disagree with the statement. Those who have not suffered some form of discrimination (55% disagree) are more likely to disagree than those who have suffered discrimination (37% disagree). Those with a sexual orientation other than heterosexual and those who are heterosexual are broadly consistent with the overall position. Those whose parents were not in the legal profession when they started training (51% disagree) are more likely to disagree than those whose parents were (45% disagree). Those working in private practice (53% disagree) are more likely to disagree than those in other sectors (42% disagree). Respondents who work full-time (52% disagree) are more likely to disagree with the statement than those who work part-time (42% disagree).

Men work more hours than women

The majority of respondents (63%) disagree with the statement. Those of White ethnic origin (63% disagree) are more likely to disagree than those of an ethnic origin other than White (52% disagree). Females (76% disagree) are more likely to disagree than males (51% disagree). Generally the lower the age group of the respondent the more likely they are to disagree with the statement. Those who have suffered some form of discrimination (68% disagree) are more likely to disagree than those who have not suffered discrimination (62% disagree). Those who are heterosexual (64% disagree) are more likely to disagree with the statement than those with a sexual orientation other than heterosexual (59% disagree). Those whose parents were in the legal profession when they started training and those respondents whose parents were not are both broadly consistent with the overall position. Those working in other sectors and those in private practice are broadly consistent with the overall position. Respondents who work full-time (65% disagree) are more likely to disagree with the statement than those who work part-time (58% disagree).

Being openly gay makes it harder to attract clients

The majority of respondents (57%) don't know, with only 16% agreeing and 28% disagreeing with the statement. Most of the demographic groups are consistent with the overall position. The exceptions are: Those of an ethnic origin other than White (28% agree); those with a sexual orientation other than heterosexual (42% agree and 39% disagree).

Your options are more limited if you are a black lawyer in Scotland

Overall 27% disagree with the statement and 58% don't know. Males (33% disagree) are more likely to disagree than females (22% disagree). Those who have never suffered discrimination (30% disagree) are more likely to disagree than those who have suffered discrimination (20% disagree). Those working in private practice (30% disagree) are more likely to disagree than those working in other sectors. Full-time workers (29% disagree) are more likely to disagree than those working part-time (17% disagree).

***If someone is openly gay they are treated differently at work***

Views on this are quite mixed with 42% indicating they don't have a view, 43% disagreeing and 15% agreeing. Those of White ethnic origin (44% disagree) are more likely to disagree than those of an ethnic origin other than White (32% disagree). Those who have not suffered some form of discrimination (45% disagree) are more likely to disagree than those who have suffered discrimination (37% disagree). Respondents who work full-time (45% disagree) are more likely to disagree with the statement than those who work part-time (37% disagree). The remaining demographic groups are broadly consistent with the overall position.

Clients prefer a male lawyer working on their case

The majority of respondents (71%) disagree with the statement. All demographic groups are broadly consistent with the overall position.

There is overt discrimination against disabled people within the profession

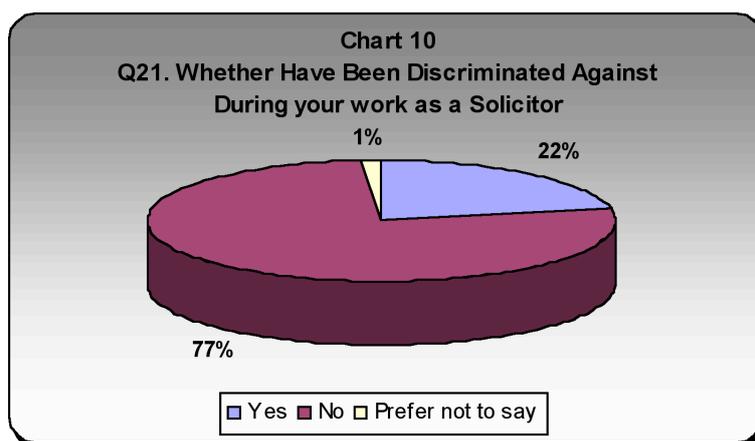
The majority of respondents (52%) disagree with the statement. Those of White ethnic origin (53% disagree) are more likely to disagree than those of an ethnic origin other than White (36% disagree). Males (64% disagree) are more likely to disagree than females (40% disagree). Generally the higher the age group of the respondent the more likely they are to disagree with the statement. Those who have not suffered some form of discrimination (57% disagree) are more likely to disagree than those who have suffered discrimination (38% disagree). Those with a sexual orientation other than heterosexual and those who are heterosexual are both consistent with the overall position. Those whose parents were in the legal profession when they started training (58% disagree) are more likely to disagree than those respondents whose parents were not (52% disagree). Those working in private practice (55% disagree) are more likely to disagree than those in other sectors (45% disagree). Respondents who work full-time (54% disagree) are more likely to disagree with the statement than those who work part-time (44% disagree).

A disabled person struggles to do the job of a solicitor

Overall 50% of respondents disagree with the statement. Those of an ethnic origin other than White and those of White ethnic origin are both broadly consistent with the overall position. Males (55% disagree) are more likely to disagree than females (43% disagree). Those with a sexual orientation other than heterosexual (59% disagree) are more likely to disagree than those who are heterosexual (49% disagree). Respondents who work full-time (51% disagree) are more likely to disagree with the statement than those who work part-time (44% disagree). The remaining demographic groups are broadly consistent with the overall position.

Men don't want the 'top jobs' because they interfere with family life

The majority of respondents (85%) disagree with the statement. All demographic groups are broadly consistent with the overall position.



The majority of respondents (77%) do not feel that they have suffered discrimination. Those of an ethnic origin other than White (48% agree) are more likely to agree than those of White ethnic origin (22% agree). Females (35% agree) are more likely to agree than males (9% agree). Generally the lower the age group of the respondent the more likely they are to agree with the statement. Those with a sexual orientation other than heterosexual (37% agree) are more likely to agree than those who are heterosexual (21% agree). Those whose parents were not in the legal profession when they started training (23% agree) are more likely to agree than those respondents whose parents were (14% agree). Those working in other sectors (29% agree) are more likely to agree than those in private practice (19% agree). Respondents who work part-time (39% agree) are more likely to agree with the statement than those who work full-time (19% agree).

TABLE 18. SOURCES OF DISCRIMINATION BY TYPE (ALL THOSE WHO HAVE SUFFERED DISCRIMINATION AT WORK)

	Age	Gender	Part-time working	Disability	Ethnic origin	Religion/Belief	Sexual Orientation	Marital Status	Other
Partner n=425	19%	63%	27%	3%	4%	8%	4%	13%	16%
Line Manager/Supervisor n=188	19%	60%	28%	5%	6%	5%	3%	12%	18%
Colleagues/other staff n=161	25%	52%	27%	3%	7%	9%	8%	10%	7%
Clients n=179	44%	71%	9%	3%	8%	9%	3%	5%	4%
Entry process to profession n=125	28%	33%	3%	6%	10%	20%	2%	10%	36%
Organisation policies n=98	18%	44%	40%	7%	5%	3%	3%	13%	10%
Recruitment process in other firms n=181	28%	35%	15%	4%	8%	18%	3%	12%	25%

Discrimination in this context can also be viewed being either too old or too young. It is also important to recognise that respondents may have indicated multiple instances of discrimination.

The numbers in each of the sub-categories for those with an ethnic origin other than White are too small to comment further.



Females tend to be broadly consistent with the overall position across each of the sources. Males are proportionately lower than the overall group of respondents on partner, line manager, clients and organisation but higher on colleagues (26% vs. 24% for all respondents), entry process (29% vs. 19% for all respondents), and recruitment (36% vs. 27% for all respondents).

Those under 35 are more likely to highlight colleagues and clients than those in other age groups. Those between the ages of 36 and 45 are more likely to highlight line manager and less likely to highlight colleagues, clients and the entry process than those in other age groups. Those aged 46 and over are more likely to highlight Entry process and less likely to highlight Partner than those in other age groups.

Those with a sexual orientation other than heterosexual are broadly in line with the overall position with the exception of the following where they are more likely to highlight: colleagues (51% vs. 24% for all respondents), the entry process (31% vs. 19% for all respondents), and recruitment (34% vs. 27% for all respondents).

The numbers in each of the sub-categories for those whose parents worked in the legal profession are too small to comment further.

Those working in private practice are more likely to highlight partner (78% vs. 64% for all respondents) and less likely to highlight line manager (17% vs. 28% for all respondents). Those in other sectors are more likely to highlight line manager (49% vs. 28% for all respondents), colleagues (28% vs. 24% for all respondents), entry process (23% vs. 19% for all respondents) and recruitment (31% vs. 27% for all respondents) but less likely to highlight partner (48% vs. 64% for all respondents) and clients (22% vs. 27% for all respondents).

Those working full-time are broadly in line with the overall position. Those working part-time are more likely to highlight Partner (74% vs. 64% for all respondents), line manager (33% vs. 28% for all respondents) and organisation policies (23% vs. 15% for all respondents) and are less likely to highlight clients (19% vs. 27 for all respondents), entry process (9% vs. 19% for all respondents), and recruitment (21% vs. 27% for all respondents).



TABLE 19. FORM OF DISCRIMINATION EXPERIENCED BY TYPE (ALL THOSE WHO HAVE SUFFERED DISCRIMINATION AT WORK)

	Age	Gender	Part-time working	Disability	Ethnic origin	Religion/ Belief	Sexual Orientation	Marital Status	Other
Left out of communication n=251	28%	53%	24%	2%	4%	5%	3%	5%	10%
Not considered for promotion n=310	22%	54%	29%	2%	4%	4%	2%	10%	11%
Not considered for training n=118	28%	31%	19%	3%	7%	16%	2%	9%	24%
Allocation of work n=235	24%	51%	22%	3%	5%	4%	1%	8%	11%
Allocation of flexi-time n=54	15%	39%	43%	4%	2%	4%	0%	13%	9%
Allocation of leave n=76	25%	33%	17%	3%	5%	5%	0%	28%	12%
Allocation of other benefits n=107	18%	55%	21%	5%	4%	2%	3%	13%	9%
Bullying n=171	29%	55%	9%	5%	5%	4%	5%	7%	18%
Harassment n=129	22%	55%	7%	5%	5%	9%	9%	7%	13%
In relation to social activities n=159	17%	65%	12%	3%	4%	8%	8%	9%	8%
In relation to networking n=203	21%	66%	16%	1%	5%	6%	3%	7%	6%

Discrimination in this context can also be viewed being either too old or too young. It is also important to recognise that respondents may have indicated multiple instances of discrimination.

The numbers in each of the sub-categories for those with an ethnic origin other than White are too small to draw firm conclusions. However they appear more likely than other respondents to indicate any source other than not being considered for promotion.

The key patterns that emerge for the remaining demographic groupings are:

Females are most likely to indicate:

- Gender discrimination in the form of *left out of communication* (particularly those under 35), *not considered for promotion*, *allocation of work*, *in relation to networking* (less of an issue for those aged over 46), *bullying* (particularly those under 35), *harassment* (particularly those aged between 36 and 45), *in relation to social activities* (particularly those aged under 35) and *not being considered for training*.
- Part-time working discrimination in the form of *allocation of flexitime* (particularly those aged between 36 and 45, less so for those aged over 46).

Males are most likely to indicate:



- Age discrimination in relation to being *left out of communication* (equally an issue for those under 35 and over 46), *allocation of work* (mainly those aged over 46) and *in relation to networking* (mainly those aged under 35).

Those aged under 35 are most likely to indicate:

- Gender discrimination - *left out of communication* (mainly females and those working full-time), *allocation of work* (mainly females), *allocation of other benefits* (mainly females, those working full-time and those working in private practice), *bullying* (mainly females and those working part-time), *in relation to social activities* (mainly female), *in relation to networking* (mainly females and those working full-time).

Those aged between 36 and 45 are most likely to indicate:

- Gender discrimination – *not considered for promotion* (mainly females and those working full-time), *not considered for training* (mainly females and those working in other sectors), *allocation of flexitime* (mainly females and those working part-time), *allocation of other benefits* (mainly females, those working full-time and those working in private practice), and *harassment* (mainly females, those working part-time and those working in other sectors).

Those aged over 46 are most likely to indicate:

- Gender discrimination – *not considered for promotion* (mainly females).

The numbers for those with a sexual orientation other than heterosexual are quite small but they are most likely to indicate: *left out of communication*, *not considered for promotion*, *in relation to social activities* and *in relation to networking*.

Heterosexuals are also most likely to indicate:

- Gender discrimination - *left out of communication* (mainly females, those aged under 35 and those working full-time), *not considered for promotion* (mainly females), and *allocation of work* (mainly females and those working full-time).

The numbers in each of the sub-categories for those whose parents worked in the legal profession are also quite small but they are most likely to indicate: *left out of communication*, *not considered for promotion*, *allocation of work*, *bullying* and *in relation to networking*.

There are similar profiles for those working either in private practice or in other sectors. Both are most likely to indicate:

- Gender discrimination - *left of communication* (mainly females, those aged under 35 and those working full-time), *not considered for promotion* (mainly females, those aged over 46 and those working full-time), *allocation of work* (mainly females and those aged under 35), and *in relation to networking* (mainly females, those aged under 35 and those working full-time).

There is also consistency in the perceptions of both full and part-time staff. Both are most likely to indicate: *left out of communication*, *not considered for promotion* and *allocation of work*. It is worth noting that 65% of part-time respondents highlight *not considered for promotion*. The comparable figure for full-time staff is 41%. Full-time staff are also most likely to indicate: *in relation to networking*.


TABLE 20. STAGE IN CAREER THAT DISCRIMINATION WAS EXPERIENCED

	Age	Gender	Part-time working	Disability	Ethnic origin	Religion/ Belief	Sexual Orientation	Marital Status	Other
University n=39	23%	15%	5%	8%	18%	18%	5%	8%	26%
Diploma n=15	33%	33%	13%	7%	33%	13%	7%	7%	20%
Obtaining a Traineeship n=172	22%	38%	2%	3%	10%	19%	2%	10%	34%
During a Traineeship n=191	35%	66%	2%	3%	5%	11%	4%	9%	14%
Securing a first job n=101	26%	43%	2%	8%	11%	12%	3%	18%	22%
In seeking promotion n=305	23%	59%	28%	2%	3%	5%	2%	12%	14%

It is important to recognise that respondents may have indicated multiple instances of discrimination.

The numbers in each of the sub-categories for those with an ethnic origin other than White are very small. However they are more likely than other respondents to indicate any stage in career other than *in seeking promotion*.

Females tend to be broadly consistent with the overall position for a number of forms of discrimination. However they are most likely to indicate: *in seeking promotion*.

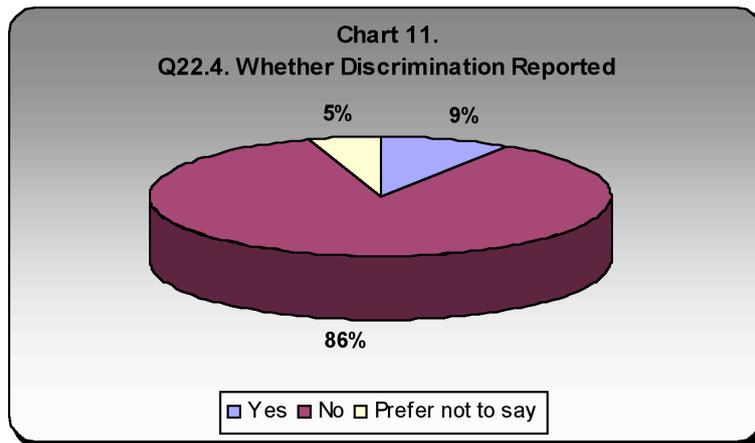
There is consistency across all age groups on most stages and each group is most likely to indicate: *in seeking promotion*.

The numbers for those with a sexual orientation other than heterosexual are quite small but they are most likely to indicate: *during a traineeship* and *in seeking promotion*. Heterosexuals are most likely to indicate: *in seeking promotion*.

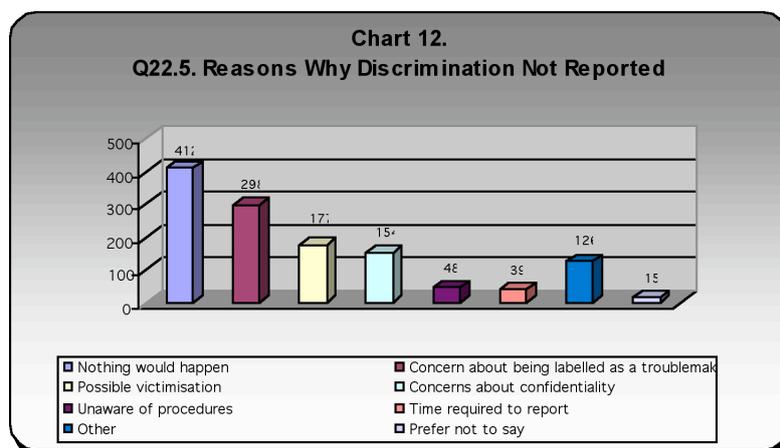
The numbers in each of the sub-categories for those whose parents worked in the legal profession are very small. However they are most likely to indicate: *during a traineeship* and *in seeking promotion*. However we note that they are less likely than other respondents to indicate: *in obtaining a traineeship* (11% vs. 26% for all respondents). Those whose parents did not work in the legal profession are most likely to indicate: *in seeking promotion*.

There are similar profiles for those working either in private practice or in other sectors. Both are most likely to indicate: *in seeking promotion*. However those in other sectors are more likely to indicate: *in obtaining a traineeship* (30% vs. 24% for those in private practice) and *during a traineeship* (20% vs. 13% for those in private practice).

There are variations in the perceptions of both full and part-time staff. Both are most likely to indicate: *in seeking promotion* but the proportion of respondents doing so is much greater in part-time staff (63% vs. 41% for full-time staff). Full-time staff are also most likely to indicate: *obtaining a traineeship* and *during a traineeship*.



The 86% position is broadly consistent across all demographic Groups.



There are some differences across the various demographic groups on why discrimination is not reported. These are:

Those with an ethnic origin other than White are less likely to indicate *nothing would happen* (59% vs. 72% for all respondents) and *concerns about being labelled a troublemaker* (41% vs. 52% for all respondents).

The response profile for both males and females is similar and in line with the overall position. However we note that females indicate more concern than males at being *labelled a troublemaker* (55% vs. 44% of males) and less concern about *possible victimisation* (30% vs. 37% of males).

There are variations across the age groups. Generally the older the respondent the less likely they are to be *concerned about confidentiality* or to *not know the procedures*. Those aged 46 and over are less likely than respondents in other age groups to be concerned about being *labelled a troublemaker* (40% vs. 58% of under 35s and 56% of those aged between 36 and 45).

Those with a sexual orientation other than heterosexual are consistently more likely to indicate *any reason other than being unaware of the procedures* (3% vs. 8% for all respondents). They are most likely to be concerned that *nothing would happen* (81%) or being *labelled a troublemaker* (66%).

The response profile of those whose parents worked in the legal profession are broadly in line with the overall position. However we note that they are less likely to be



concerned about *possible victimisation* (24%) than those whose parents did not work in the profession (32%).

The profile of responses based on place of work is broadly consistent with each other. The main exception being *possible victimisation* where those working in other sectors (35%) are more likely to indicate this than those working in private practice (29%).

There is little difference in the response profile of full-time and part-time staff.

TABLE 21. WHAT SHOULD THE LAW SOCIETY DO IN CONNECTION WITH EQUALITY & DIVERSITY					
	Strongly Agree	Agree	Disagree	Strongly Disagree	Don't Know
Promote best practice	39%	55%	1%	1%	5%
Issue guidelines to all solicitors	23%	57%	11%	2%	7%
Provide training	22%	51%	15%	2%	10%
Provide an advisory service	20%	60%	9%	1%	9%
Set minimum standards in relation to Equality and Diversity	19%	43%	22%	5%	11%
Take disciplinary action against members	18%	43%	18%	5%	16%
Ensure Equality and Diversity is taught on the Diploma	13%	42%	26%	7%	12%
Ensure Equality and Diversity are part of the traineeship	11%	35%	33%	7%	14%
Ensure Equality and Diversity is taught on the LL.B.	11%	28%	39%	8%	14%
Revise the discrimination rule in the Codes of Conduct	10%	31%	18%	3%	38%
Make CPD in Equality and Diversity mandatory every three years	9%	23%	40%	13%	15%

Promote best practice (94% agree)

There is broad consistency across all of the demographic groups.

Issue guidelines to all solicitors (80% agree)

There is broad consistency across almost all of the demographic groups. However we note that those working in other sectors (86% agree) are more to agree than other respondents.

Provide training (73% agree)

Again there is broad consistency across almost all of the demographic groups. However we note that those working in other sectors (86% agree) are more to agree than other respondents.



Provide an advisory service (80% agree)

Again there is broad consistency across all of the demographic groups.

Set minimum standards in relation to Equality and Diversity (62% agree)

Those with an ethnic origin other than White (76% agree), females (70% agree), those who have suffered some form of discrimination (70% agree), those with a sexual orientation other than heterosexual (75% agree) and those working in other sectors (72% agree) are more likely to agree with the suggestion. Males (55% agree) are less likely to agree.

Take disciplinary action against members (61% agree)

Those with an ethnic origin other than White (86% agree), females (69% agree), those under 35 (74% agree), those who have suffered some form of discrimination (69% agree), those with a sexual orientation other than heterosexual (77% agree) and those working in other sectors (69% agree) are more likely to agree with the suggestion. Males (54% agree), those aged 46 and over (45% agree), those whose parents worked in the profession (49% agree) are less likely to agree.

Ensure Equality and Diversity is taught on the Diploma (55% agree)

There is broad agreement across most of the demographic groups. The main exceptions are: Those with an ethnic origin other than White (72% agree), those with a sexual orientation other than heterosexual (72% agree), and those working in other sectors (63% agree) are more likely to agree with the suggestion.

Ensure Equality and Diversity are part of the traineeship (46% agree)

Those with an ethnic origin other than White (58% agree), females (51% agree), those who have suffered some form of discrimination (55% agree), those with a sexual orientation other than heterosexual (64% agree), those working in other sectors (60% agree) and those working part-time (52% agree) are more likely to agree with the suggestion. Males (40% agree) are less likely to agree.

Ensure Equality and Diversity is taught on the LL.B. (39% agree)

Views on this are mixed overall with a disagree figure of 47%. Those with an ethnic origin other than White (58% agree), females (44% agree), those who have suffered some form of discrimination (47% agree), those with a sexual orientation other than heterosexual (57% agree), those working in other sectors (47% agree) and those working part-time (45% agree) are more likely to agree with the suggestion.

Revise the discrimination rule in the Codes of Conduct (41% agree)

Those with an ethnic origin other than White (66% agree), females (49% agree), those who have suffered some form of discrimination (56% agree), those with a sexual orientation other than heterosexual (63% agree), and those working in other sectors (51% agree) are more likely to agree with the suggestion. Males (35% agree) are less likely to agree with the suggestion.



Make CPD in Equality and Diversity mandatory every three years (32% agree)

Views on this suggestion are mixed with 53% of respondents disagreeing with the suggestion. Those with an ethnic origin other than White (58% agree), females (42% agree), those under 35 (40% agree), those who have suffered some form of discrimination (50% agree), those with a sexual orientation other than heterosexual (54% agree), and those working in other sectors (40 % agree) are more likely to agree with the suggestion. Males (66% disagree), those aged 46 and over (64% disagree), those who have not suffered discrimination (60% disagree), and those whose parents worked in the profession (62% disagree) are more likely to disagree with the suggestion.



OTHER COMMENTS

We received a total of 506 comments from 450 respondents. The following have been selected to in order to reflect the issues raised and to be generally representative of the profile of the respondents concerned.

'I have been 'openly' gay at work for the past 5 years and have never suffered any adverse reaction or discrimination that I am aware of. Solicitors reflect the society we operate in and I am convinced that there is a lot of homophobia especially amongst older, more traditional partners. Changing this is beyond the remit of the Society but all solicitors need to know that whatever their personal views, they must not manifest these in their working life. That is where the Society has an important role.'

Male, 31-35, Senior Associate in Private Practice.

'I think there is still the general perception that you can't be a partner and a mum because of the long hours. I think a lot of firms still have to come around to the idea of job sharing particularly for females - that way you get to retain 2 good lawyers instead of losing both to home commitments, i.e., I can no longer put in 70 hour plus weeks due to young children.'

Female, 25-30, Assistant in Private Practice.

'I think it is important that any survey is not swayed by vociferous views of a small number. As a woman from a lower middle class background who entered the profession in 1979, I have not encountered any discrimination, which impeded my progress and career development.'

Female, 46-50, Salaried Partner in Private Practice.

'The questionnaire is in itself slanted towards a very stereotypical view of men and women in the work place. I suspect that the authors have found a view and have arranged the questions to establish that.'

Male, 46-50.

'We have some very able young Asian lawyers, particularly young women, coming into the profession now and it will be a worthwhile challenge to integrate them into the profession. Issues around alcohol, religious absence and sexual segregation will need sensitive handling and balance will need to be struck between diverging values.'

Male, 41-45 working in Other Sectors.

'Shouldn't the Society be actively investigating why more women aren't achieving partner status? With more women entering the profession the demography will change but the culture and public perception will not while men keep such an iron grip on the top jobs.'

Female, 25-30, Assistant in Private Practice.



'It is difficult to see how the entire racist attitudes within all sections of the legal profession can be addressed. Working as a solicitor in private practice I have both the pleasure of associating with intelligent, articulate and decent people from all walks of life, and also the dismay of having to work with and for some incredibly ignorant, and presided individuals, who scarily carry out work for clients from diverse ethnic backgrounds who are oblivious to the attitude of the person acting for them.'

Female, 25-30, Associate in Private Practice.

'In my experience there is little if any race or gender discrimination towards trainees, assistants or associates in large commercial practices. However, I believe there is a glass ceiling for women in some practices where partnership is denied to them. This is apparent from statistical analysis as well.'

Male, 31-35, Salaried Partner in Private Practice.

'This is a crucial stage. More women than ever before are entering the profession. Bigger firms like mine are hiring a substantially higher proportion of women as trainees. Our firm states that it wishes to 'home-grow' partners; yet attitudes to – maternity, flexible working, promotion of women with young families etc., are dire. People are expected to move offices to demonstrate commitment in order to gain promotion. The few female role models we have for partners are not 'normal', i.e. they are macho, work long hours.'

Female working in Private Practice.

'The problem of discrimination against female returnees to the profession is after a career break usually for family/child-rearing reasons. The Law Society of Scotland makes it extraordinarily difficult for such women - and we need them.'

Male, 51-55, Equity Partner in Private Practice.

'I am becoming concerned generally about political correctness. Are we going to see lawyers prosecuted for discrimination? General politeness, good conduct and being a decent human being and living up to your religion, whatever it is, should prevent problems. I have serious concerns about where this questionnaire is heading. Are we going to see white Scots discriminated against in allocation of university places? I have Muslims and Sikhs as individual friends and they don't like political correctness either.'

Male, 56-60, Consultant in Private Practice.

'To be frank I found the questionnaire questions over simplistic in identifying extreme situations with which it was all too easy to agree or disagree with. In my opinion equality and diversity can't be put into convenient boxes and examples of unequal treatment are usually much more subtle. What a study such as this fails to show is how people of all colours, religions, sexual orientation etc., may be treated unequally because of their personalities or their attitudes to fellow workers.'

Male, 56-60, Equity Partner in Private Practice.



'I have female friends who have not been able to get back into the profession after taking time off to have children as the profession seems to think they are not taking the profession seriously. Others, including myself, have had to return at a much lower level.'

Female, 46-50, Basic Team Member in Other Sectors.

'There is a general perception in my firm that women don't want promotion when this is not the case. Everybody regardless of gender should be entitled to promotion without the need to work very long hours, which interfere with family. I think society is changing and dads want to spend time with the children.'

Female, 25-30, Assistant in Private Practice.

'Why are the questions in Section D weighted in a particular direction, i.e. presupposing that there is less of an issue of discrimination against men?'

Male, 25-30, Assistant in Private Practice.

'Although I don't feel that there is any discrimination of staff in the legal profession on the grounds of gender, sexuality or race, I do feel strongly that there is not enough being done to promote and encourage the option of a legal career to gay people and ethnic minorities. The profession is not culturally representative.'

Male, Less than 25, Trainee in Private Practice.

'I can't see an easy solution to the problem. It is at partner level and there is no control of this. At the time of seeking legal advice I was also told that no matter what you raised against them, they would 'throw more dirt at you' and you'd lose. The advice given is just to quietly move on.'

Female, 36-40, Senior Associate in Private Practice.

'A cultural change and acceptance of family life in the modern age would help the profession. A shift in acceptance of women working and achieving even at a part-time level is required. A part-time female lawyer is often more effective due to a requirement to be very focused. The profession is starting to look quite outdated in its approach compared to corporations and some of the larger firms are the worst offenders.'

Female, 31-35, Associate in Private Practice.

'The disabled facilities in many of the university buildings, I have seen are appalling, especially in terms of access. If I were in the position of a prospective student who had a disability I would be put off studying law for that reason alone. It's no wonder I didn't see a single disabled student in any of my classes throughout university. The Society should liaise with universities to tackle this issue.'

Male, Less than 25, working in Private Practice.



'I'm not convinced anything the Society does will have an impact equality or diversity. Anyone who is particularly biased will just disguise it as being for other reasons. Its only when the clients themselves, as they are now starting to do, start taking a strong interest in equality and diversity statistics and there is a chance of firms being hit in the pocket from a failure to have a balanced workforce that real change is going to be seen.'

Female, 25-30.

'The questionnaire seems to focus on race and ethnicity and disability. Has religious discrimination been forgotten about or is anti-catholic feeling in the profession a legitimate thought?'

Male, Less than 25 working in Private Practice.

'Thankfully my experience in the public sector has been entirely different from the private sector. The policies in place in the public sector are beyond reproach. It is no coincidence that there appear to be more females in the public sector.'

Female, 36-40, Senior Team Member in Other Sectors.

'Due to the introduction of student fees I think that the salary level of trainees has to be reconsidered. The time taken to obtain a degree, undertake the diploma and the traineeship is 7 years, far longer than it takes most graduates to reach a professionals salary. Even then most salaries for newly qualified staff are in the mid 20k, far less than an equivalent surveyor or doctor would be on 3 years after graduating. This is making the legal profession a far less attractive option to those who are financially stretched.'

Male, 51-55, Equity Partner in Private Practice.

'I find it difficult as a woman to face the prospect that it seems within the profession, to be regarded as a choice between making it to the top in the profession and having a family. There is no belief that it is possible to do both. I'd love to think that over the next few years the profession may become more family friendly and open minded and that firms might begin to accept that people can still provide an excellent service to their clients and work sensible flexible hours.'

Female, Less than 25, Trainee in Private Practice.

'I think the gender issue is slowly balancing out in the legal profession. It has taken some time due to previous imbalances. There is still a long way to go. I recently checked a group of my peer group from university in Scotland, and most of the males were now partners or in the process of becoming partners while none of my female friends were. The difficulty that lies ahead is the flexibility of law firms towards maternity cover and raising children.'

Female, 31-35, Senior Associate in Private Practice.

'Bullying is very much alive in the profession. Efforts should be spent in trying to correct this. This is particularly evident between partners and trainees. Younger members of staff often the less senior party cannot do anything as the firm in question will always back the partner.'

Male, 25-30, working in Other Sectors.



'This questionnaire does not sufficiently address issues of social class & income background. A recent report by Edinburgh University concluded the expansion of higher education in Scotland has failed to widen access to pupils from low-income families. 31 per cent of state school pupils go to higher education compared to 83 per cent from private schools. Diversity has been defined so as to exclude social class. The Society only seems concerned with diversity with gender, ethnicity, and sexuality.'

Male, 31-35, Senior Team Member in Other Sectors.

'Perhaps the Society would consider offering a confidential advisory service for victims of discrimination in the profession. Its hard enough being discriminated against once due to sexuality or race without feeling unsupported by the one professional body which ought to be concerned that law firms uphold their statutory duties regarding sex discrimination, race discrimination and disability discrimination laws. It can feel that the odds are stacked against you because the culprits are trained lawyers.'

Female, 25-30, Assistant in Private Practice.

'This questionnaire does not ask about discrimination in pay negotiation where, particularly in private practice, all the routine discriminatory attitudes come together to suppress offers made to women'

Female, 46-50, Manager/Director in Other Sectors

'I think we have to be very careful not to create an environment where people are too scared to speak openly or to be honest. Becoming too pc can cause as many problems as being discriminatory. We are solicitors not social workers. It may be best to keep ethnicity and diversity as a training matter out of the work place rather than attempting to enforce it.'

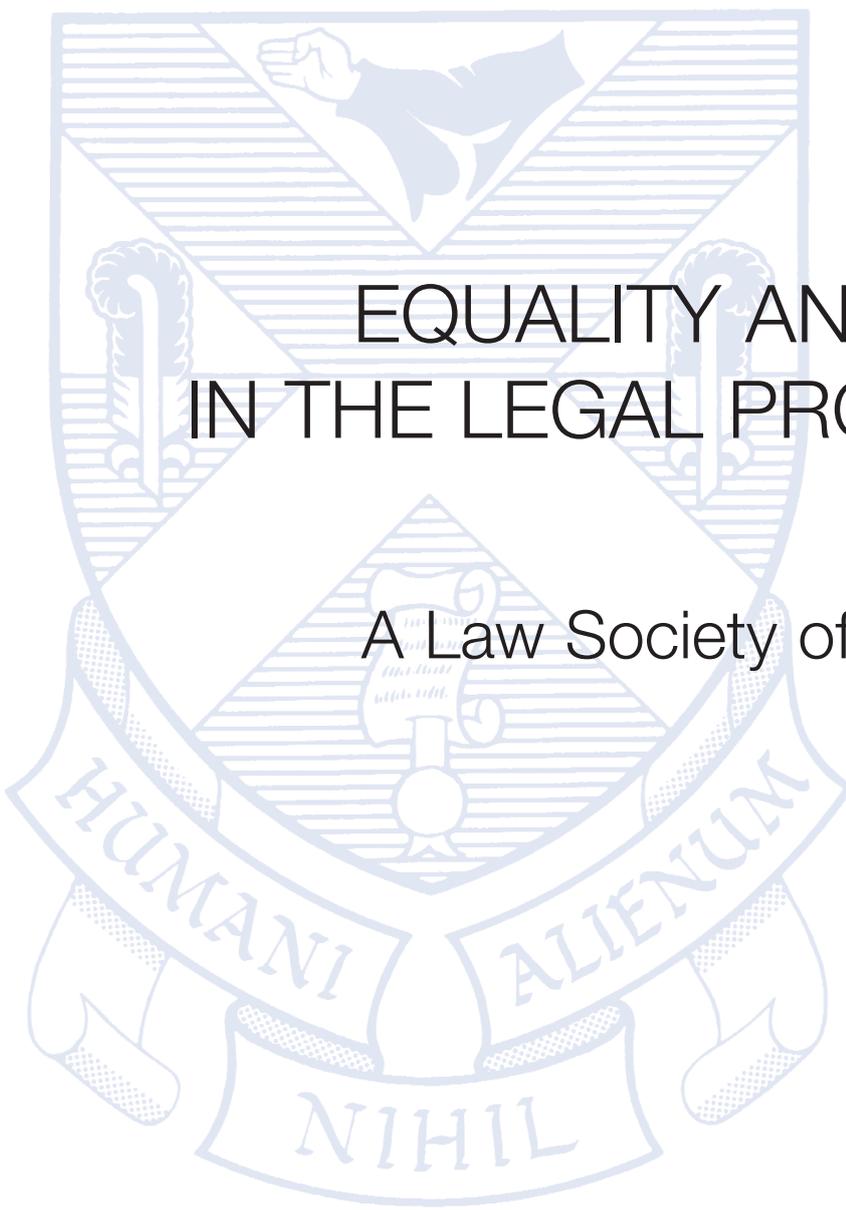
Female, 36-40, working in Other Sectors.



APPENDIX

Survey Questionnaire

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EQUALITY AND DIVERSITY IN THE LEGAL PROFESSION IN SCOTLAND

A Law Society of Scotland Study

Questionnaire
Conducted by:

The Grange Group

All respondents should complete Sections A, B, C & D.

All respondents may add further comments at the end of the questionnaire.

Most questions have an option 'I would prefer not to answer this question' – please provide as much information as possible but if there are individual questions you would prefer not to answer then select that option.

THE RESULTS OF THIS RESEARCH WILL NOT IDENTIFY INDIVIDUALS - Grange Group will only pass statistical information and anonymised responses to the Society.

Once completed please return in the envelope provided or to;
The Grange Group
OHM Data Services Ltd.
Unit 2, Progress Park
Ribocon Way, LUTON
LU4 9UR

4. Sexual Orientation

How would you describe your sexual orientation?
Please tick the appropriate box:

Heterosexual Gay Man Lesbian Bisexual Man

Bisexual Woman Other Please Specify

I would prefer not to answer this question

5. Age Please tick the appropriate box:

Less than 25 46-50

25-30 51-55

31-35 56-60

36-40 61-65

41-45 66+

I would prefer not to answer this question

6. Religion/Faith/Belief

What religion, religious denomination, or body, if any, do you belong to?:

None Church of Scotland Roman Catholic

Other Christian Buddhist Hindu

Muslim Jewish Sikh

Other Please Specify

I would prefer not to answer this question

7a. Do you consider yourself to have a disability?

The Disability Discrimination Act sets out the circumstances in which a person is considered "disabled". It says you are disabled if you have:

- a mental or physical impairment
- this has an adverse effect on your ability to carry out normal day-to-day activities
- the adverse effect is substantial

- the adverse effect is long-term (meaning it has lasted for 12 months, or is likely to last for more than 12 months or for the rest of your life).

Yes No I would prefer not to answer this question

7b. Which best describes your disability?

Hearing impairment

Visual impairment (not corrected by spectacles or contact lenses)

Speech impairment

Physical co-ordination difficulties (includes problems of manual dexterity and of muscular control e.g. incontinence, epilepsy)

Reduced physical capacity (includes debilitating pain and lack of strength, breath, energy or stamina e.g. from asthma, angina or diabetes)

Severe disfigurement

Learning Disabilities

Mental illness

Other

(please tell us about this)

I would prefer not to answer this question

SECTION B: QUALIFICATIONS AND ENTRY TO THE PROFESSION

8. Was Scots law your first undergraduate degree?

- Yes, Please now go to question 11
- No, Please now go to question 9 (or most recent jobs)

9. Which qualifications did you attain before commencing legal training? Please tick which ever you feel is appropriate:

- Non-legal Degree
- Non-legal Professional Qualification
- Higher, A-Level or equivalent
- Other Please Specify

10. How did you enter the profession? Please tick one:

- Law degree
- Law Society Professional Exams

11. What were the jobs (or most recent jobs) of your parents at the time you started your undergraduate law school training?

Please tick which ever you feel is appropriate:

Father

- Unemployed
- Unskilled
- Skilled
- Professional
- Managerial
- Executive
- Legal
- Full-time Parent / Carer

Mother

- Unemployed
- Unskilled
- Skilled
- Professional
- Managerial
- Executive
- Legal
- Full-time Parent / Carer

Father

If you ticked 'Legal', are/where they a...

Solicitor Advocate Other Legal Professional

Please Specify

Mother

If you ticked 'Legal', are/where they a...

Solicitor Advocate Other Legal Professional

Please Specify

I would prefer not to answer these questions

12. At what age did you complete your traineeship?

Please tick one:

Less than 25 25-30 31-35 36-40

41-45 46-50 51-55 56 or older

I am currently still a trainee

I would prefer not to answer this question

SECTION C: DETAILS OF CURRENT CAREER

13. How many years post qualification experience do you have? Please tick one:

Less than 1 year 1-5 years 6-10 years 11-15 years
16-20 years More than 20 years Trainee

14. Into which category does your current place of work best fall? Please tick which ever you feel most appropriate:

Private Practice

Sole Practitioner Private Practice - 5 or fewer partners

Private Practice - 6 to 15 partners

Private Practice - 16 or more partners

Other Sectors

Public/Charity Sector Commercial Organisation

University Not Currently Working Full Time Parent or Carer

15. What is your current position within your firm?

Private Practice

Assistant Associate Senior Associate

Salaried Partner Equity Partner Consultant

Other Please Specify

Other Sectors

Basic team member, or equivalent

Senior team member, or equivalent

Manager/Director, or equivalent

Trainee (in any sector)

16. Have you had any career gaps or breaks (including maternity leave) during that time? Please tick one:

Yes No If 'No' please now go to question 17

I would prefer not to answer this question

16.1. If 'Yes' please indicate how many:

1 2

3 More than 3

16.2. For up to three of the most recent breaks please indicate the duration and purpose of each.

Please tick as appropriate:

Duration	A. Your most recent break	B. Second most recent break	C. Third most recent break
3-6 months	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7-12 months	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13-24 months	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25-60 months	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
More than 60 months	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Purpose	A. Your most recent break	B. Second most recent break	C. Third most recent break
Sabbatical	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maternity Leave	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paternity Leave	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Long-term sick leave	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I would prefer not to answer this question

17. Are you full-time or part-time? Please tick one:

Full-time Part-time

18. On average, how many hours per week do you work?

Please tick one:

Less than 10 11-20 21-30 31-40 41-50

More than 50

I would prefer not to answer this question

19. What is your current salary/earnings per annum?

If you are not full-time please multiply your salary/earnings to full-time equivalence.

Less than £10,000

£10,001-£15,000

£15,001-£20,000

£20,001-£25,000

£25,001-£30,000

£30,001-£35,000

£35,001-£40,000

£40,001-£45,000

£45,001-£50,000

£50,001-£55,000

£55,001-£60,000

£60,001-£70,000

£70,001-£80,000

£80,001-£90,000

£90,001-£100,000

More than £100,000

I would prefer not to answer this question

SECTION D: ATTITUDES AND EXPERIENCES

20. Please rate your reaction to the following statements:
(Strongly Agree, Agree, Disagree, Strongly Disagree, Don't Know)

Strongly Agree
Agree
Disagree
Strongly Disagree
Don't Know

20.1. A person's race affects their progression in the legal profession

20.2. Part-time solicitors are treated the same as full-time solicitors

20.3. Being openly gay makes it harder to attract clients

20.4. Understanding different cultures can help your work as a solicitor

20.5. Law is a 'macho' profession

20.6. There is overt discrimination against disabled people within the profession

20.7. Women tend to be pushed towards certain areas of law

20.8. Social class matters in the Scottish legal profession

20.9. Women don't want the 'top jobs' because they interfere with family life

20.10. Clients would rather deal with someone of their own ethnic background

20.11. Taking maternity leave affects career progression

20.12. Your options are more limited if you are a black lawyer in Scotland

20.13. Women have to work harder to achieve the same

20.14. A disabled person struggles to do the job of a solicitor

20.15. Men work more hours than women

20.16. Where you went to school is still important when going for your first jobs

20.17. If someone is openly gay they are treated differently at work

	Strongly Agree	Agree	Disagree	Strongly Disagree	Don't Know
20.18. Clients prefer a male lawyer working on their case	<input type="checkbox"/>				
20.19. Men don't want the 'top jobs' because they interfere with family life	<input type="checkbox"/>				
20.20. Male and female solicitors are always treated equally.	<input type="checkbox"/>				

21. Do you believe you have ever been discriminated against during your work as a Solicitor?

Yes No – Please now go to question 23

21.1. If you answered 'Yes' please indicate the number of times you believe you have been discriminated against:

1 2-4 5-10 More than 10

22. How have you been discriminated against during your work as a Solicitor?

Please fill out the table overleaf. Across the top are broad groups of issues which are often the focus of discrimination (for example, race). Follow each column down and tick all the boxes to describe the types of discrimination that you feel you have experienced. You can tick as many or as few as you like.

Discrimination = Treating someone less favourably than someone else - or less favourably than other people - on grounds of their race, sex, sexual orientation, disability status, religion or age.

--

22.1. SOURCE of Discrimination

	Category	Age	Gender	Part-time working	Disability	Ethnic Origin	Religion / Belief	Sexual Orientation	Marital Status	Other
Partner		<input type="checkbox"/>								
Line Manager/Supervisor		<input type="checkbox"/>								
Colleagues/other staff		<input type="checkbox"/>								
Clients		<input type="checkbox"/>								
Entry process to profession		<input type="checkbox"/>								
Organisation policies		<input type="checkbox"/>								
Recruitment process in other firms		<input type="checkbox"/>								
Other (Please specify):	<input type="text"/>									

22.2. What FORM did the discrimination take?

Left out of communication	<input type="checkbox"/>									
Not considered for promotion	<input type="checkbox"/>									
Not considered for training	<input type="checkbox"/>									
Allocation of work	<input type="checkbox"/>									
Allocation of flexi-time	<input type="checkbox"/>									
Allocation of leave	<input type="checkbox"/>									
Allocation of other benefits	<input type="checkbox"/>									
Bullying	<input type="checkbox"/>									
Harassment	<input type="checkbox"/>									
In relation to social activities	<input type="checkbox"/>									
In relation to networking	<input type="checkbox"/>									
Other (Please specify):	<input type="text"/>									

22.3. Please indicate at what STAGE in your career you experienced discrimination.

Category	Age	Gender	Part-time working	Disability	Ethnic Origin	Religion / Belief	Sexual Orientation	Marital Status	Other*
University	<input type="checkbox"/>								
Diploma	<input type="checkbox"/>								
Obtaining a Traineeship	<input type="checkbox"/>								
During a Traineeship	<input type="checkbox"/>								
Securing a first job	<input type="checkbox"/>								
In seeking promotion*	<input type="checkbox"/>								

* At what specific stage in your career did it effect promotion?
(For example, gaining a position as an associate or partner)

* Other (Please give details below)

22.4. Have you reported this?

Yes No

22.5. If 'no' why not? - tick all that apply

Nothing would happen

Unaware of procedures

Concern about being labelled as a troublemaker

Concerns about confidentiality

Possible victimisation

Time required to report

Other, (Please specify below):

23. What should the Law Society of Scotland do in connection with equality and diversity?

(Strongly Agree, Agree, Disagree, Strongly Disagree, Don't Know)

	Strongly Agree	Agree	Disagree	Strongly Disagree	Don't Know
Promote best practice	<input type="checkbox"/>				
Provide training	<input type="checkbox"/>				
Provide an advisory service	<input type="checkbox"/>				
Issue guidelines to all solicitors	<input type="checkbox"/>				
Set minimum standards in relation to Equality and Diversity	<input type="checkbox"/>				
Ensure Equality and Diversity is taught on the LL.B.	<input type="checkbox"/>				
Ensure Equality and Diversity is taught on the Diploma	<input type="checkbox"/>				
Ensure Equality and Diversity are part of the traineeship	<input type="checkbox"/>				
Revise the discrimination rule in the Codes of Conduct	<input type="checkbox"/>				
Take disciplinary action against members	<input type="checkbox"/>				
Make CPD in equality and diversity mandatory every three years	<input type="checkbox"/>				

Other, (Please specify below):

24. Would you be willing to share below a longer description of any issues of discrimination which you believe you have faced?

This may help in the development of policy and/or training, as well as fostering a better understanding of the issues facing solicitors.

Please provide details:

(Please securely attach any additional sheets)

25. Is there any additional information you would like to add, anything you don't think has been covered, or any comments on the questionnaire?

Please fill in the box below:

(Please securely attach any additional sheets)

This questionnaire is being processed confidentially. Please return to our third party data processors in the envelope provided or at:

The Grange Group
OHM Data Services Ltd.
Unit 2, Progress Park
Ribocon Way, LUTON
LU4 9UR

NOTE:

The Society is looking for people who may be willing to become involved in our Diversity work in a variety of ways. If you are interested in sharing your experience further or finding out more about our equality and Diversity work please contact us in confidence at the above address or at diversity@lawscot.org.uk

We are a management, human resources and research consultancy with offices in Edinburgh, Manchester, Birmingham and London.

We help clients to translate their strategy into performance and as a result make their organisation and their people more effective at less cost.

Typical assignments involve one or more of the following:

- Developing corporate strategy and translating this into key performance objectives.
- Reviewing organisation structures, processes and roles.
- Designing and introducing corporate performance improvement initiatives.
- Developing human resources, remuneration and training and development strategies.
- Introducing job evaluation and designing pay and incentive arrangements.
- Running customer, stakeholder, employee and remuneration surveys.
- Designing both corporate and employee performance management systems.
- Designing and running assessment and development centres.
- Psychometric and 360 degree assessment.
- Providing a wide range of training and development interventions.
- Organising team development activities on both a small and large scale.
- Providing support technologies covering performance management, remuneration, learning, psychometric assessment and employee research



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