

LexisNexis 'International Women in the Law' Study

Introduction

While women have seen advances in the workforce over the last forty years, it is clear that the glass ceiling has yet to be shattered. As Christine Lagarde famously pointed out, Lehman Brothers was not called Lehman Sisters.

LexisNexis was commissioned last year by the Law Society to conduct an international study in order to establish how far women have come in the legal world, what are seen as the barriers to career development and what can be done to address those barriers.

The report was launched at the Law Society International Women in Law summit on International Women's Day on Thursday 8 March 2012.

The talent risk: A female brain drain

Aside from arguments over fairness and diversity in the workplace, many firms acknowledge that it is simply bad management not to utilise all the talent that is available. The graph below shows that the age profile of men and women with practising certificates. Although this is influenced by the fact that in recent years a far higher proportion of new entrants to the profession have been women, it is also the case that far more women than men leave practice well before normal retirement age. This means that there will be negative commercial consequences for law firms if they do not address female career development.

The study shines a light on what can be done to increase female participation at senior level and mitigate the risk of commercial failure.

Age profile of male/female practice certificate holders

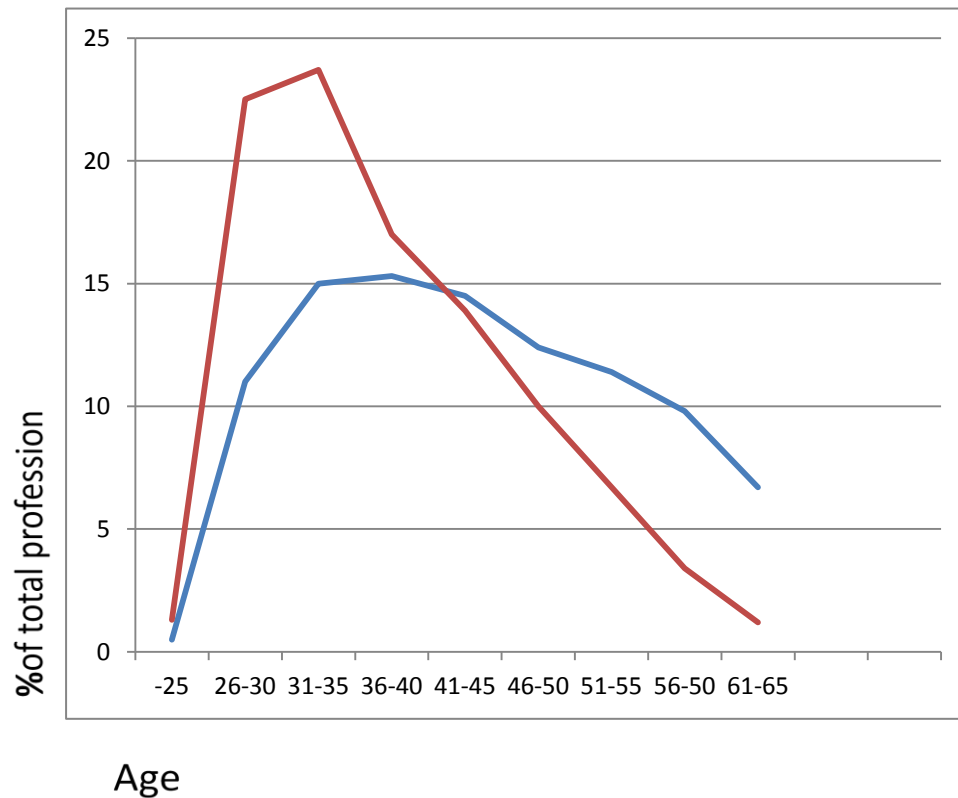


Figure 1 Source of data: Law Society Annual Statistical Report

Women Red
Men Blue

This graph illustrates the challenge that law firms face. Over the last 10 years women have accounted for over one half of new entrants to the profession. If women continue to leave the profession early in far greater proportion than men, the huge investment in women trainees will not deliver the return later in their careers.

This will have serious consequences for law firms in terms of succession planning and for making sure the best talent is retained.

Key findings

We asked the respondents whether gender diversity is an important commercial issue for their firm. 64% felt it was important compared to just over a third who disagreed. Given the importance of gender diversity, we wanted to explore what the respondents thought should be done and what was being done to achieve it.

It would be unlawful for firms to operate a quota system, although 40% of respondents supported quotas. Interestingly, only a third believed that quotas were necessary to achieve diversity. We asked, what is the biggest change that firms could make to the working practices to encourage more women to reach senior levels and the most popular answer was to adopt more flexible working practices. The second key thing to change was the way that performance is assessed.

Conclusions

The study highlights key issues for law firms that wish to draw on their diverse talent pool and ensure commercial success. The biggest changes required according to respondents are cultural: flexible working hours, different performance metrics and provide a structured leadership development programme that includes mentoring.

Results

Is gender diversity an important commercial issue for your firm?

Yes: 64%

No: 36%

Do you personally support quotas?

Yes: 40%

No: 60%

Are quotas necessary to achieve diversity in law firms?

32% agreed

24% neutral

45% disagreed

What is the primary reason more women do not attain senior positions?

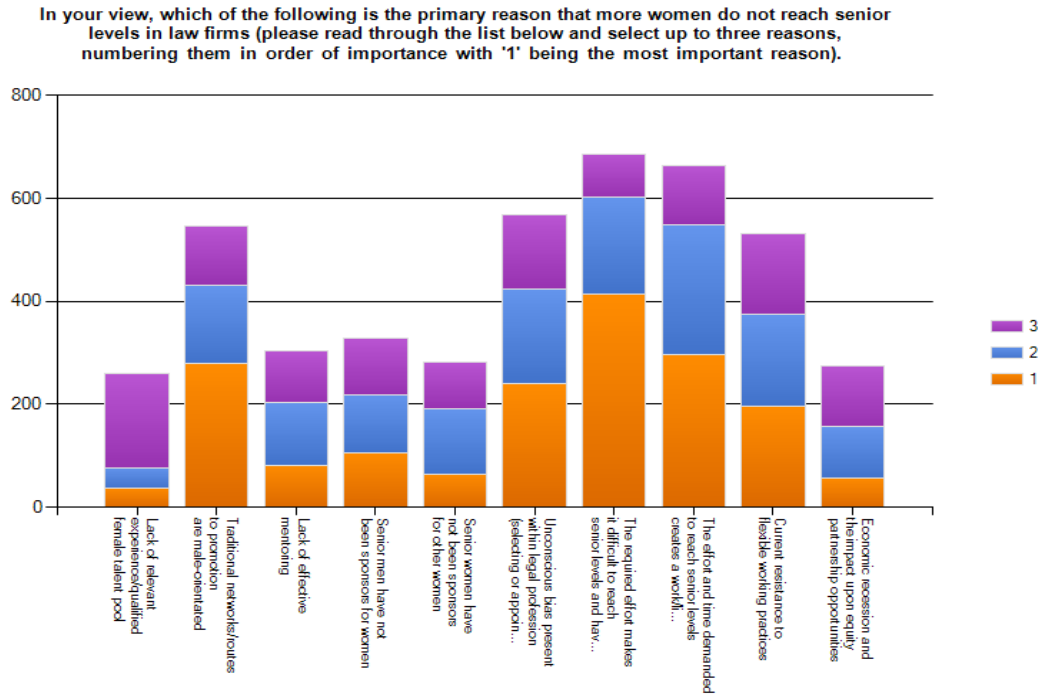


Figure 2

What is the biggest change that firms could make to the working practices to encourage more women to reach senior levels?

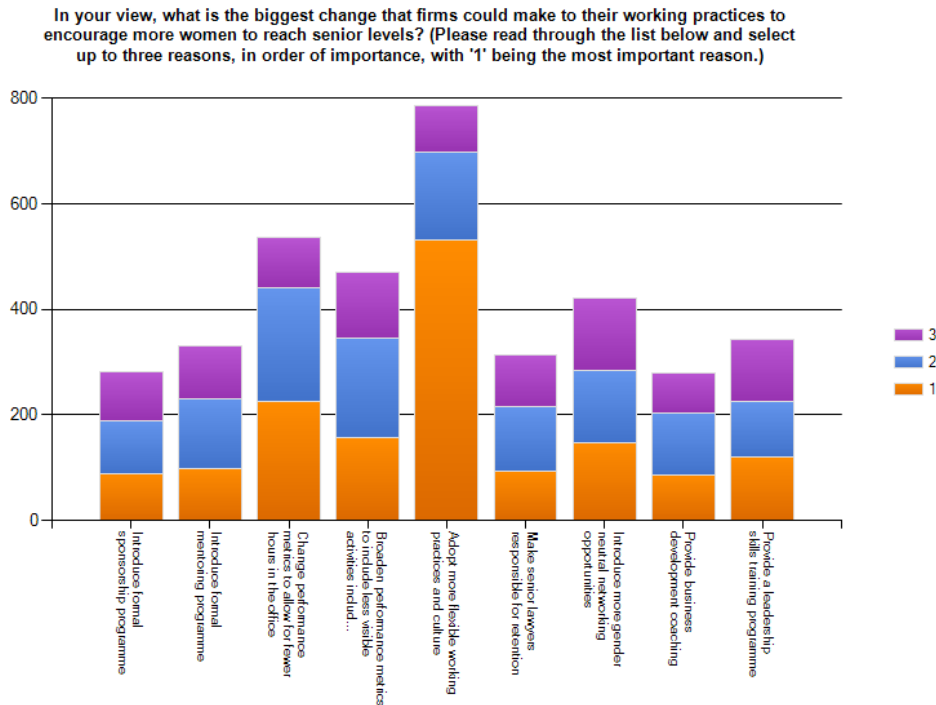


Figure 3

Verbatim comments from the survey

“It is vitally important for firms to have a diverse gender mix as both genders have distinct approaches to dealing with legal issues and it promotes confidence in clients to see staff who are reflective of society at large.”

“Diversity of all kinds brings a diversity of perspective that is invaluable in terms of problem solving, as well as external outreach and marketing. The broader the talent pool, the broader the potential breadth of client development opportunities.”

“A cultural change is required and would not happen without quotas - the numbers coming out of law school and starting in the legal profession have been at least 50% female for some considerable time now but this is not at all reflected at senior levels within the profession. It was previously thought that this would change with time but it has not done.”

“The best way to achieve gender equality is to employ people on merit, rather than gender. It is ridiculous to introduce quotas - what the sector needs is people who are good at their jobs. As a young female, I do appreciate the challenges of balancing a family with a demanding job, but I do not think this is an excuse for promoting the wrong people to senior positions.”

“It's crazy the way over half the trainees we have these days are female, but so few of the partners are female: such a waste of training and talent.”

“One of the reasons that I joined [the firm] was because the female partners paid an important role in the management of the firm and are role models to younger staff. 50% of the current partners are women and 60% of the fee-earning staff are women.”

“Flexible working only works if this is not considered an alternative to career progression. Where firms adopt flexible working (and many do not in any way encourage it), it is at the sacrifice of partnership. Does it have to be this way?”

“Adopt gender neutral metrics to appraise performance and encourage progress.”

“Broaden performance metrics to include less visible activities including recruiting, mentoring.”

“A real and continuous commitment at Board level to increase the number of female partners: to ensure a level playing field (in terms of networking and intra-department referral opportunities) for female senior associates and partners to develop their careers.”

Methodology

1144 responses were received from across the globe. 85% of respondents were from an Anglo-connected country. 90% who completed the survey were female. The age range of respondents were 30% from 24-34, 43-44 and 45-60+.

The research was conducted by LexisNexis Martindale Hubbell.

LexisNexis Martindale Hubbell surveyed their international customers and the Law Society surveyed their general membership and signatories to the Diversity Charter.

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