

**Mapping advantages and disadvantages:
Diversity in the legal profession in England and Wales**

**Final Report for the
Solicitors Regulation Authority**

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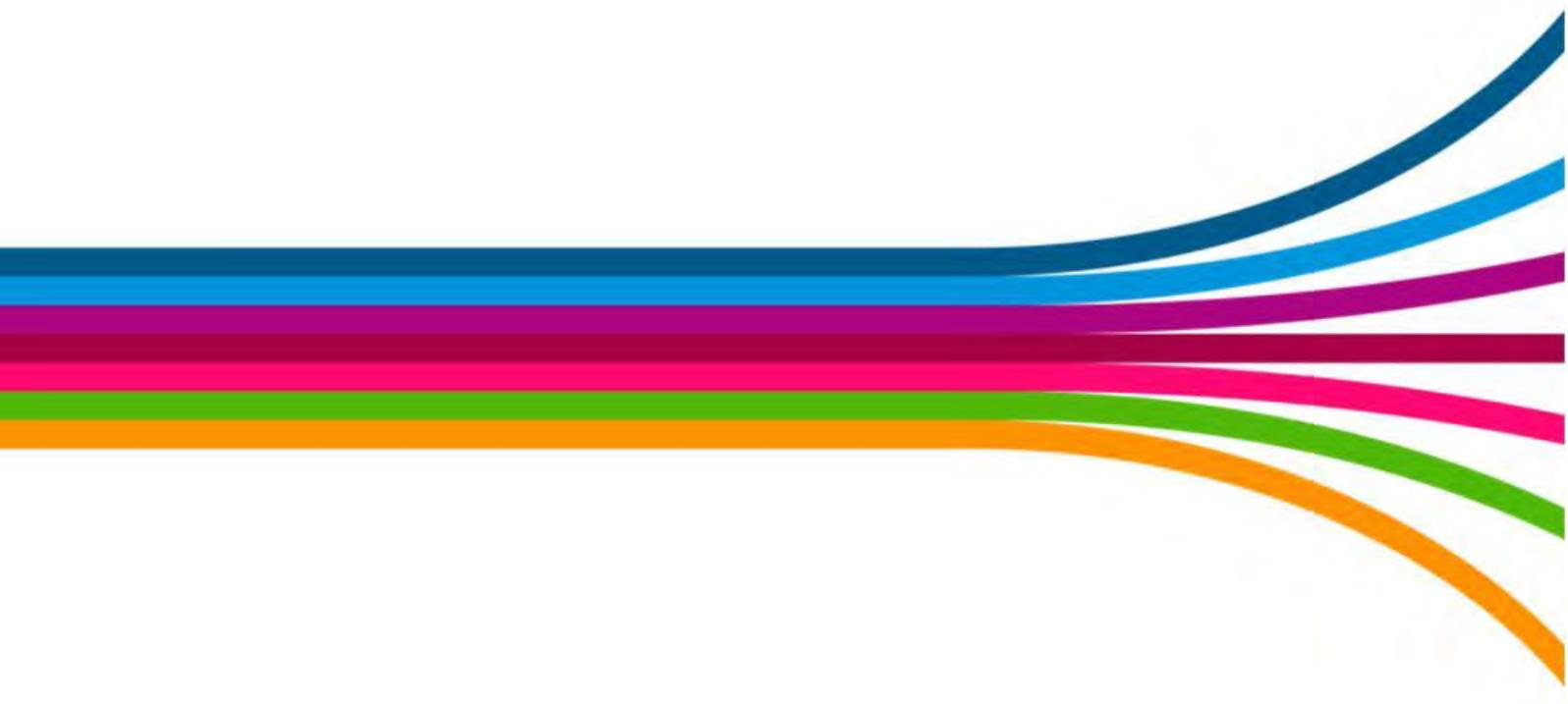


Table of Contents

Table of Contents	2
List of Figures	3
EXECUTIVE SUMMARY	5
Study Rationale and Aims	5
Key Findings	6
1. INTRODUCTION	10
1.1: Introduction	10
1.2: Research Aims.....	10
1.3: The Business Case for Diversity	11
1.4: Study Context.....	11
1.5: Report Structure	16
2. COMPOSITION OF SOLICITORS ON THE ROLL, CAREER PROGRESSION AND REGIONAL MOBILITY.....	17
2.1: Introduction	18
2.2: The Number of Admissions to the Roll by Gender and Ethnicity	18
2.3: The Distribution of Admissions to the Roll by Gender and Ethnicity	21
2.4: Career Progression	24
2.5: Between Firm Mobility	26
3. FOUR CAREER TYPES IN THE SOLICITORS' PROFESSION.....	28
3.1: Introduction	29
3.2: Four Career Types in the Solicitors' Profession	30
4. FIVE FIRM PROFILES IN THE SOLICITORS' PROFESSION	34
4.1: Introduction	35
4.2: Solicitor Firm Profiles.....	36
5. THE EFFECT OF DIVERSITY CHARACTERISTICS ON CAREER PROGRESSION	45
5.1: Introduction	45
5.2: Progression to Partner	46
5.3: The Relationship between Gender, Ethnicity and Partnership	47

6. CONCLUSIONS AND RECOMMENDATIONS	52
6.1: Study Conclusions.....	52
6.2: Recommendations and areas for further research	53
Appendix A: Latent Class Analysis	55
Appendix B: Latent Profile Analysis	57
Appendix C: Regression Analysis	59
References.....	61

List of Figures

Figure 2.1: The number of admissions to the Roll by gender and ethnicity, 1970-2016.....	19
Figure 2.2: A breakdown of the number of admissions to the Roll of the minority ethnic population by gender, 1970–2016.....	20
Figure 2.3: The distribution of new admissions to the Roll by gender, 1970–2016	21
Figure 2.4: The distribution of new admissions to the Roll by ethnicity, 1970–2016.....	22
Figure 2.5: The distribution of new admissions to the Roll by gender and ethnicity, 1970–2016	23
Figure 2.6: Career progression across successive solicitor cohorts by gender and ethnicity.....	24
Figure 2.7: The gender and ethnicity of solicitor partners across successive cohorts.....	25
Figure 2.8: Mobility of solicitors between central London and regionally based firms, 1970–2016 ...	26
Figure 2.9: Mobility between central London and regionally based firms among the representative cohort by gender and ethnicity.....	27
Figure 3.1: The characteristics of the ‘high-street provider’ career class	30
Figure 3.2: The characteristics of the ‘city lawyers’ career class	31
Figure 3.3: The characteristics of the ‘corporate fast-track’ career class.....	32
Figure 3.4: The characteristics of the ‘in-house’ career class.....	33
Figure 4.1: Average diversity characteristics across the profiles of law firms	37
Figure 4.2: Average firm characteristics across the profiles of law firms	37
Figure 4.3: Distribution of sole practitioners across the profiles of law firms.....	38
Figure 4.4: The share of BAME firms within the profiles of law firms	39
Figure 4.5: A diversity profile of city-boutique solicitor practices by firm characteristics	40
Figure 4.6: A diversity profile of high-street solicitor practices by firm characteristics	41
Figure 4.7: A diversity profile of regional-niche solicitor practices by firm characteristics	42

Figure 4.8: A diversity profile of large corporate solicitor practices by firm characteristics	43
Figure 4.9: A diversity profile of regional mid-tier solicitor practices by firm characteristics	44
Figure 5.1: The distribution of partners across solicitor firm profiles, 2016	46
Figure 5.2: The proportion of solicitors who are partners across the five solicitor firm profiles, 2016	47
Figure 5.3: The average probability of becoming a partner by gender and ethnicity	48
Figure 5.4: Proportion of partners by gender, ethnicity, firm size and ethnic composition of the firm	49
Figure 5.5: The average probability of becoming a partner by gender, ethnicity and firm type.....	50

EXECUTIVE SUMMARY

Although the legal profession has become more broadly representative of the population over the last twenty years, with more women and minority ethnic groups entering it, the profession remains heavily stratified by class, gender and ethnicity. Large city law firms undertaking the highest paying legal work are dominated by white men, who are likely to have attended fee-paying schools and have a family background of attending university. Women are less likely to work in senior roles in large city law firms and other high-income areas of the profession and minority ethnic women face a double disadvantage. On a more positive note, there is evidence that the public facing area of the profession, solicitors who undertake private client work, have become more diverse in terms of gender and ethnicity. In the case of ethnicity, there has been an acceleration of new admissions by BAME solicitors over the last ten years and, in particular, those of Asian background.

Study Rationale and Aims

The size and composition of the solicitors' profession in England and Wales (E&W) has changed markedly over the last 30 years or so. Significant progress has been made in widening access. From a profession overwhelmingly represented by white males, women now constitute nearly half of all practitioners. The representation of solicitors from Black, Asian and Minority Ethnic (BAME) backgrounds has also greatly increased. Nonetheless, extensive evidence reveals ways in which female and BAME solicitors continue to experience fewer opportunities than white male peers resulting in unequal pay and progression outcomes. Existing studies have exposed how barriers to progression manifest. Yet few explore how the combined diversity characteristics of individuals affect their career experiences, and the likelihood of advancement within, or exit from, the solicitors' profession. This study aims to help address this gap by applying the concept of 'intersectionality' and examining how advantages and disadvantages, in terms of career opportunities and outcomes, are different for men and women of different ethnic groups.

Intersectionality acknowledges that the way individuals experience the profession cannot be captured effectively by one social characteristic alone (e.g. gender) and, as such, emphasizes integrating social characteristics to explore *inter* and *intra* group differences, for example, how experiences of white females may differ from females of other ethnic groups. Taking this into account and our limited understanding of how opportunities enable and/or limit workers with different social characteristics, this study examines the following questions:

1. How has the legal profession changed in terms of the diversity characteristics of practising lawyers; are there increasing numbers of lawyers with social characteristics associated with advantage or disadvantage?
2. How do social characteristics associated with social advantage (male-gender, white majority ethnic status) and disadvantage (minority ethnic status, female-gender) affect career progression in the legal profession?

By clustering and mapping a range of individual and firm-level characteristics, this study advances our understanding of complex inequalities, their formation in the profession and their consequences for diversity and inclusion.

Key Findings

Changes in the Composition of New Admissions to the Roll

Chapter two provides an overview of how the gender and ethnic composition of individuals admitted to the Roll has changed over the period 1970-2016. It is based on an analysis of the individual records of 194,019 solicitors who remained registered on the Roll between 2006 and 2016. As the records of solicitors who left the profession before 2006 are missing from the dataset, it is important to keep in mind that the analysis does not include those who left the profession before this time. Nonetheless, even when data limitations are taken into account, it is evident that the profile of those entering the profession has changed markedly since 1970. The most striking trends are:

- A massive increase in female new entrants – from less than 10% of all new admissions to the Roll in 1970 to over 60% in 2016.
- An acceleration of new admissions by BAME solicitors over the last ten years and, in particular, those of Asian background. In fact, new admissions by Asian solicitors have been double that of all other minority ethnic groups since the mid-1970s, increasing to two-thirds in the last three years. In 2016, Asian solicitors accounted for 19% of all new admissions.
- A relative decline of white males qualifying as solicitors since the 1970s due to large extent by a significant increase in new admissions by female and BAME solicitors since the 1990s.

Career Progression and Mobility

As well as exploring the profile of new admissions to the Roll, a measurement of career progression was applied to different solicitor cohorts to find out ways in which groups may vary in their experiences of career advancement, and the extent to which this changed over time. The key findings include:

- Across all ethnic groups, men are more likely to become a partner compared to their female counterparts.
- The share of BAME males becoming a partner, especially those of Asian origin, has increased significantly.
- The share of white males becoming a partner has decreased.
- There is an increasing share of solicitors leaving private practice to work in-house. This tendency is more pronounced amongst women and white women in particular. Furthermore, the reducing share of in-house male solicitors parallels an increase of BAME female solicitors moving in-house, notably those of Asian origin.

- Solicitors are increasingly concentrated in firms where the headquarters is located in central London (hereafter – central London based firms). Nearly half of all solicitors admitted to the Roll since 2006 have worked only for central London based firms over the course of their entire career.
- Male and female solicitors of African/African Caribbean and Chinese ethnic origin are the most likely to work in central London based firms.
- By contrast, a higher proportion of white and Asian solicitors (both males and females) work in firms where the headquarters is located in regions outside central London with many having done so throughout the course of their career.

Four Career Types in the Solicitors' Profession

By applying latent class analysis to a cohort of solicitors admitted to the Roll between 2006 and 2010, the data analysis produced four solicitor types with each one reflecting a different type of legal career. The four types differ in terms of their gender and ethnic composition. They exemplify variations in career experiences in relation to the probability of working in corporate or private client areas of law, working in a central London based firm and of progressing to partner level. The four types are as follows:

- **High-street providers** – Populated predominately by female solicitors, working outside of central London based firms, who are unlikely to have been promoted to a partner. Solicitors in this class will be undertaking either private client work or commercial law.
- **City lawyers** – Primarily female solicitors, with BAME female practitioners in particular outnumbering male counterparts. Mainly working in central London based firms these solicitors are likely to be employed by national/international practices, although employment in niche firms is also a strong possibility. Reflecting women's predominance in less senior positions, practitioners in this class are unlikely to have been promoted to partner.
- **Corporate fast-track** – Occupied mainly by white males although BAME males are also well represented in this class. Corporate fast-track solicitors are most likely to be employed by a central London based firm (although not necessarily in central London, many will be based in regional cities), undertaking high paying corporate work for a premium client base. They have a relatively high chance of getting promoted to partner level.
- **In-house** – This group is dominated by white females and white males, but includes a significant proportion of BAME women. There is a high probability of these practitioners working in-house rather than in private practice.

Five Solicitor Firm Profiles

Chapter four identifies ways in which the composition of the workforce varies across five statistically different types of law firms by gender, ethnicity and measures of social mobility. Firm profiles were established following latent profile analysis (LPA) of the workforce diversity records of 8,243 solicitor practices. The diversity profile of their respective workforces is different. Two of the firm types (city-boutique and high-street) include a large proportion of sole practitioners – owners or sole

principals of an entity with a single owner. The dominant characteristics and the proportion of solicitor firms populating each profile is as follows:

- **City-boutique** (26.2%) firms are likely to employ staff with a family history of attending higher education and, to a lesser extent, a fee paying school. A higher proportion of men work in these firms as do practitioners of white ethnic background. City-boutique firms will typically practice corporate/commercial law and employ no more than four fee-earners and their headquarters are more likely to be found inside than outside central London. Minority ethnic firms, where nearly all staff are of BAME background, account for 27.7% of this firm type and 21% of this proportion are sole practitioners.
- **High-street** (21.4%) firms employ a large proportion of staff who are first-generation graduates, practitioners from a white background, and slightly more males than females. These firms provide a mix of retail and commercial legal services by drawing on the expertise of up to four fee-earners. Sole practitioners constitute 60% of high-street firms. This cluster also includes a significant proportion of BAME owned firms (27.6%) many of which are sole practitioners (38.4%). These firms are highly likely to be regionally based.
- **Regional-niche** (20.1%) firms include a relatively high representation of solicitors with a family history of attending higher education, but have fewer practitioners who attended a fee-paying school. In terms of ethnicity, this firm type employs a larger proportion of solicitors from a white background than minority ethnic solicitors although gender representation is fairly even. Regional-niche practices tend to operate in the corporate/commercial market. This profile includes 21.4% of small firms (employing between two and four fee earners) where all solicitors are of ethnic minority origin.
- **Large corporate** (18.2%) firms will typically include a high representation of staff with characteristics of social advantage as evidenced by the proportions who attended a fee-paying school and have a family history of attending higher education. Relatedly, the representation of male practitioners and those of white origin is high. Headquarters of these firms is mainly located in central London but there is a significant regional presence, employing on average a high number of fee-earners (up to 80). They will almost certainly operate in the corporate/commercial market.
- **Regional mid-tier** (14.1%) firms are different from the other firm profiles because they are more likely to employ female solicitors. The representation of white practitioners is high and whilst the chances of the workforce attending a fee-paying school is smaller than attending state school, the average remains higher than that for the general population. Firms in this group provide mainly corporate/commercial legal advice and employ between five to ten fee-earners.

The Effect of Diversity Characteristics on Career Progression

Chapter five examines how partnership prospects are affected by gender and ethnicity in each type of law firm. The results show:

- Nearly 70% of existing partners operate in large corporate firms.

- Even though large corporate firms account for the highest number of partners amongst the solicitor population, progressing to this level is highly competitive given the number of new associates recruited to service these firms, many of which are growing in size.
- The prospects of becoming a partner are markedly higher for white males than any other group across *all* firm profiles.
- Partnership remains male dominated – BAME males are more likely to become a partner than white females whilst BAME females are the least likely of all groups to reach this position. This is evidence of a double disadvantage attributable to the intersection of female-gender and minority ethnic status.
- High-street firms, which are predominantly regionally based, offer BAME males, white females and BAME females the greatest opportunities to become a partner and an almost equal chance of doing so.
- BAME males, white females and BAME females are all least likely to become a partner in regional mid-tier firms.
- Overall, given that large corporate firms account for nearly 70% of the partner population, and that their probability of becoming a partner in other firms is also low, females – and BAME females especially – are disadvantaged when it comes to career progression in the solicitors' profession.

1. INTRODUCTION

This research was commissioned by the Solicitors Regulation Authority (SRA) to find out how the diversity characteristics of the profession has changed over time and the extent to which characteristics associated with social advantage and disadvantage affect career progression.

1.1: Introduction

The Solicitors Regulation Authority (SRA) shares with others a regulatory objective under the Legal Services Act 2007 (LSA) to support those under its jurisdiction to take steps to achieve a diverse profession.¹ Ensuring the workforce is broadly representative of the population it serves is in part realised through equality of access to work in, and opportunity to advance within, the profession. A diverse profession encourages those with a legal need to access advice. Evidence indicates it improves choice and results in a better user experience.²

1.2: Research Aims

Quantitative studies show that whilst considerable progress has been made in widening access to the legal profession, particularly in relation to gender and ethnicity, senior positions continue to be disproportionately occupied by white males of higher socio-economic status. Qualitative studies have revealed the processes and mechanisms through which advantage and disadvantage occurs and how barriers to progression manifest.³ Nonetheless, there are few examples of advanced quantitative analyses that provide meaningful insights into how those who enter the profession fare within it over time in terms of the positions they occupy and their likelihood of advancement. In light of this evidence gap, the SRA commissioned this study and granted access to its records of individual solicitors on the Roll between 2006 and 2016. The Roll is a register of qualified solicitors, which the SRA is required to maintain under the 1974 Solicitors Act.

The study explores patterns of advantage and disadvantage, particularly in terms of how opportunities⁴ are different for men and women, and those from minority ethnic populations. It examines the following questions:

1. How has the legal profession changed in terms of the diversity characteristics of practising lawyers; are there increasing numbers of lawyers with social characteristics associated with advantage or disadvantage?
2. How do social characteristics associated with social advantage (male-gender, white majority ethnic status) and disadvantage (minority ethnic status, female-gender) affect career progression in the legal profession?

By clustering and mapping a range of potential advantages and disadvantages individuals contain within their characteristics (notably gender and ethnicity), this study advances our understanding of complex inequalities, their formation in the profession, and potentially their consequences for diversity and inclusion.

1.3: The Business Case for Diversity

The business case for diversity is a position which articulates business benefits for widening access to the profession and promoting equality and diversity within it. The business case has a number of persuasive elements which include, but are not limited to, arguments that more inclusive professional environments promote:

- **Diversity of experiences, skills and avoids ‘group-think’** – Diversity in the workplace facilitates critical thinking and problem solving. Staff bring different skills, experiences and talents to the business, which enhance the ability of a business to innovate. Research suggests that diversity in the partnership of a law firm has the potential to make a positive impact and helps avoid the risks of ‘group-think’.⁵
- **Fosters more creative solutions** – Another argument in favour of diversity relates to the quality of lawyering. Many corporate clients want diverse perspectives and solutions when seeking legal advice. As expressed by Catherine Lamboley, the General Counsel of Shell Oil, “When you use people of diverse backgrounds and different ways of looking at things, you get a better solution”.⁶
- **Professional and firm based legitimacy** – The demographic profile of the UK population is changing and a diverse workforce may help to better understand the needs of diverse clients in terms of language, cultural and religious influences.⁷ Promoting diversity increases both the professions’ legitimacy in the eyes of the broader public and of course the legitimacy and reputation of individual legal firms.
- **Compliance with legal and regulatory equality requirements** – An organization that meets its statutory equality duties helps avoid costly and unnecessary discrimination claims and regulatory action.

While the business case is important it is also critical not to lose sight of an ethical case for equality and diversity. Where business incentives are hard to ascertain, there remains a strong social and ethical case to promote fairness and equal opportunities for all to achieve their potential in the professions and wider society.

1.4: Study Context

1.4.1: An Overview of the Changing Composition of the Legal Profession in England and Wales

The size and composition of the solicitors’ profession in England and Wales (E&W) has changed markedly over the last 30 years. Between 1985 and 2015, the number of solicitors with a practising certificate (PC) increased by 183%.⁸ Yet given that the origins of the profession date to the 1700s, diversity is a recent phenomenon. Women were first allowed to enter the profession in the early 1900s but non-British citizens were prevented from qualifying until 1974.⁹ Hence, it may seem remarkable now but solicitors from Black, Asian and Minority Ethnic (BAME) backgrounds constituted 0.25% of all practitioners in 1982.¹⁰ Despite the creation of the Race Relations Committee by the Law Society

in 1985, progress remained slow; by the mid-1990s for instance, solicitors from minority ethnic backgrounds accounted for just 2% of the profession.¹¹ However, representation accelerated in the 2000s so that by 2015, solicitors with PCs from a BAME background (14%)¹² marginally exceeded their proportion of working age population (13%).¹³ However, the representation of different minority ethnic populations is uneven. For example, solicitors of Asian origin are slightly over-represented (7%) when compared to their respective share of the working-age population (5%), but solicitors of African and African-Caribbean (2.1%)¹⁴ are under-represented (3%).¹⁵

The growth in the number of female solicitors has been remarkable. Up to the 1980s, the proportion of female solicitors remained below 10%. As the implementation of sex discrimination legislation in the 1970s started to take effect (along with other social changes noted below), the participation of women in the legal profession increased rapidly, particularly from the 1990s onwards. Thus, accounting for 23% of the profession in 1990, there were just under 12,700 women solicitors with a PC.¹⁶ By 2015, this figure had increased by 413% to 65,000 with the effect that women now constitute almost half the profession (48.8%).¹⁷ By comparison, the number of male solicitors increased by 62% over the same period (from 42,036 in 1990 to 68,220 in 2015). Moreover, women will outnumber male solicitors in the near future. Since the mid-1990s, women overtook men as the majority of new entrants to the profession,¹⁸ and the proportion of female practicing solicitors under 35 is significantly higher than men (57% in 2013).¹⁹

The increase in the size of the solicitors' profession and its composition coincides with several trends. This includes an explicit commitment to meritocratic values following World War II,²⁰ and the maturing of second (and third) generation minority populations, which also coincided with the expansion of higher education. For instance, the proportion of UK 17-30 year olds who attended university did not exceed 15% during the late 1960s to 1980s but this rose to 49% by 2015.²¹ Thus, the expansion of higher education provided opportunities for BAME individuals to attend higher education and realise aspirations; research shows that minority populations are often attracted to professional careers (like law or medicine) specifically because of their potential opportunities for social mobility.²²

Changes in the size and composition of the solicitors' profession also coincide with the growth and profitability of professional service firms²³ (PSFs). Until the 1950s, the vast majority of solicitors practiced alone or with one or two partners but following the decision to lift the 20-partner limit originally imposed in 1862, the proportion of solicitors practicing in smaller firms declined and large firms began to emerge.²⁴ Thus, by 2013, firms with 26 partners or more employed 43% of solicitors in private practice.²⁵ The growth in the size of the profession and the expansion of PSFs was made feasible by increasing entry to the profession to women and those from a BAME background.²⁶

The figures reported above show dramatic improvements in the diversity of the legal profession. Indeed, it can be argued that with respect to gender and ethnicity at least, 'formal equality' has been achieved. This refers to the representation of groups in proportion to their representation in the general population. Yet, as detailed below, further progress is required to ensure 'substantive diversity' of non-traditional groups. This means balanced representation in, for example, the most lucrative/high income areas of the profession and equal opportunities for advancement within them.²⁷

1.4.2: Feminisation of the profession

As noted above, the participation of women in the legal profession since the 1990s has been substantial, a development some observers describe as the ‘feminisation’ of the profession.²⁸ However, detailed analysis of statistical data together with the findings from a significant body of studies²⁹ reveal ways in which women lawyers continue to experience fewer opportunities for advancement than their male peers. Indeed, research demonstrates that gender bias is widely thought to exist within the legal profession. For instance, one Canadian study found that the overwhelming majority of lawyers (99% of women and 83% of men) believed double standards and some form of gender bias against women is prevalent within the legal profession.³⁰

Gender bias against women impacts upon achievement. Women solicitors experience an income gap; are still less likely than men to make partnership; are more likely to work outside of the largest firms; and exit the professions at an early stage in their careers.³¹ Moreover, in line with preconceived ideas about women’s work, female solicitors are likely to specialise in lower income practice areas such as family law and immigration. Thus, once the conditions under which women practice within the legal profession are taken into account, it is evident they have not achieved equality of opportunity with their male peers.³²

Factors that disadvantage women, whilst placing men in advantaged position, help explain the different experiences and achievements of men and women.³³ Since much of the profession’s expansion has occurred within large law firms, studies have tended to concentrate on the effects of organisational strategies and processes. Here, a key idea is that the business model of large firms may hinge upon two simultaneous processes – surplus generated by expanding cohorts of predominantly female associates and, also, high levels of labour force attrition or ‘exit’ from the profession to control the expansion of the partnership.³⁴ This model is facilitated by longer promotion times and, when coupled with the onset of parental responsibilities, leads to a high number of women leaving the partnership track. Indeed, this was explored by an earlier study which found longer partnership tracks discourage female participation at associate level because the challenges associated with sustaining long working hours, over a large number of years, coincides with the period when women usually start families.³⁵

A smaller proportion of female associates achieving partnership is further explained by the different types of disadvantages experienced by women, which includes (amongst others):

- a gender bias in recruiting and promoting;
- male-focussed activities commonly used to form and develop client relationships;³⁶ and
- a long hours culture and the challenges it poses for work-life balance.³⁷ In fact, research shows that, the expectation that lawyers will be available 24 hours a day and 7 days a week — the “on-demand” culture – not only acts as a barrier to female career progression but encourages them to leave private practice altogether.³⁸

Overall, the promotion system in law firms has famously been compared to medieval tournaments where associates compete for a limited number of partnerships.³⁹ These tournaments take place in

arenas where men traditionally enjoy inbuilt advantages and women endure structural disadvantages, often referred to as gender penalties (e.g. see Rivera and Tilcik, 2016; Stephen and Correll, 2010).⁴⁰

1.4.3: Black, Asian and minority ethnic (BAME) Entrants

In line with the experience of female lawyers, data highlighting the increase in the representation of solicitors from a BAME background presents a partial picture of their encounters with work and overall career prospects. By exploring the experiences of BAME professionals at different stages of organisational life – recruitment, promotion, assignment of responsibilities and authority⁴¹ – their experiences also illustrate structural disadvantages, or ethnic penalties.⁴² Thus, previous data highlights:

- **Disadvantage at the point of entry:** There are fewer black law students than most other minority ethnic groups; and there is an attainment gap between white and BAME students at all levels of legal education.⁴³ BAME lawyers have greater difficulty in accessing vocational in-practice training⁴⁴ and are paid less during their training contract compared to white students.⁴⁵
- **Disadvantage at senior positions:** It is much more difficult for solicitors from minority populations to reach the status of partner. In 2013, 33% of all white European solicitors were partners but the equivalent figure for BAME solicitors was 22%.⁴⁶ BAME individuals are also less likely to be partners in large firms. Those of African/African Caribbean origin experience the greatest disadvantage, comprising just 1% of partners in large firms.⁴⁷
- **Sole practitioners:** Over 9% of BAME solicitors are sole practitioners compared to 4% of white solicitors.⁴⁸

Entry and career progression obstacles experienced by BAME solicitors in the profession are explained by ethnic and gender biases towards certain types of cultural fit by those in positions of leadership and authority.⁴⁹ To elaborate, in terms of technical ability, research indicates that employers equate Oxbridge and Russell Group universities with high-quality education that is more effective at equipping graduates with the requisite skills they value than less prestigious institutions. As Ashley and Empson⁵⁰ found, prominent UK law firms purposely recruit graduates from prestigious universities because they regard these institutions to be more effective at socialising graduates with the culture, soft skills and type of ‘high-class’ image sought for commercial success. This places BAME lawyers at a disadvantage in finding employment in elite segments of the profession since they are concentrated in less prestigious higher education institutions. Relatedly, the importance attached to cultural fit by professional organisations also constrains career advancement of BAME lawyers. Entry to elite law firms, for example, is contingent upon candidates demonstrating mastery of specific types of cultural norms and values, and making clear that their attitudes and dispositions match the culture of the firm.⁵¹

The impact on BAME lawyers of associating technical ability with education from Oxbridge and Russell Group universities and the importance attached to cultural fit in recruitment decisions is exposed vividly by a study exploring the educational backgrounds of this group and their subsequent legal careers.⁵² Recruitment decisions are predominately made on proxies purportedly determining legal ability and skill but in practice discriminate against BAME and lower socio-economic group law

graduates. These selection practices fail to recognise the talent of BAME candidates and continue to reproduce social inequality.

Productivity is another way in which employers may measure technical ability, with law firms typically resorting to using billable hours and the generation of new business as their measures.⁵³ However, BAME lawyers do not always have equal access to opportunities to enable them to meet these criteria, which jeopardises their progression and requires them to deploy strategies to overcome or mitigate these barriers.⁵⁴ Career progression, training, mentoring, challenging assignments, and other developmental experiences are essential for increasing chances of promotion. However, studies⁵⁵ show that professionals from BAME backgrounds find it much harder to access such opportunities, not least because those who control access to developmental experiences are usually senior professionals who tend to be white males and consciously or unconsciously prefer to work with those most like them.

Overall, the combined effect of the aforementioned factors makes it difficult for BAME solicitors to progress in elite firms and, as a result, they are more likely to work in and attain partnership in high-street and regional firms. One reason for this is that, even though ‘rainmaking’ constitutes a key criterion for advancement in these firm types as it does in elite solicitor practices, social and cultural capital associated with class and other markers of prestige relating to educational background are less important.⁵⁶

1.4.4: Intersectionality and opportunity in the legal profession

Whilst much evidence noted above shows that women and certain minorities are likely to move in-house and are less likely to advance within large corporate law firms, less is known about patterns of how opportunities improve and/or restrict the chances of workers with different social characteristics.⁵⁷ Opportunities within law firms might include things such as working-time demands connected to areas of practice; the ability and opportunity to generate new business; availability for after-work hours networking activities; as well as sponsorship and mentoring practices within firms.⁵⁸ These opportunities are experienced differently for men and women and for those of different ethnic groups.

However, the way individuals experience the profession cannot be captured effectively by one social characteristic alone, say gender or ethnicity. Individuals are the sum of multiple and sometimes complex intersecting social characteristics. Recognition of this has led to the concept of intersectionality becoming increasingly relevant.⁵⁹ With roots in black feminist scholarship, intersectionality emphasised ways in which black women experienced gender based discrimination differently to white women, centring on the argument that gender is not the only locus of inequality. The concept of intersectionality emphasises that integrating social characteristics is critical to understanding complex human relations in organisations and societies.

Intersectionality is, therefore, concerned with both *inter* and *intra* group differences.⁶⁰ So, for example, an intersectionality approach would focus on how women’s experience of the profession differs from men’s but also seek to explore variation in experience *within* a particular gender group, for example, by ethnic group or social class. The interpenetration of complex inequalities can be reinforcing or contradictory.⁶¹ Put another way, an able-bodied white female in the legal profession

might face a gender disadvantage in terms of her progression, but at the same time experience an advantage on the basis of her ethnicity. In contrast, a minority ethnic female in the profession may experience a double disadvantage, on the basis of her female-gender and ethnic minority status, while a minority ethnic male may face an ethnic disadvantage but a gender advantage.

Being able to cluster and map the myriad of potential disadvantages and advantages, or opportunities and potential constraints individuals face through their social characteristics, and critically, how these intersect, allows for a more nuanced understanding of experiences within the profession. The analysis in the rest of the report attempts to do this by looking at differences between men and women intersected with minority ethnic status.

1.5: Report Structure

Following this introductory chapter, chapter two provides an overview of how the gender and ethnic composition of individuals admitted to the Roll has changed over the period 1970-2016.

Later sections consider the extent to which, if at all, the career progression experiences of women and minority ethnic groups have changed. Key patterns relating to the regional mobility of men and women of different ethnic groups are also presented.

Chapter three reports on the results of latent class analysis which was applied to a cohort of solicitors admitted to the Roll between 2006 and 2010. The analysis produced four solicitor classes with each one reflecting a different type of legal career and patterns relating to the gender and ethnicity of the solicitors following that trajectory.

Chapter four identifies ways in which the diversity composition of the solicitor workforce varies across five statistically different law firm profiles. The firm clusters were established following a latent profile analysis of the workforce diversity records of 8,243 solicitor practices. The clusters vary by size, location, and area of work. The diversity characteristics of their workforces are also different. A profile of each firm type is presented in the chapter.

Chapter five examines how partnership prospects are affected by gender and ethnicity. It begins by identifying the proportion of partners populating each of the five firm profiles identified in chapter four with the results disaggregated further by gender and ethnicity. The chapter then explores the more complex relationship between gender, ethnicity, firm type and partnership probabilities. The results show vividly that the probability of white males reaching partner is much higher compared with all other groups. They also show that partnership remains male dominated with white and BAME females least likely to reach this position.

2. COMPOSITION OF SOLICITORS ON THE ROLL, CAREER PROGRESSION AND REGIONAL MOBILITY

- The first part of this chapter provides an overview of how the gender and ethnic composition of individuals admitted to the Roll has changed over the period 1970-2016. It is based on an analysis of the individual records of 194,019 solicitors who remained registered on the Roll between 2006 and 2016.
- Records of solicitors who left the profession before 2006 are missing from the dataset, which may therefore underestimate the numbers of women and minority ethnic groups entering the solicitors' profession. Those remaining in the sample were on the Roll at least once, while 13.7% of solicitors are no longer practising.
- The solicitors' profession has grown substantially and even when taking into account that the dataset is a partial representation, it shows unequivocally that the diversity characteristics of new entrants have changed markedly since 1970. The most striking trends are:
- The large increase in female new entrants – from less than 10% of all new admissions to the Roll in 1970 to over 60% in 2016.
- The acceleration of new admissions by BAME solicitors over the last ten years and, in particular, those of Asian background. In fact, new admissions by Asian solicitors have been double that of all other minority ethnic groups since the mid-1970s, increasing to two-thirds in the last three years. In 2016, Asian solicitors accounted for 19% of all new admissions.
- The gradual and relative decline of white males qualifying as solicitors since the 1970s and the absolute decline since 1990s.
- Across all ethnic groups, new admissions by women have been outnumbering those of men in recent years.
- Females of all ethnic groups are less likely to progress to partner than their male counterparts.
- The proportion of white males becoming a partner has decreased significantly with a concomitant increase in the proportion of BAME males becoming a partner, especially those of Asian origin.
- Solicitors are increasingly concentrated in central London based firms. Male and female solicitors of African/African Caribbean, and Chinese ethnic origin are by far the most likely to work in firms headquartered in the capital.
- By contrast, a considerably higher proportion of white and Asian solicitors (both males and females) work in firms based in regions outside central London with many having done so throughout the course of their career.

2.1: Introduction

Under the Solicitors Act 1974, the SRA is required to maintain a register – known as the Roll – of all qualified solicitors and their employment profile. The number of individuals on the Roll should not be confused with the number of individuals working as solicitors. This is because the Roll includes details of individuals who are working in jobs for which they do not need a practicing certificate, solicitors who have retired, and those who are no longer pursuing a career in the legal profession.

The analysis of the profile of individuals admitted to the Roll is based on records of 202,311 solicitors, constituted from information provided by them when applying for admission to the Roll and when renewing their annual practice certificates. Specifically, they were asked to provide details on where they work, the type(s) of law they practice, and their diversity characteristics (gender, ethnicity, disability, religion and sexual orientation). Missing data relating to gender and ethnicity was within the margin of statistical error and therefore unlikely to contaminate the results of this study. As questions on disability, religion and sexual orientation had very low response rates, they have been excluded from the analysis because we cannot be confident that those who provided this information are representative of the solicitors with the same characteristics who chose not to respond.

Not all solicitors provided complete information to other questions, and a small number provided information that suggested they had made mistakes in completing application forms (for example, solicitors indicating they had more than 10 jobs at once). These observations were discarded, leaving records for 194,019 individual solicitors, 96% of the full population.

The first part of the chapter provides an overview of ways in which the gender and ethnic composition of individuals admitted to the Roll has changed over the period 1970-2016. Later sections explore career progression and mobility between central London based and regional law firms by ethnicity and gender.

2.2: The Number of Admissions to the Roll by Gender and Ethnicity

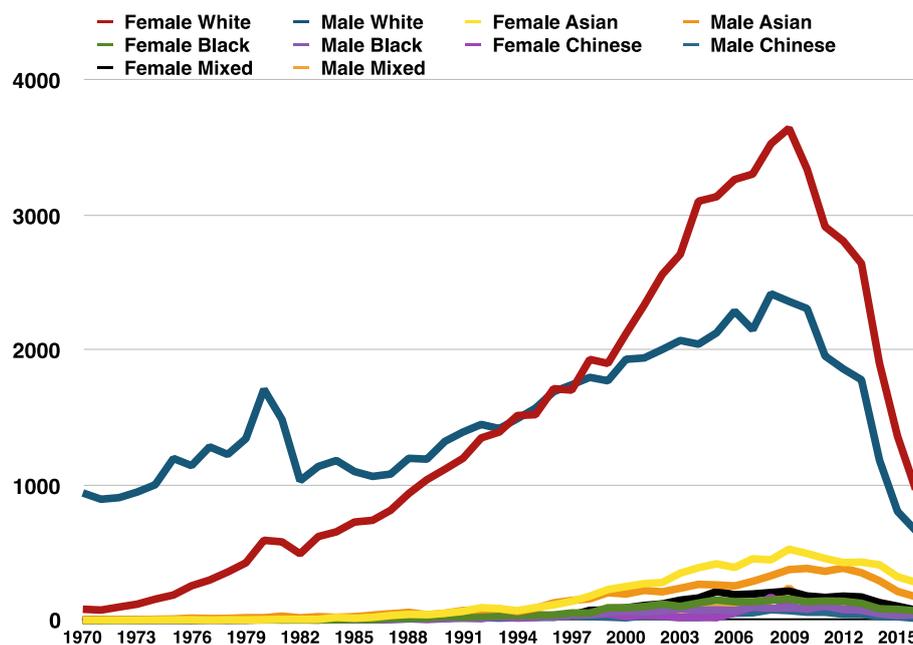
Between 1970 and 2010 there was nearly a sevenfold rise in the number of individuals admitted to the Roll. The expansion of the profession remains significant despite a tumble in new admissions between 2010 and 2015 caused primarily by the large reduction in the number of overseas lawyers admitted to the Roll following the introduction of a new transfer scheme in 2010.⁶²

In the analysis that follows, it is important to keep in mind that solicitors who were no longer registered on the Roll before 2006 are not included in the data set. As such, the admissions by women and minority ethnic groups may be understated because research shows these groups are more likely to leave the profession compared with white males.⁶³

Even when taking into account that the dataset is a partial representation, as illustrated in Figure 1 overleaf, the diversity characteristics of those entering the profession have changed markedly over the period 1970-2016. The most striking trend is the rapid increase of white females and BAME (both male and female) entrants. The absolute number of white females admitted to the Roll exceeded that of white male entrants from the mid-1990s, a pattern that reached a peak level in 2009-2010.

The increase in the number of BAME entrants followed suit, accelerating rapidly between 2000 and 2006. This was especially noticeable among female and male solicitors of Asian descent, as demonstrated in Figure 2.1 (see yellow and orange lines respectively). For example, the number of Asian females entering the profession in 2015 was four times higher than that of the mid-1990s. While Asian males exhibited the same pattern, proportionately, their entry to the solicitors' profession was significantly lower (a nearly twofold rise over the past 20 years). This is in line with increased presence of females in the solicitors' profession. These factors have caused a significant relative decline in the number of white males in the profession, a striking difference compared with the white male dominated profession in the 1970s.

Figure 2.1: The number of admissions to the Roll by gender and ethnicity, 1970-2016

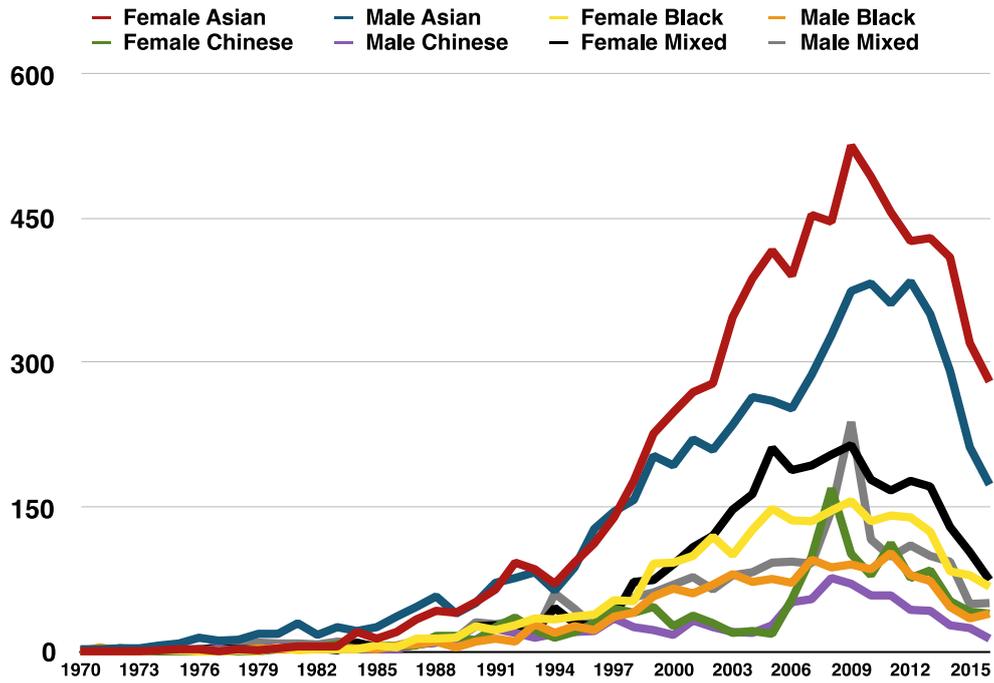


2.3.1: A breakdown of admissions to the roll of the minority ethnic population by gender

Figure 2.2 illustrates more clearly the number of admissions to the Roll of different minority ethnic groups by gender. Admissions by solicitors of Asian descent significantly exceed those of other minority groups. After females and males in this group, admissions by female solicitors from a mixed heritage are the highest compared to males and females of other minority ethnic groups. The number of female solicitors of a mixed background admitted to the Roll witnessed a nearly tenfold increase between 1996 and 2009.

Figures for newly admitted female solicitors of African/African Caribbean descent are consistently higher than those of male African/African Caribbean background, as are those of female solicitors from a Chinese background compared to Chinese males. Indeed, the number of Chinese males entering the profession is noticeably lower than those of all male and female minority ethnic groups.

Figure 2.2: A breakdown of the number of admissions to the Roll of the minority ethnic population by gender, 1970–2016



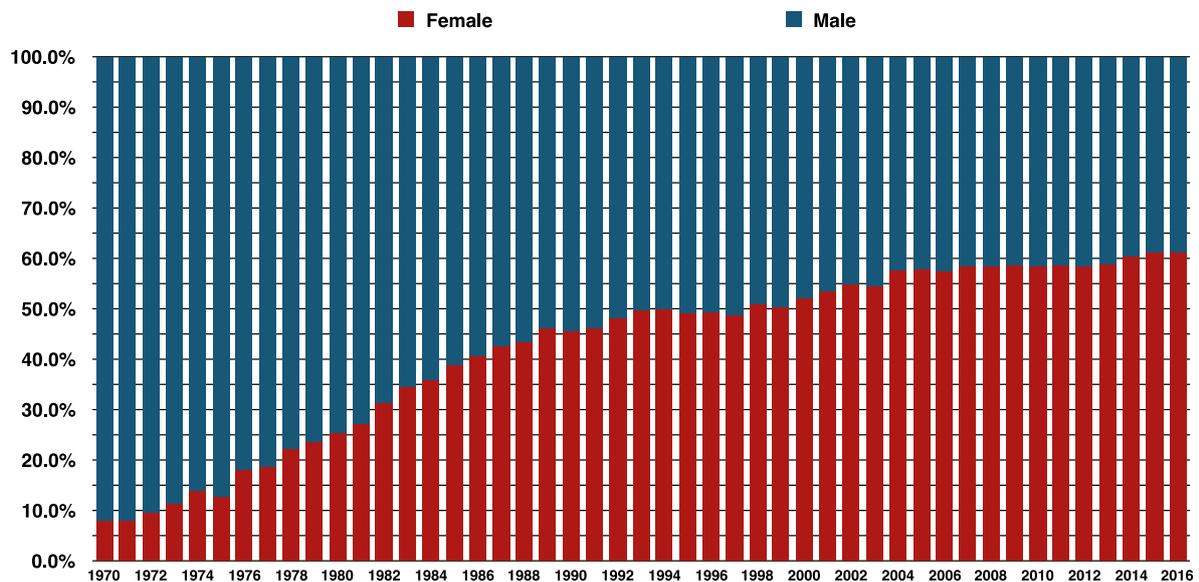
2.3: The Distribution of Admissions to the Roll by Gender and Ethnicity

To help understand what the figures reported above mean for the changing proportions of men, women and minority ethnic groups admitted to the Roll each year, the following charts show the percentages of new entrants with different diversity characteristics broken down by year of entry.

2.3.1: The distribution of new admissions to the Roll by gender, 1970–2016

Figure 2.3 shows that in 1970 less than 10% of new entrants to the profession were female and it was not until the early 1980s that they started to reach a critical mass.⁶⁴ By the late 1990s, women accounted for more than half of all new entrants and, in 2016, accounted for just over 60%.

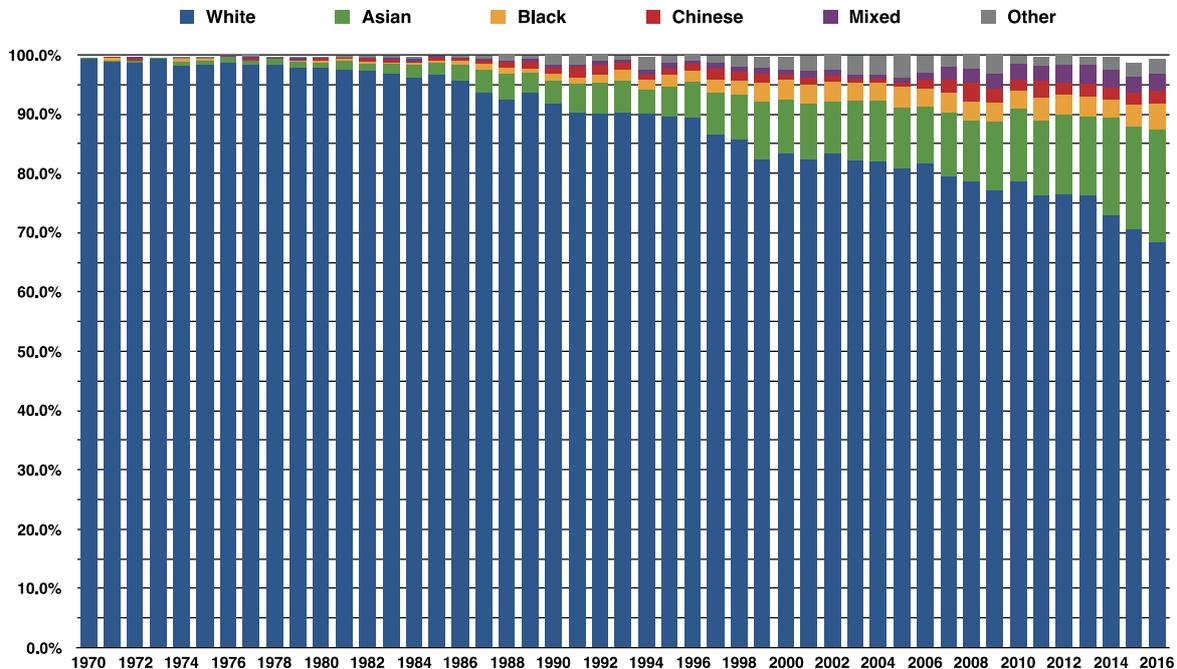
Figure 2.3: The distribution of new admissions to the Roll by gender, 1970–2016



2.3.2: The distribution of new admissions to the Roll by ethnicity, 1970–2016

Turning to the issue of ethnicity, Figure 2.4 shows that the majority of new entrants to the profession (for whom we have data) continue to be white.

Figure 2.4: The distribution of new admissions to the Roll by ethnicity, 1970–2016



Since the mid-1990s the proportion of minority ethnic solicitors admitted to the Roll has started to increase. The last ten years in particular have witnessed an acceleration of new admissions by BAME solicitors, although as noted above, this is not evenly distributed. The proportion of new admissions of solicitors of Asian background, equating to 19% in 2016, has been consistently higher than any other minority population. In fact, new admissions by Asian solicitors has been double that of all other minority ethnic groups since the mid-1970s, increasing to two-thirds in the last three years. Solicitors categorised as originating from the ‘other’ background account for the second largest group of minority ethnic new entrants – 5% in 2016.

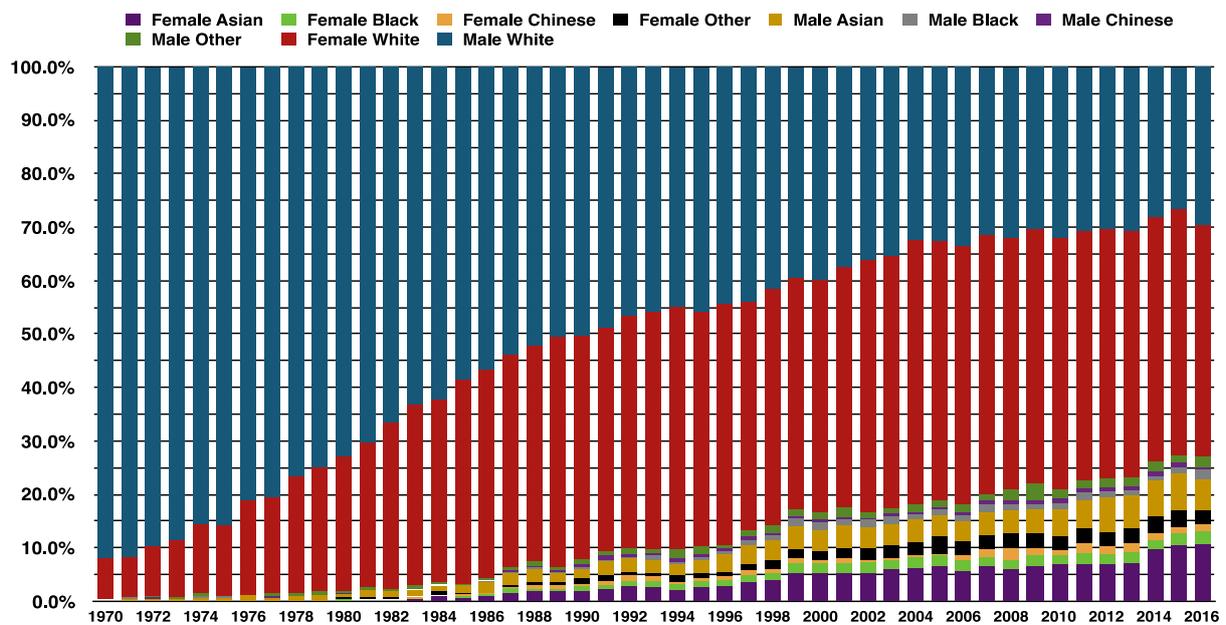
2.3.3: The distribution of new admissions to the Roll by gender and ethnicity, 1970–2016

Finally, Figure 2.5 illustrates changes in the composition of new admissions to the Roll of solicitors by gender *and* ethnicity. It shows how the proportion of new admissions by white females has been increasing since the 1970s, overtaking the proportion of white male new entrants in the mid-1990s. However, since 2007, the proportion of white females entering the profession has been slowly declining. A similar pattern is observable when comparing admissions of female and male Asians. Initially, admissions were greater amongst Asian males but from the mid-1990s, the pattern reversed and new admissions by Asian females exceeded that of Asian males. The difference between the two has been most pronounced in 2015 and 2016.

As shown in Figure 2.5, further analysis reveals that, after Asians, new admissions to the Roll are highest amongst female lawyers from the ‘other’ minority ethnic backgrounds. However, the

difference between this group and new admissions from African/African-Caribbean females, and men from the ‘other’ minority ethnic background is not large. The proportion of newly admitted solicitors of Chinese descent has consistently been the lowest of all minority ethnic groups. Within this category, the proportion of newly admitted Chinese females has constantly been higher than that of Chinese men with the latter accounting for the smallest group of all new admissions.

Figure 2.5: The distribution of new admissions to the Roll by gender and ethnicity, 1970–2016



2.4: Career Progression

By drawing on details of the current and previously held positions of solicitors included in the dataset, a composite career progression measure was created which comprises three categories: partners; non-partner solicitors; and in-house solicitors. These categories, in turn, were applied to three successive solicitor cohorts – earlier, representative and recent – to find out the extent to which, if at all, the career progression experiences of women and minority ethnic groups have changed. The earlier cohort spans the period before 2006; the representative cohort covers the timeframe between 2006 and 2010; and the recent cohort is formed by solicitors who were admitted to the roll between 2011 and 2016.

Figure 2.6: Career progression across successive solicitor cohorts by gender and ethnicity

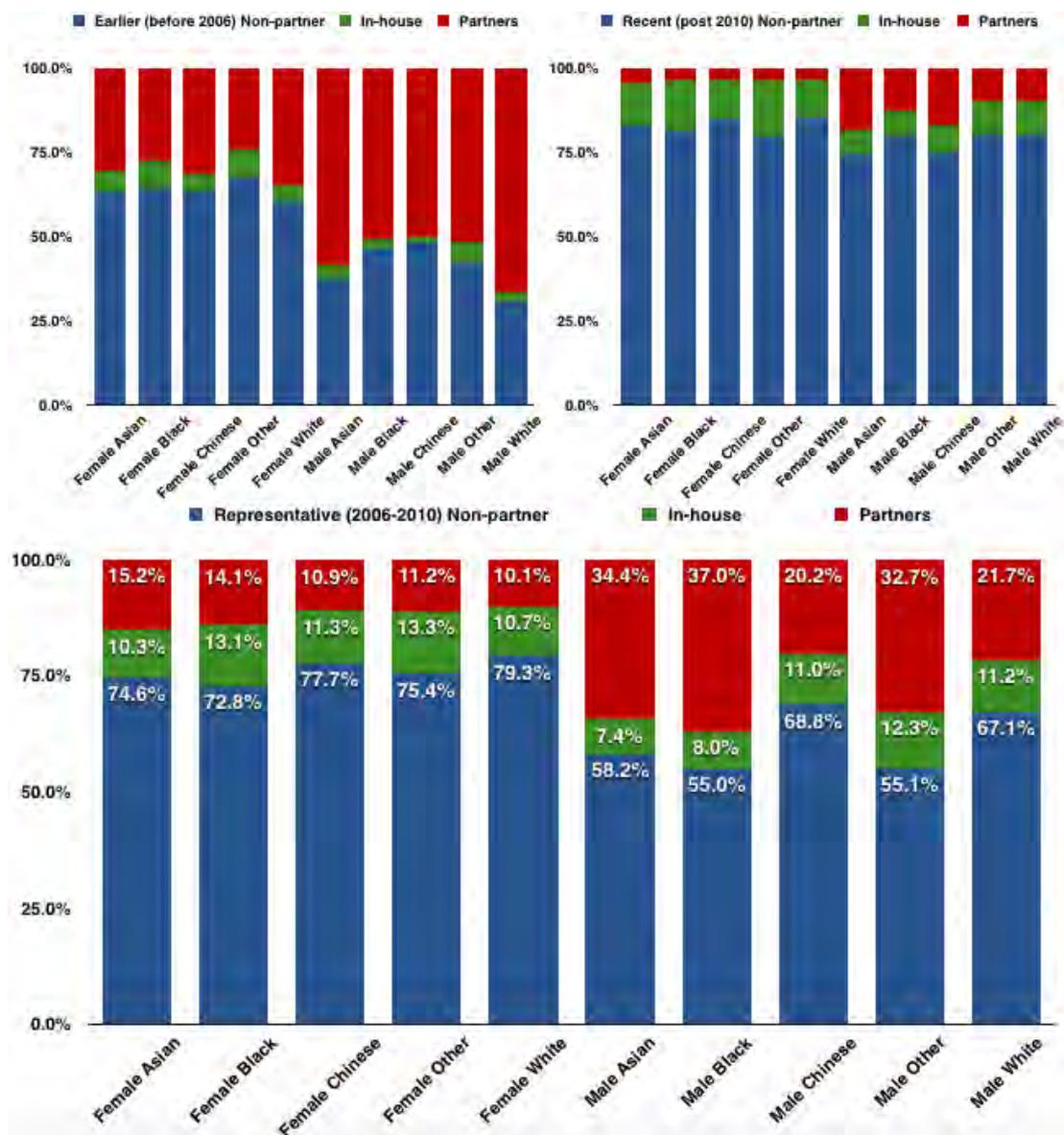


Figure 2.6 shows that the proportion of partners in the representative and recent cohort are affected by a ‘recency’ bias, meaning that solicitors in these cohorts have had less time to progress to partner level than those in the earlier cohort. Irrespective, it is clear that, across all ethnic groups, males are

more likely to become a partner than their female counterparts. This resonates with existing research showing progression to partner is a male dominated phenomenon.

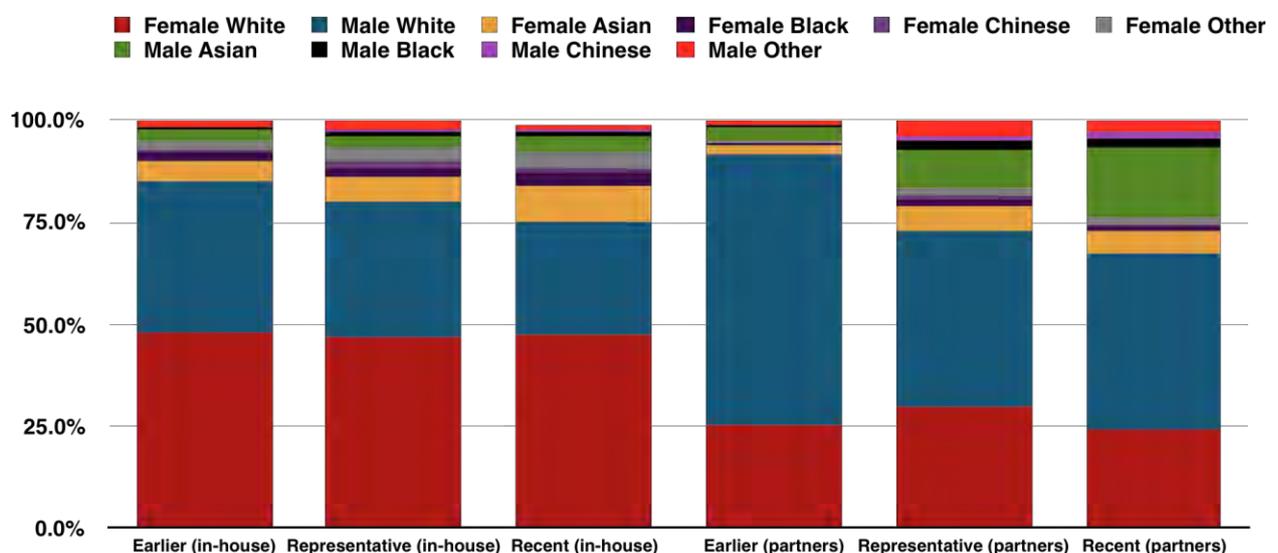
There is an increasing share of solicitors leaving private practice to work as in-house counsel. This trend is pronounced amongst women and fits with other studies highlighting their in-house career moves as a strategic response to the challenges of working in corporate law firms. In this respect, in-house roles are viewed as offering greater predictability and control over workload and schedule.⁶⁵

Figure 2.7 illustrates in more detail the gender and ethnic composition of partners and in-house solicitors. The first three columns depict the proportion of solicitors undertaking in-house work within each of the three cohorts respectively. The proportion of in-house male solicitors in the representative cohort reduced sharply compared to the earlier cohort, while the share of white females remained stable at around 50%. The reducing share of in-house male solicitors parallels an increase of BAME female solicitors moving in-house, particularly those of Asian origin.

Figure 2.7 shows also that the proportion of white males becoming a partner has decreased significantly with a concomitant increase in the proportion of BAME males becoming a partner, especially those of Asian origin. This may be because, as suggested by the literature, they tend to move to smaller, ethnically oriented firms.⁶⁶

The proportion of women reaching partnership has not changed significantly.

Figure 2.7: The gender and ethnicity of solicitor partners across successive cohorts



2.5: Between Firm Mobility

Figure 2.8 illustrates ways in which the mobility of solicitors between central London based firms (CLBF) and regionally based firms (RBF) changed between 1970-2016. It is interesting to study this because CLBF include the largest firms undertaking higher paid corporate and commercial legal work. There is no relationship between this form of mobility and gender, but there is a relationship with ethnicity. Solicitors are increasingly concentrated in firms with headquarters in central London with nearly half of all solicitors admitted to the Roll since 2006 working solely in central London premises over the course of their career.

Figure 2.8: Mobility of solicitors between central London and regionally based firms, 1970–2016

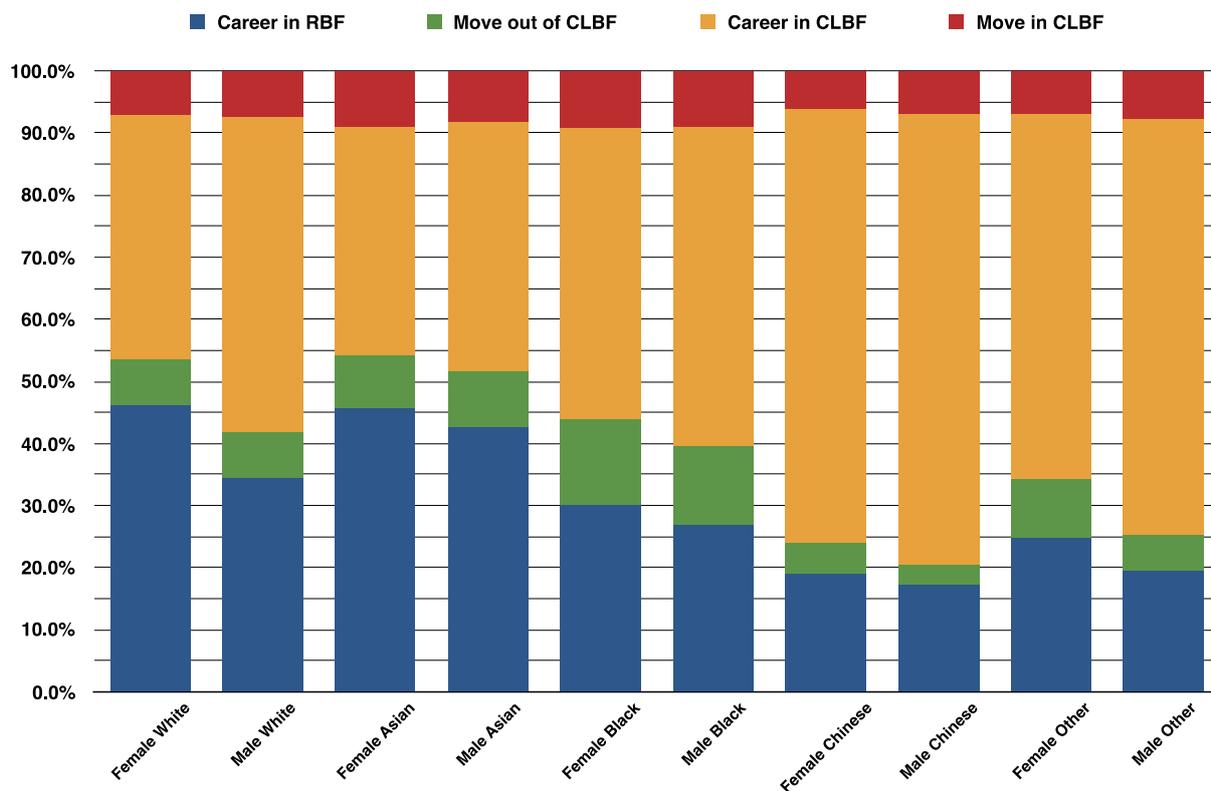
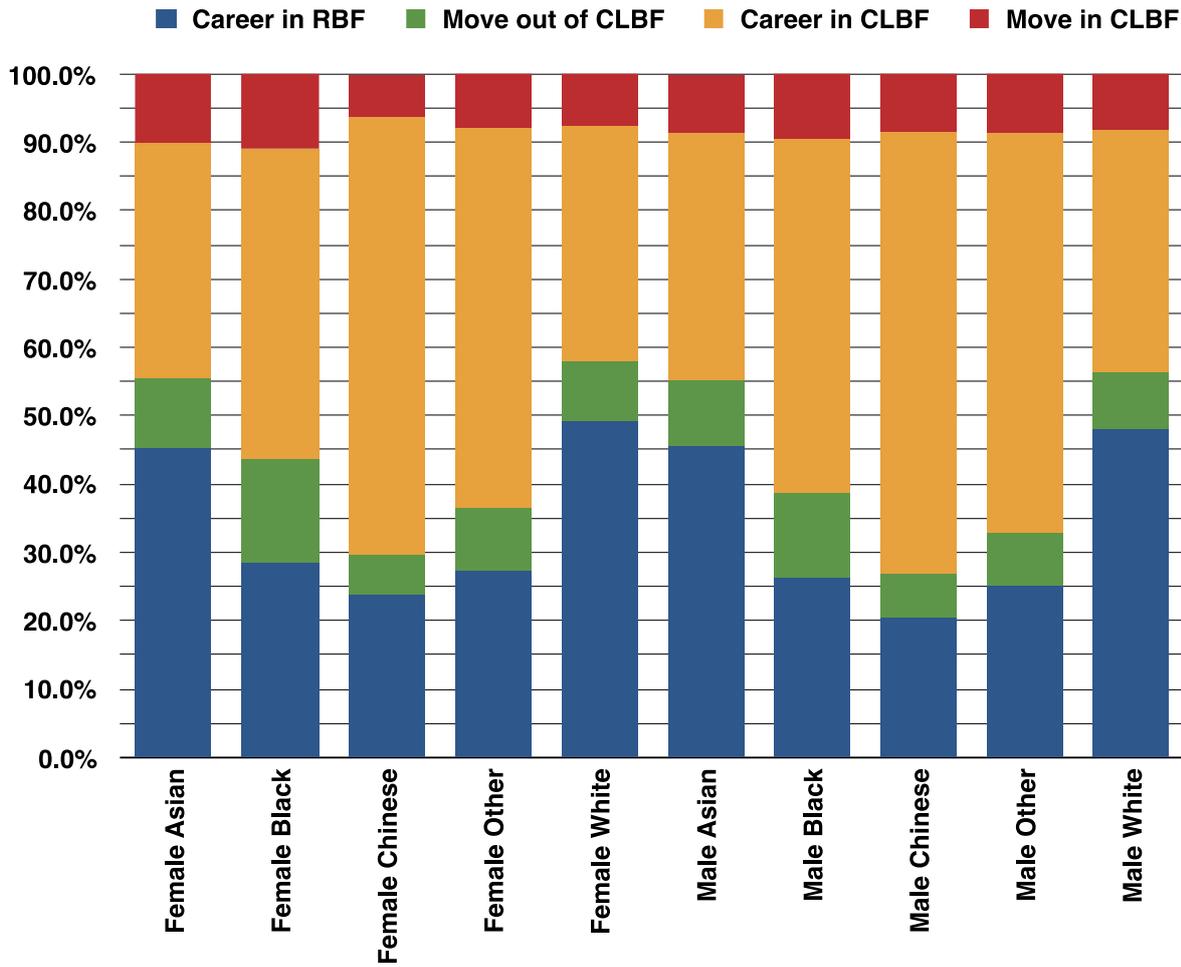


Figure 2.9 focuses on the representative cohort and illustrates that BAME solicitors are more likely than those from a white ethnic background to work in central London based firms. Central London based firms attract male and female solicitors of African/African Caribbean, and Chinese ethnic origin. A considerably higher proportion of white and Asian solicitors (both males and females) work in firms based outside central London with many having done so throughout the course of their career.

Figure 2.9: Mobility between central London and regionally based firms among the representative cohort by gender and ethnicity



3. FOUR CAREER TYPES IN THE SOLICITORS' PROFESSION

- By applying latent class analysis to a cohort of solicitors admitted to the Roll between 2006 and 2010, four solicitor classes, each reflecting a different type of legal career were identified.
- The four classes differ in terms of their gender and ethnic composition. They exemplify variations in career experiences in relation to the probability of progressing to partner level; working in a central London based firm, and type of legal work.
- The solicitor population is not evenly distributed across the four classes, with the greatest proportion located in the first two:
 - High-street providers;
 - City lawyers;
 - Corporate fast-track;
 - In-house.
- The **High-street provider** class is populated predominately by female solicitors, working in regional based firms, who are unlikely to have been promoted to a partner. Solicitors in this class will be undertaking either private client work or commercial law.
- The majority of the **City lawyer** class are female solicitors with BAME practitioners in particular outnumbering male counterparts. The high probability of City lawyers working in firms with HQs based in central London suggests they are likely to be employed by national/international practices, although employment in niche firms is also a strong possibility. Reflecting women's predominance in less senior positions, practitioners in this class are unlikely to have been promoted to partner.
- The **Corporate fast-track** class is mainly occupied by white males with BAME males also well represented. Practitioners are most likely to be employed by a large central London based corporate firm, undertaking high income work for a premium client base.
- The **In-house** class is dominated by white females and white males, whilst also including a significant proportion of BAME women. This group has a high probability of working in-house rather than private practice, which fits well with research showing that women find the demands of in-house work more compatible with family commitments.

3.1: Introduction

This chapter reports the results of analysis that has divided the population of solicitors into four classes based on different types of legal career. The method employed to do this is called latent class analysis and a detailed account of it is included in Appendix A. Essentially, latent class analysis entailed grouping solicitors into the following categories based on the information they provided applying for admission to the Roll and the years thereafter when renewing their PC:

- Gender and ethnicity: white male, BAME male, white female or BAME female;
- Job role: whether they were a partner in a law firm, working in private practice or employed as an in-house solicitor;
- Firm location: whether they were working in a firm based in central London or not and whether they had moved into or out of a central London based firm over the course of their legal career;
- Type of work: whether they mainly undertake private client work, or corporate/commercial law.

The next step was to examine the statistical relationships between the four categories and then, based on these relationships, re-organise the data into classes. The results of this analysis, which take the form of posterior probabilities, are illustrated in the graphs below. They show the probability of a solicitor in each of the four categories belonging to a particular career class.

The analysis below is for the cohort of solicitors who were admitted to the Roll between 2006 and 2010, that is 39,204 individual solicitors. This cohort was chosen because the records for the earlier cohort are missing information about solicitors who qualified and left the roll before 2006 making them incomplete. Solicitors who were admitted to the Roll after 2010 were not included because many of them will not have been in the profession long enough to have a realistic chance of achieving partnership.

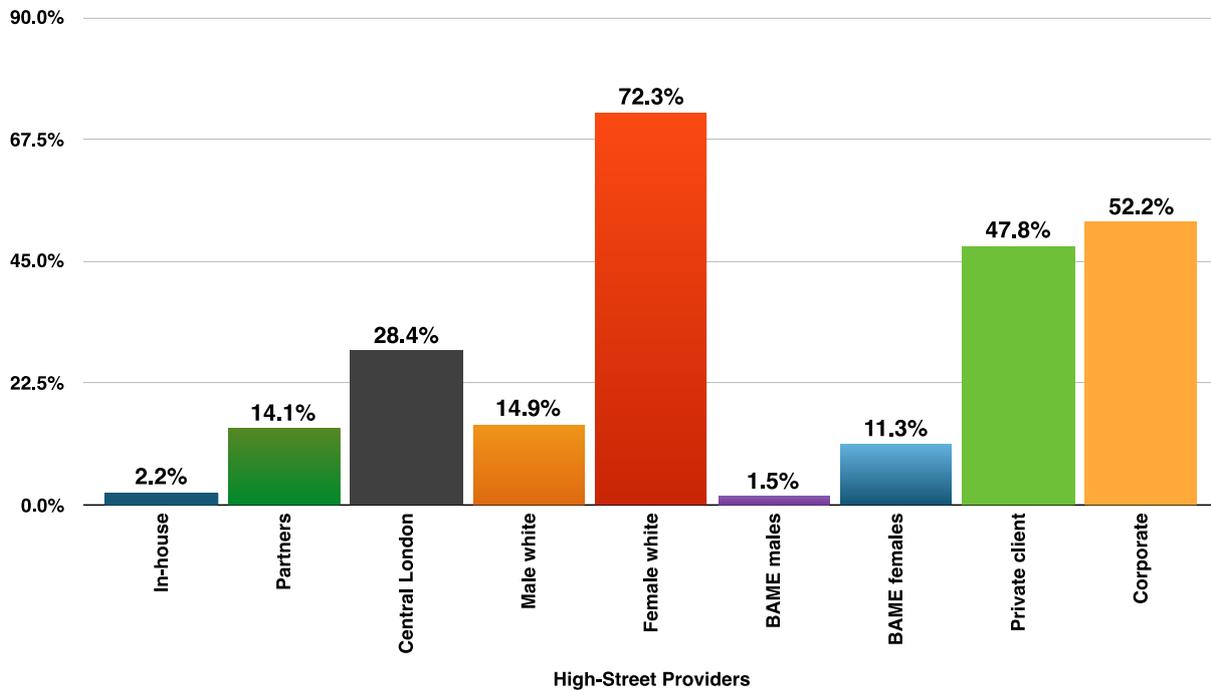
The latent analysis produced a classification of four types of legal careers, which differ in terms of career progression probability; geographical location and type of practice (private client, corporate or in-house). These types are also distinguished by gender and ethnicity. The four types have been termed:

- High-street providers – 35% of solicitors;
- City lawyers – 33% of solicitors;
- Corporate fast-track – 22% of solicitors;
- In-house – 10% of solicitors.

3.2: Four Career Types in the Solicitors' Profession

3.2.1: High-street providers

Figure 3.1: The characteristics of the 'high-street provider' career class



Solicitors populating the high-street providers class have a high probability of working in firms based outside of central London in private practice and are unlikely to have been promoted to partnership within the period that it typically takes to do so (6–7 years).

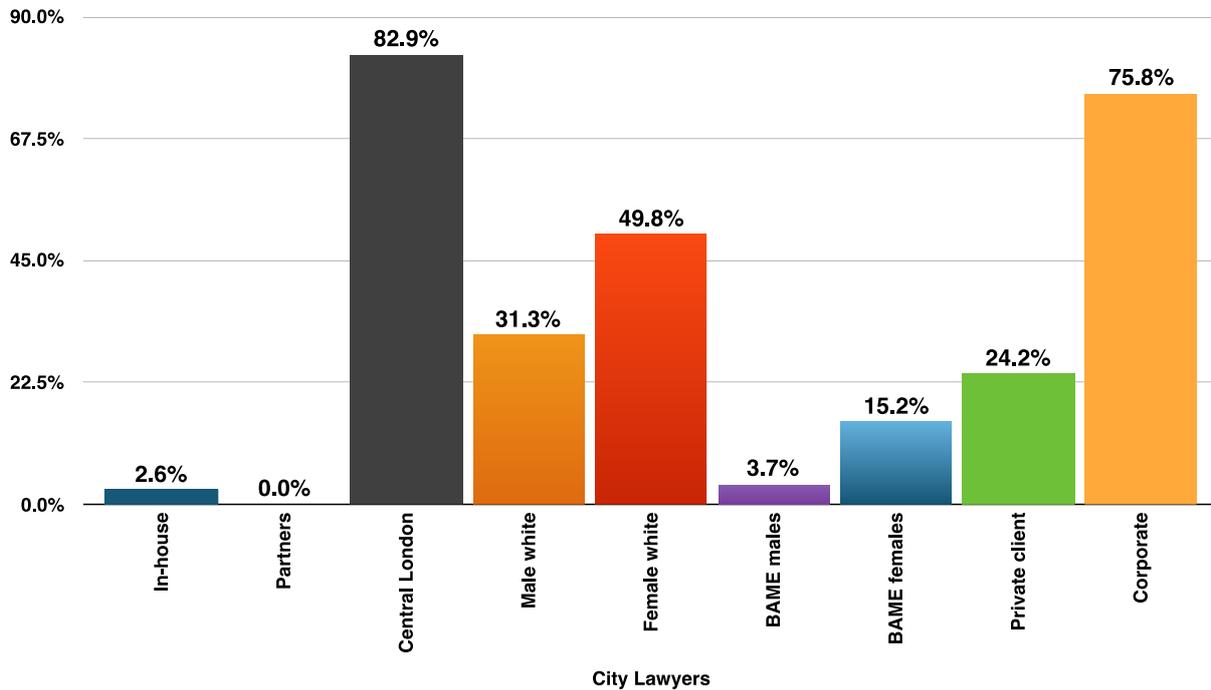
The high-street provider class has a nearly equal probability of solicitors undertaking corporate or private client law, and tends to practice in firms based in regional cities. This class contains a noticeable group of sole practitioners, representing 27.7% of sole practices in the profession.

Much of this work includes providing legal services defined as 'retail' or 'high-street', which includes for example, conveyancing, wills, probate, family law and so forth. Essentially, these solicitors service the legal needs of individuals and small businesses.⁶⁷

Membership of this class is overwhelmingly female, with representation from BAME females and a low probability of BAME males who are more likely to be located in another class, one in which progression to partner is more likely, or takes place earlier in their career.

3.2.2: City lawyers

Figure 3.2: The characteristics of the 'city lawyers' career class

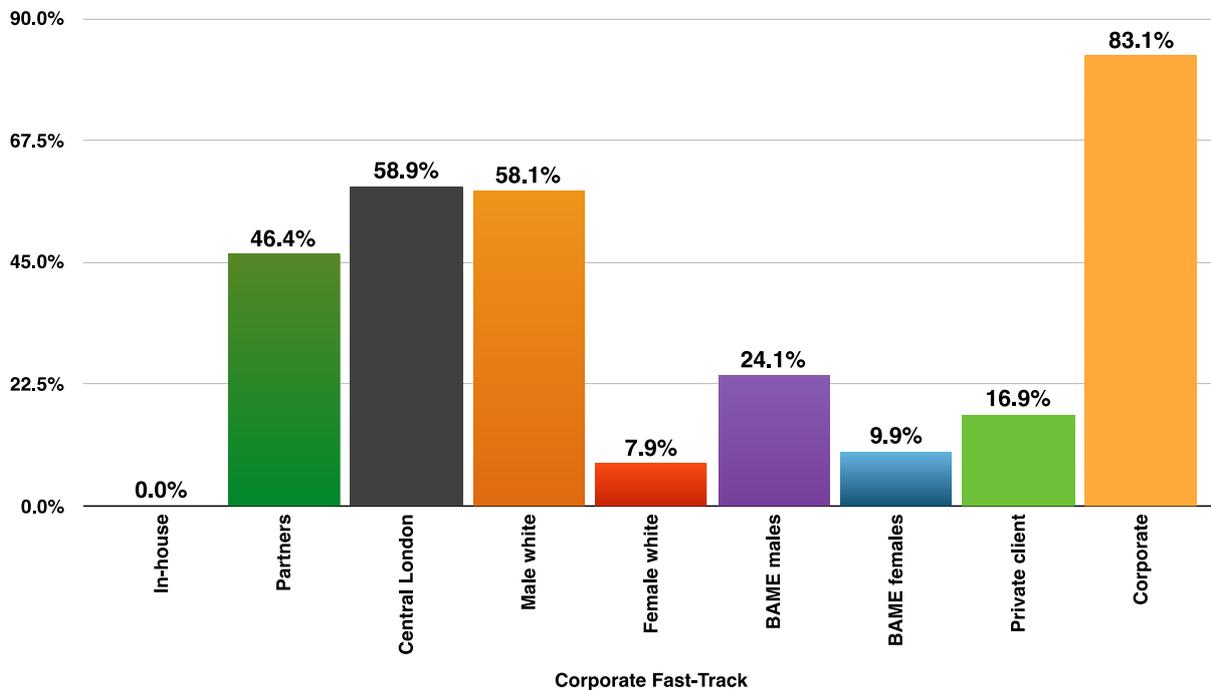


Solicitors in this class have a high probability of working in central London based firms undertaking corporate work. This type of legal career is likely to be well paid but subject to high demands in terms of working hours and workloads.⁶⁸ There is also a probability, albeit smaller, of City lawyers being located in niche and small and medium sized firms undertaking private client work. Overall, these solicitors have a low probability of progressing to partner within the period that it typically takes to do so (6–7 years). Together with high-street providers, city lawyers account for 55% of the population of sole practitioners in the legal profession.

White females have a higher probability of populating this class than white males, reflecting the feminisation of the profession (discussed in chapter one) and women's numerical predominance within less senior (non-partner) positions in law firms (described in chapter two). A similar pattern is evident among the BAME population, though more markedly so, with BAME women having a much higher probability of being located in this type of career than their male counterparts.

3.2.3: Corporate fast-tracks

Figure 3.3: The characteristics of the ‘corporate fast-track’ career class

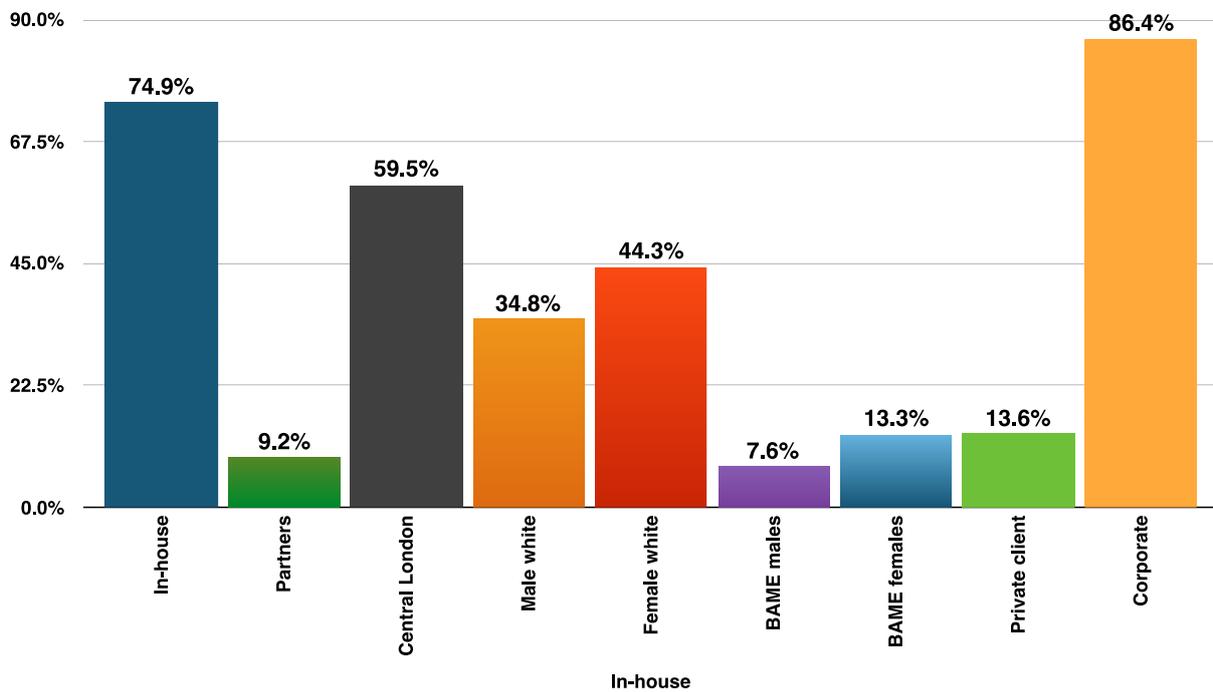


Solicitors populating the ‘corporate fast-track’ class present a strong probability of working for central London based firms and a very high probability of undertaking high paying corporate work.⁶⁹ This means they will be working in international, city or large national law firms with a premium UK and overseas client base. Those solicitors located outside central London are likely to be located in large regional cities such as Birmingham, Manchester and Leeds. The corporate fast-track class is relatively successful in career terms, with a much higher probability of progressing to partnership than other career classes.

There is a low probability of women populating this career class, demonstrating how careers and progression to partnership in large corporate firms remain male dominated as outlined in chapters one and two of the report. BAME men have a high probability of being in this career class than both white women and BAME women. Again, this illustrates the gender dimension of elite careers, and indicates BAME men may be more successful in making inroads to partnership in smaller firms than BAME women are. Relatedly, it may be the case that a high BAME men presence in this class is because they are in partner positions undertaking lower paying private-client work identified in this career class, or undertaking more niche work in smaller firms or operating as sole practitioners.

3.2.3: In-house

Figure 3.4: The characteristics of the 'in-house' career class



Solicitors in this class have a high probability of working 'in house' for private or publicly listed corporations rather than private practice. They predominantly undertake corporate/commercial work which is typically available in central London and regional cities where large firms have Head Offices.

There is a relatively high probability that the solicitors in this class will be women (including BAME women relative to their share of the solicitors' population) though this clearly is a white-dominant career, with a significant probability that white men will be located in this class. Evidence noted in chapter one indicates that women in particular find the demands of in-house work more compatible with sustaining a legal career, not least because hours may be more predictable, and this class fits with previous research in that respect.

4. FIVE FIRM PROFILES IN THE SOLICITORS' PROFESSION

- This chapter identifies ways in which the diversity composition of the workforce varies across five statistically different firm profiles. These were established following a latent profile analysis of workforce and diversity records from 8,243 solicitor practices.
- The firm profiles vary by size, location and area of legal work. The diversity profile of their respective workforces is also different. Their dominant characteristics and the proportion of solicitor firms populating them is as follows:
- **City-boutique** (26.2%) firms are highly likely to employ staff with a family history of attending higher education and, to a lesser extent, a fee paying school. A higher proportion of men work in these firms as do practitioners of a white ethnic background. City-boutique firms will typically practice corporate/commercial law and employ no more than four fee-earners. Their headquarters are more likely to be found in central London than the regions. Sole practitioners make up 40% of firms in this profile. Minority ethnic firms, where nearly all staff are of BAME background, account for 27.7% of this firm type. Of this proportion, 21.1% are sole practitioners.
- **High-street** (21.4%) firms are predisposed towards employing a large proportion of staff who are first-generation graduates, practitioners from a white ethnic background and slightly more males. These firms provide a mix of retail and commercial legal services by drawing on the expertise of up to four fee-earners and are significantly more likely to be based in the regions than central London. This is the second category that includes a high proportion of sole practitioners (60%). This cluster also includes a significant proportion of BAME owned firms (27.6%) many of which are sole practitioners (38.4%).
- **Regional-niche** (20.1%) firms include a relatively high representation of staff with a family history of attending higher education, but have fewer staff who attended fee-paying school. Practitioners from a white background tend to dominate. There are similar proportions of men and women. Regional-niche practices primarily operate in the corporate/commercial market. This type includes 21.4% of small firms (employing between two and four fee earners) where all solicitors are of ethnic minority origin. As the name suggests, they are regionally based.
- **Large corporate** (18.6%) firms will typically include a high representation of staff with characteristics of social advantage as evident by the proportions attending a fee-paying school, and a family history of attending higher education. Relatedly, the representation of male practitioners and those of white origin is high. These firms are central London based but also have a regional presence, and tend to employ on average a high number of fee-earners (up to 80). They will almost certainly operate in the corporate/commercial market.
- **Regional mid-tier** (14.1%) firms are different from the other firm profiles because they are more likely to employ female solicitors than males. The representation of white practitioners is high and whilst the chances of the workforce attending a fee-paying school is smaller than attending state school, the average remains higher than that for the general population. Firms in this group are regionally based and provide mainly corporate/commercial legal advice, with between five to ten fee-earners.

4.1: Introduction

Having investigated different types of legal careers in chapter three, we now turn our focus to law firms as a precursor to investigating how women and minority ethnic solicitors fare in comparison to white men in each type of law firm we identify. Firm level analysis also allows us to consider how measures of social mobility and class relate to the stratification of the legal profession.

Firm level records of diversity are collected because the Legal Services Board (LSB) and approved regulators share a regulatory objective under the Legal Services Act 2007 to encourage diversity in the composition of the legal profession. To contribute to this objective, the LSB placed a statutory obligation upon approved regulators in 2011 to gather data measuring levels of diversity and social mobility across the firms and individuals they respectively regulate. Beginning in 2013, therefore, solicitor practices have been required to collect and submit their workforce diversity data on an annual basis to the SRA (although from 2015, it is every two years). Firms are expected to provide details of *all* posts, including partners and solicitors as well as other professional, managerial, business, administrative and ancillary staff. This exercise has resulted in a dataset comprising the workforce diversity data for 8,243 solicitor practices. This is lower than the total solicitor firm population as 12% of legal practices had not submitted diversity data by 31 October 2015. It is also important to acknowledge that response rates within firms averaged around 75% and that these vary for different questions.⁷⁰

Drawing on the aforementioned dataset, this chapter identifies ways in which the diversity composition of the workforce varies across five, statistically different firm profiles. These were established following a latent profile analysis of the dataset of 8,243 solicitor practices. This entailed grouping firms into clusters based on their characteristics in relation to the following categories.

- **Gender composition of the workforce:** the percentage of female staff served as a measure of firms' gender balance.
- **Ethnicity:** the proportion of white staff served as a measure of the ethnic diversity of the firm. Note that on average firms appear to report a high proportion of minority ethnic staff compared to the proportion of solicitors who are from a minority ethnic background, this is likely to be because there are a relatively large number of small firms and sole practices which are 100% minority ethnic. It may also be the case that firms which employ more minority ethnic staff are more likely to comply with SRA reporting requirements.
- **Schooling:** the proportion of staff who attended state schools was compared with the proportion who attended fee-paying schools to obtain a proxy for socio-economic status.
- **Family history of higher education:** a further proxy for socio-economic status was obtained by comparing the proportion of staff who have a family history of attending higher education with the proportion who are first-generation graduates.

- **Firm size:** depending on the number of fee-earners employed, firms were placed into one of the following bands:
 0. No fee earners;
 1. one fee earner;
 2. two to four fee earners;
 3. five to ten fee earners;
 4. eleven to twenty-five fee earners;
 5. twenty-six to eighty fee earners;
 6. more than eighty fee earners.
- **Type of work:** distinctions were made between firms undertaking mainly private client work, corporate/commercial law, and those undertaking a mixture of both.
- **Location:** firms were grouped into two locational categories: central London based firms and regional based firms.

After grouping firms into various clusters, statistical relationships between the seven categories were examined and, following these results, the data was reorganised from which five firm profiles emerged. These are listed as follows together with the proportion of solicitor firms populating each one:

- **City-boutique** – 26.2% of solicitor practices;
- **High-street** – 21.4% of solicitor practices;
- **Regional-niche** – 20.1% of solicitor practices;
- **Large corporate** – 18.2% of solicitor practices;
- **Regional mid-tier** – 14.1% of solicitor practices.

The section below presents a profile of each firm type in turn. The gender, ethnicity, and socio-economic background of the workforce dominant in each firm type is identified as is the size, location and area of practice typical for that firm type.

4.2: Solicitor Firm Profiles

Figures 4.1 and 4.2 draw a comparative picture of the profiles of law firms based on the above mentioned firm characteristics. Figure 4.1 plots average diversity characteristics across the five profiles of law firms, indicating that ‘high-street’ firms are characterised by the highest share of employees who are first-generation university graduates. Regional mid-tier firms in turn hire, in relative terms, more females than other types of law firms while the ‘city-boutique’ profile is the most ethnically diverse. Figure 4.2 concerns average firm characteristics including headquarters’ location, area of practice and the number of fee earners.

Figure 4.1: Average diversity characteristics across the profiles of law firms

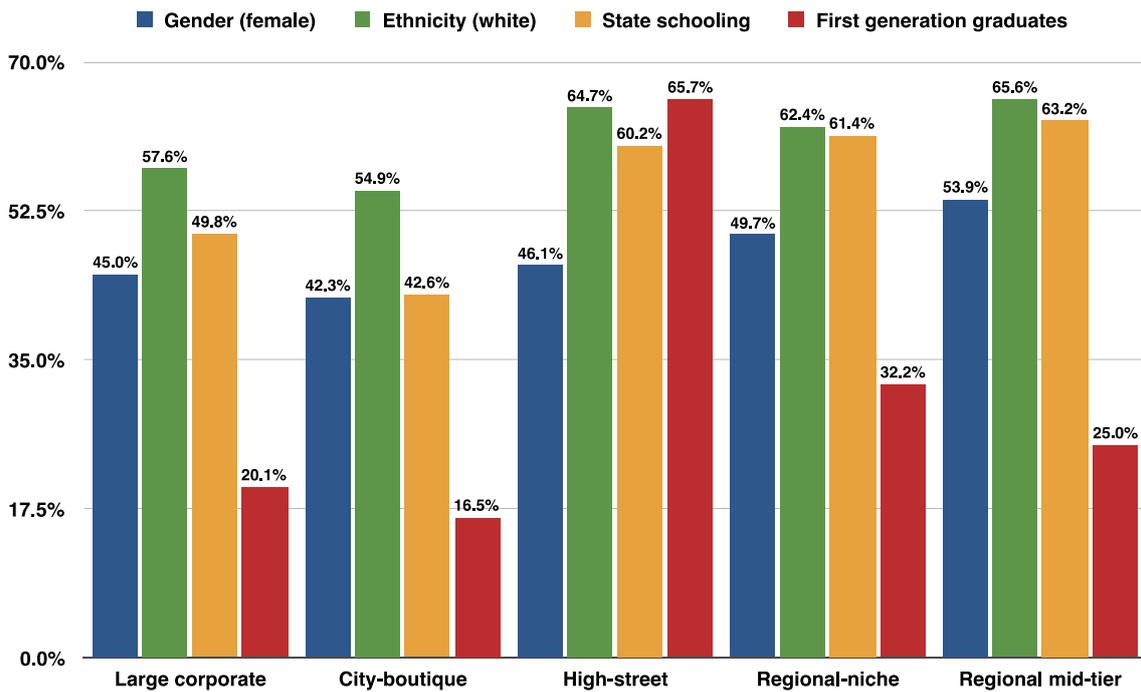
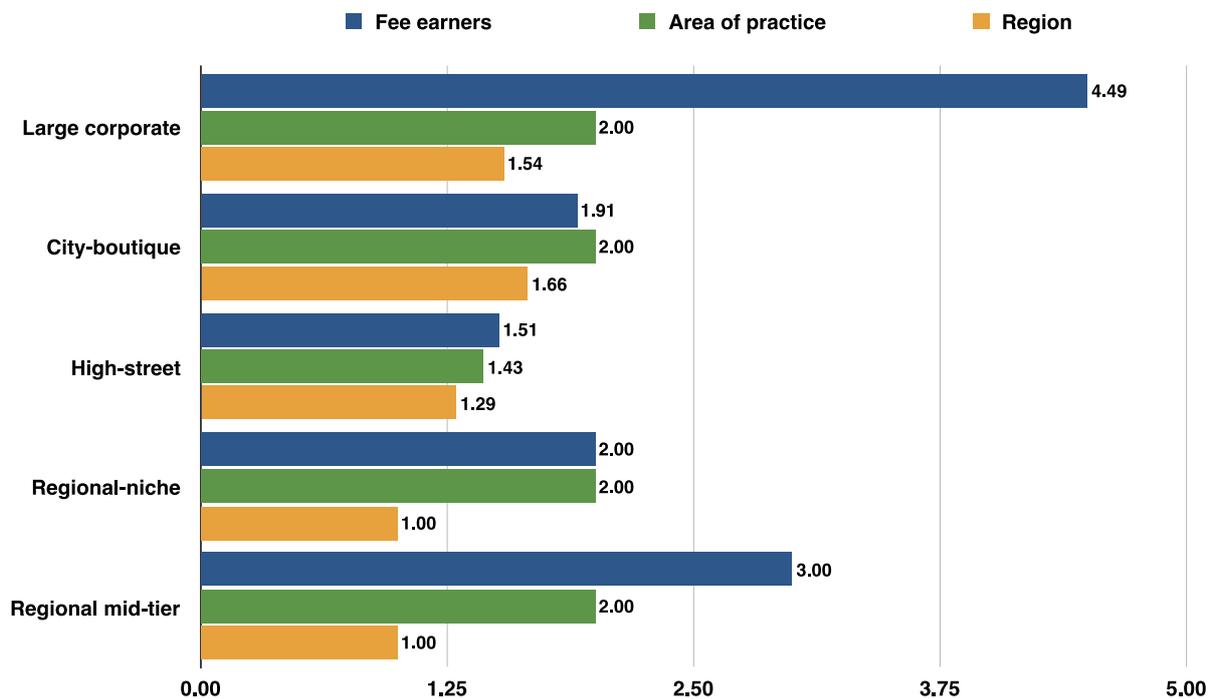
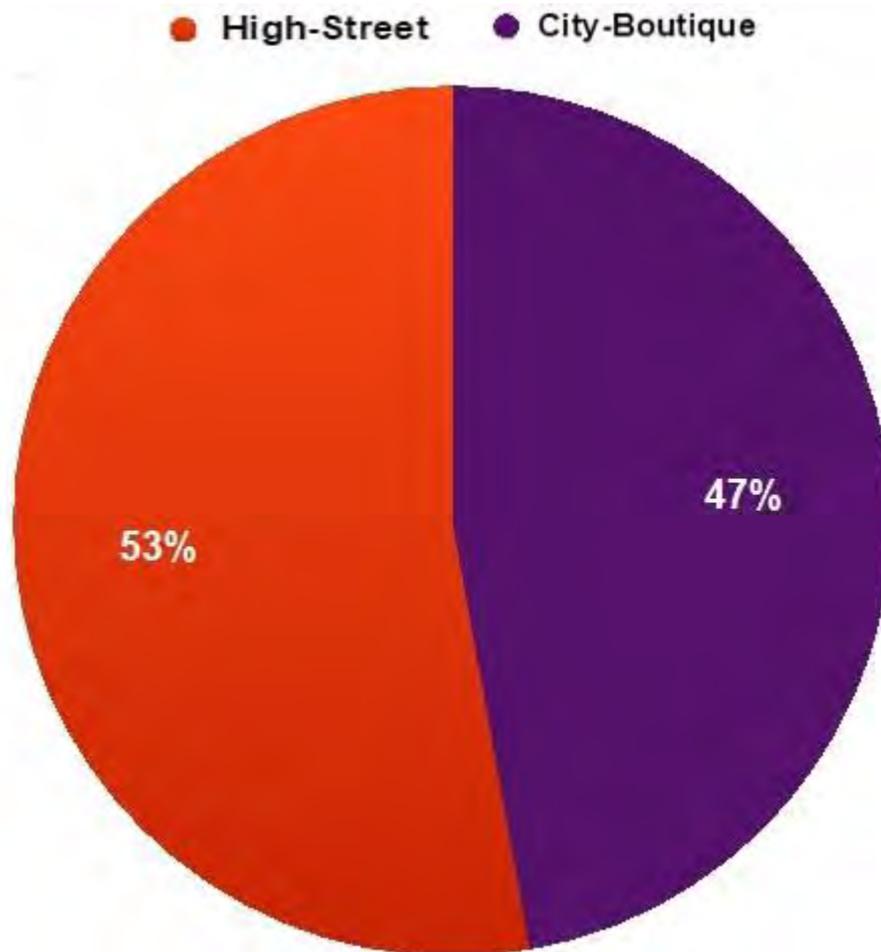


Figure 4.2: Average firm characteristics across the profiles of law firms



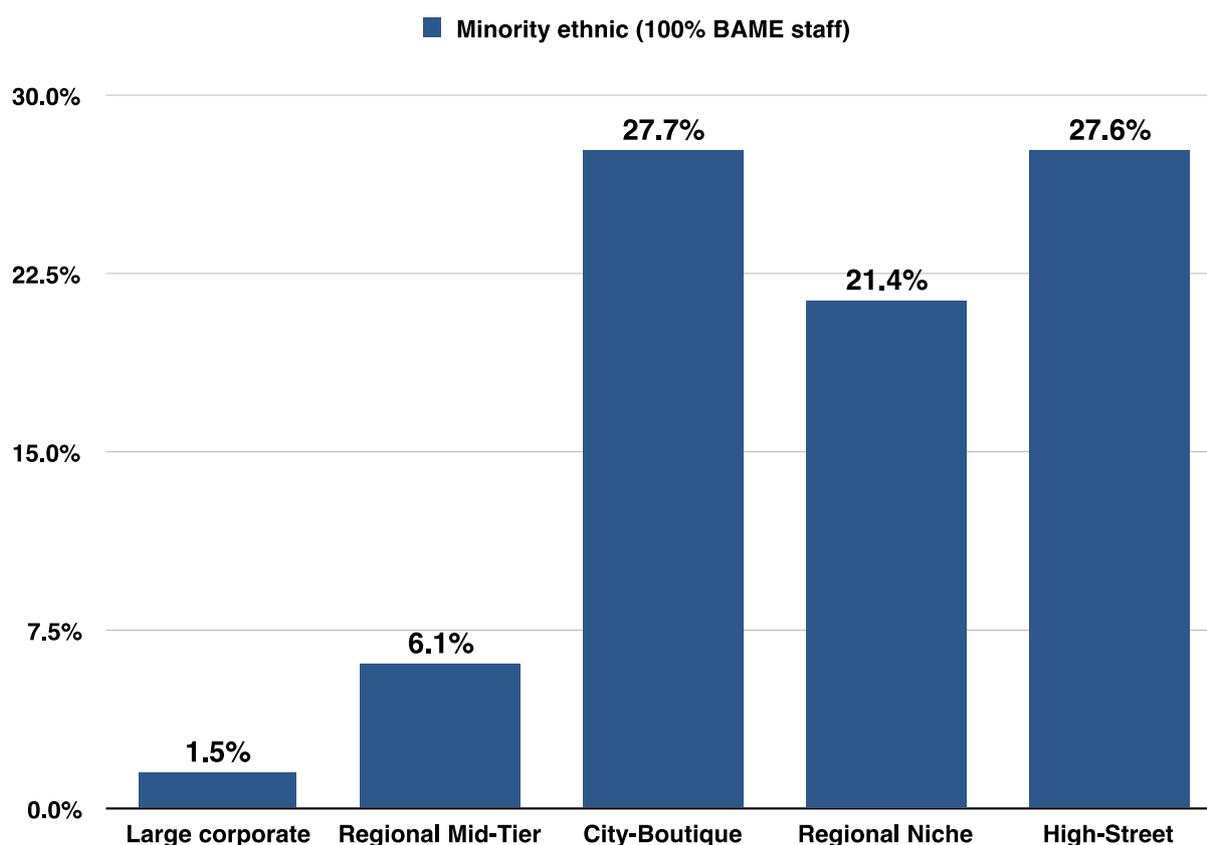
The profiles of law firms include sole practitioners who may employ other solicitors. In 2015, sole practitioners employed 9% of all solicitors working in private practice.⁷¹ Given that BAME solicitors are twice as likely to become sole practitioners compared with white counterparts,⁷² it is important to understand the distribution of sole practices across the profiles of law firms. Figure 4.3 demonstrates that the share of sole practices was almost equally split between city-boutique and high street firms while other firm profiles have no sole practitioners. Sole practitioners constitute a significant share within city-boutique and high street firms, 43.5% and 60.1% respectively.

Figure 4.3: Distribution of sole practitioners across the profiles of law firms



Some small firms employ nearly 100% BAME staff. We looked at the share of such ‘minority ethnic’ or BAME firms within each profile (see Figure 4.4). Large corporate firms and regional mid-tier firms have virtually none (the percentage reported are within the margin of statistical error). City-boutique, regional niche and high street firms had a significant share of BAME firms, varying from 21.4% to 27.7%. Not surprisingly, many of these firms are sole practices or small firms. Among these firms, 39.6% were sole practices while 45.9% had between two and four fee earners. In the city-boutique profile, 21.1% of BAME firms are sole practices whereas sole practitioners make up 38.4% of minority ethnic firms within the profile of high-street firms.

Figure 4.4: The share of BAME firms within the profiles of law firms

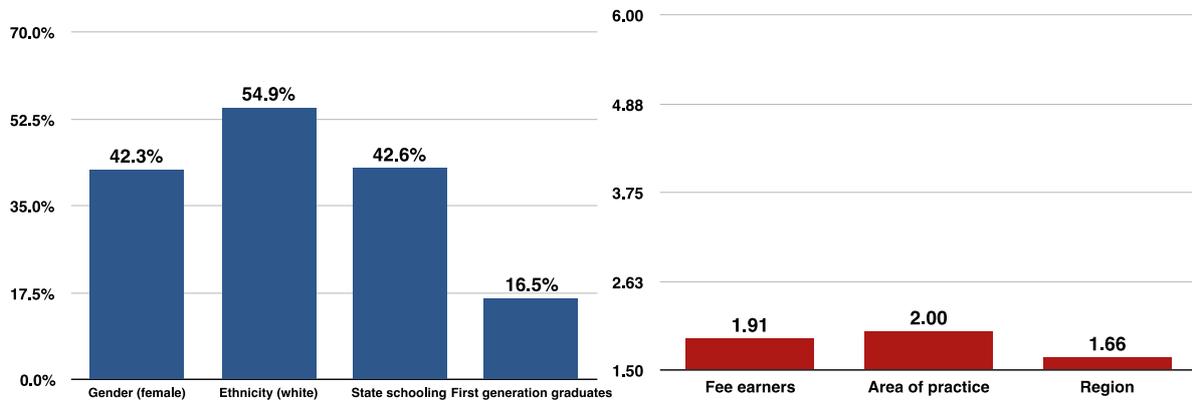


The figures presented in subsequent sub-sections provide a more detailed two-part portrait of each firm type. The bar charts on the left-hand side summarise the diversity characteristics of the workforce whilst the bar charts on the right illustrate the type of work it typically undertakes, its size and location. The bar charts corresponding to the type of work, size and location reflect a score, which signifies:

- a. **Firm size** – ranging from zero to six, this score, which is based on the bands detailed above, indicates the number of fee earners likely to be employed by the respective firm profiles.
- b. **Type of work** – ranging from one to two, a score of one indicates firms predominately undertaking private client work whilst a score of two indicates they mainly undertake corporate/commercial law. A score that includes a value between one and two indicates firms operating in both private client and commercial markets with scores above 1.5 indicating that the firm type is leaning towards the latter.
- c. **Region** – ranging from one to two, a score of one indicates firms are located outside of central London whilst a score of two indicates they are based in central London. A score that includes a value between one and two indicates firms have offices in both the capital and the regions, with scores above 1.5 denoting a greater central London presence.

4.2.1: A profile of city-boutique solicitor practices

Figure 4.5: A diversity profile of city-boutique solicitor practices by firm characteristics

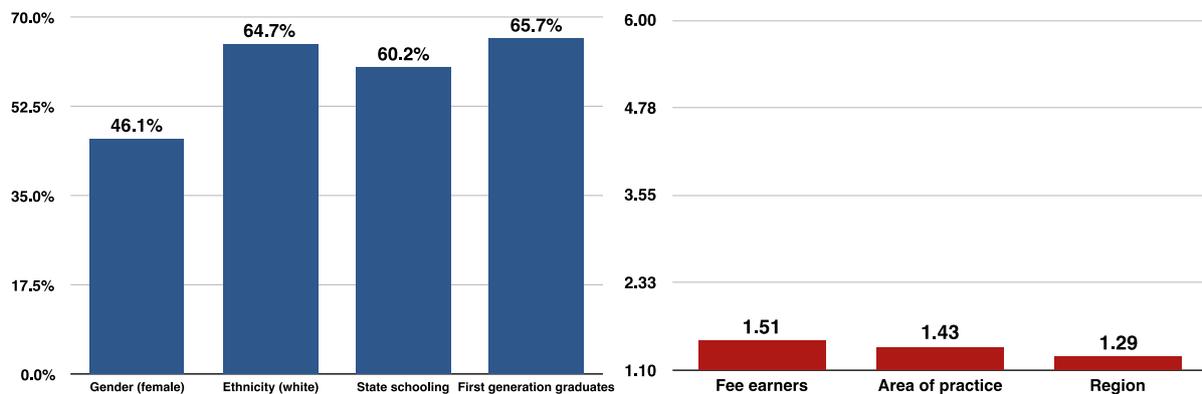


Accounting for the largest share of solicitor practices represented in the SRA dataset, city-boutique firms are overwhelmingly populated by staff with a family history of attending higher education. Furthermore, many individuals are likely to have come from higher income groups as indicated by the probability of attending a fee-paying school (57.4%), which is higher than that for attending state schools (42.6%). There is a greater chance of men being employed in city-boutique firms than women. Although white workers are the majority, a relatively high proportion are workers from minority ethnic groups (45.1%).

City-boutique firms are highly likely to practice corporate/commercial law. They will typically be small in size as measured by the average number of fee earners which is likely to range from 1 to 4. The headquarters of these types of firms are more likely to be found inside than outside central London.

4.2.2: A profile of high-street solicitor practices

Figure 4.6: A diversity profile of high-street solicitor practices by firm characteristics

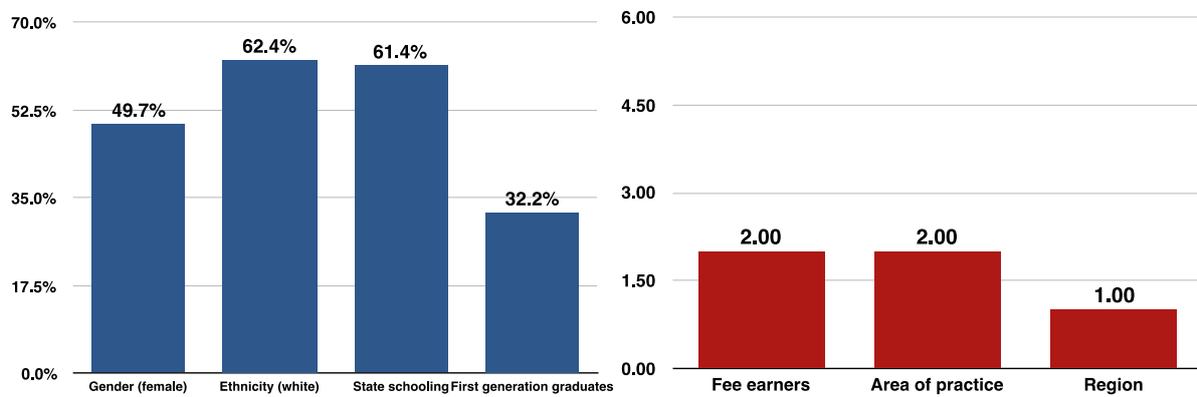


High-street firms are likely to employ a large proportion of staff who are first-generation graduates and attended state school. They typically employ fewer minority ethnic staff than city boutique and large corporate practices. Men make up a higher proportion of employees (53.9%) than women (46.1%).

High-street firms are more likely than not to be based outside central London. Although they typically offer a mix of private client and commercial legal services, the probability of undertaking private client work is higher than commercial law. These firms are small in size when measured by the number of fee-earners, which typically ranges from 1 to 4.

4.2.3: A profile of regional-niche solicitor practices

Figure 4.7: A diversity profile of regional-niche solicitor practices by firm characteristics

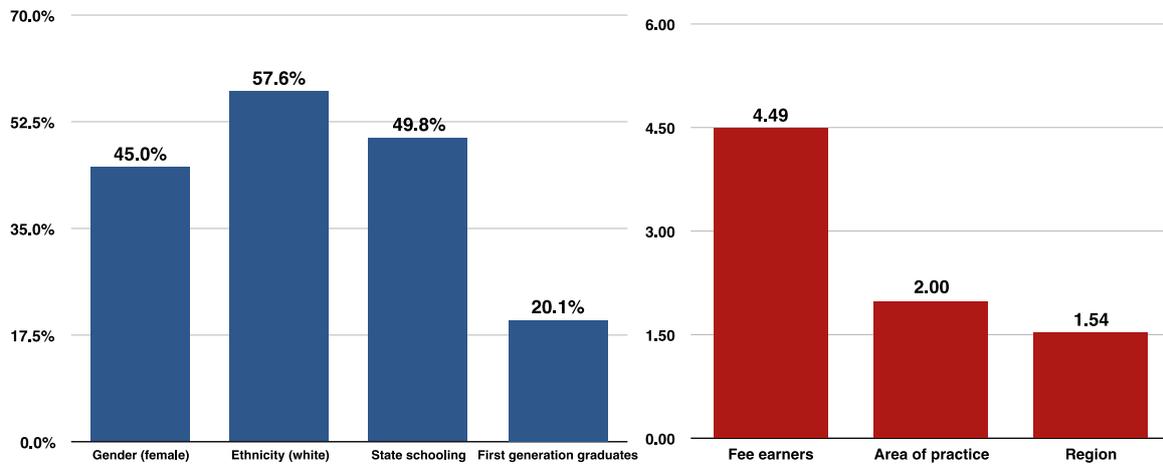


Regional-niche firms employ staff with a strong chance of having a family history of attending higher education though most will have attended a state school. Although there is an equal probability that these firms employ female and male practitioners, the chance that they come from a white background is relatively high.

Regional-niche practices primarily operate in the corporate, commercial market, drawing on the expertise of up to four fee-earners to do so. As suggested by the name, they are based outside central London.

4.2.4: A profile of large corporate solicitor practices

Figure 4.8: A diversity profile of large corporate solicitor practices by firm characteristics

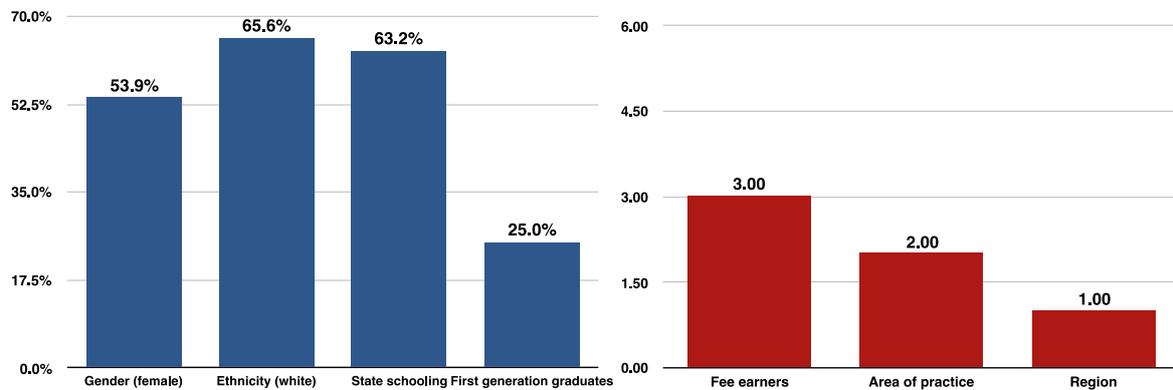


Staff with socio-economically advantaged backgrounds make up a large proportion of those employed in large corporate practices. The probability of staff employed in these firms attending a fee-paying school is one in two and the chances that they have a family history of attending higher education is very high (79.9%). In keeping with this social background, there is a higher probability that practitioners employed in large corporate firms will be male and white, although in comparison with most other practice types (the exception being city-boutique), this type of practice employs a relatively high proportion of minority ethnic staff.

When measured by the number of fee-earners, large corporate firms tend to be medium to large in size, with average fee-earner numbers ranging from 11 to 80. Virtually all of the work performed by these firms will comprise commercial/corporate legal services. These firms are both located in central London and the regions.

4.2.5: A profile of regional mid-tier solicitor firms

Figure 4.9: A diversity profile of regional mid-tier solicitor practices by firm characteristics



Accounting for the smallest share of solicitor practices represented in the SRA dataset, regional mid-tier firms typically employ staff with a family history of attending university. The chances of them having attended a fee-paying school is smaller than that of attending state school but still much higher than the average for the general population. This firm type is different from the others because the probability of female employment is higher than that of men. The one in three chance that staff who work here come from a BAME background is similar to the proportions in other firm profiles with a high share of firms with regionally based HQs (niche and high street).

Regional mid-tier firms provide mainly corporate/commercial legal advice and employ between five to ten fee-earners outside London.

5. THE EFFECT OF DIVERSITY CHARACTERISTICS ON CAREER PROGRESSION

- This chapter examines how partnership prospects differ by gender and ethnicity. It identifies the proportion of partners populating each of the five firm profiles described in chapter four and then explores the more complex relationship between gender, ethnicity, firm type and partnership probabilities. The results show:
 - Nearly 70% of existing partners operate in large corporate firms.
 - Even though large corporate firms account for the highest number of partners amongst the solicitor population, progressing to this level is highly competitive given the number of new associates recruited to service these firms, many of which are growing in size.
 - The prospect of becoming a partner is markedly higher for white males than any other group – across *all* five firm profiles.
 - Partnership remains male dominated – BAME males are more likely to become a partner than white females. BAME females the least likely of all groups to reach partnership position.
 - High-street firms, populated largely by sole practices and small minority ethnic firms, present BAME males, white females, and BAME females with the greatest opportunities to become a partner.
 - Of the five firm profiles, BAME males, white females, and BAME females are all least likely to become a partner in regional mid-tier firms.
 - Overall, given that large corporate firms account for nearly 70% of the partner population, and that their probability of becoming a partner in other firms is also low, females – and BAME females especially – are disadvantaged when it comes to career progression in the solicitors’ profession.

5.1: Introduction

This chapter examines how partnership prospects differ by gender and ethnicity. It begins by identifying the proportion of partners populating each of the five firm profiles identified in chapter four with the results disaggregated further by gender and ethnicity. The chapter then explores the more complex relationship between gender, ethnicity, firm type and partnership probabilities. The results show vividly the gulf between white males and all other groups in terms of their probabilities of reaching partner status. The results also show that BAME females are the least likely of all groups to reach partnership.

5.2: Progression to Partner

To find out how existing partners are distributed across the five firm profiles, it was necessary to link the dataset containing the records of over 190,000 solicitors with the dataset containing workforce details of 8,243 solicitor firms. Before doing so, it was necessary to exclude several groups from the total solicitor population (194,019). Those excluded comprise practitioners in 2016, the year for which we have firm level data, who:

- did not remain on the Roll;
- remained on the Roll without a PC; or
- no longer worked in a practice regulated by the SRA.

This exercise produced a sample of 96,524 solicitors, all of whom were working in one of the 8,243 private practice firms for which we have data. By linking the two datasets, the results reveal that nearly 70% of all partners operate in large corporate firms (see Figure 5.1).

Figure 5.1: The distribution of partners across solicitor firm profiles, 2016

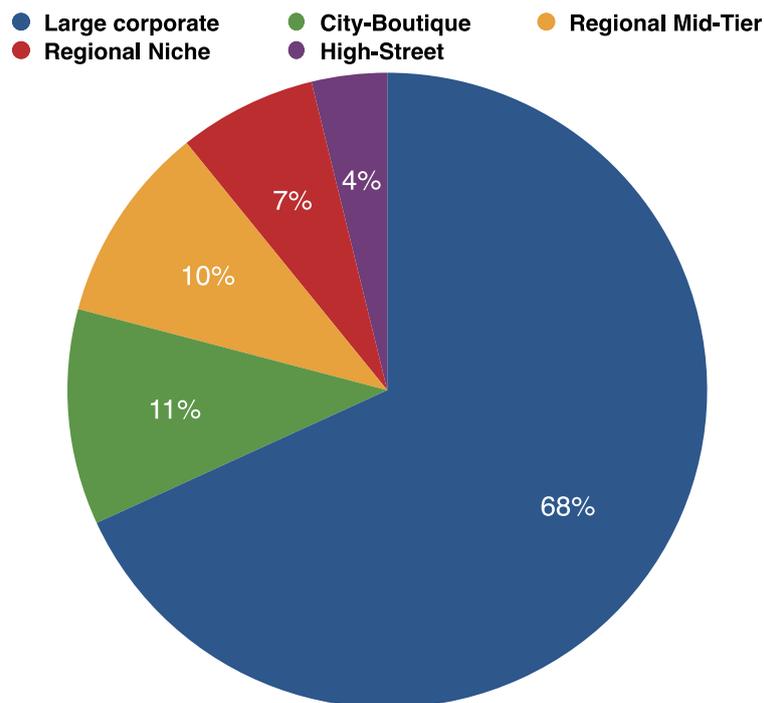
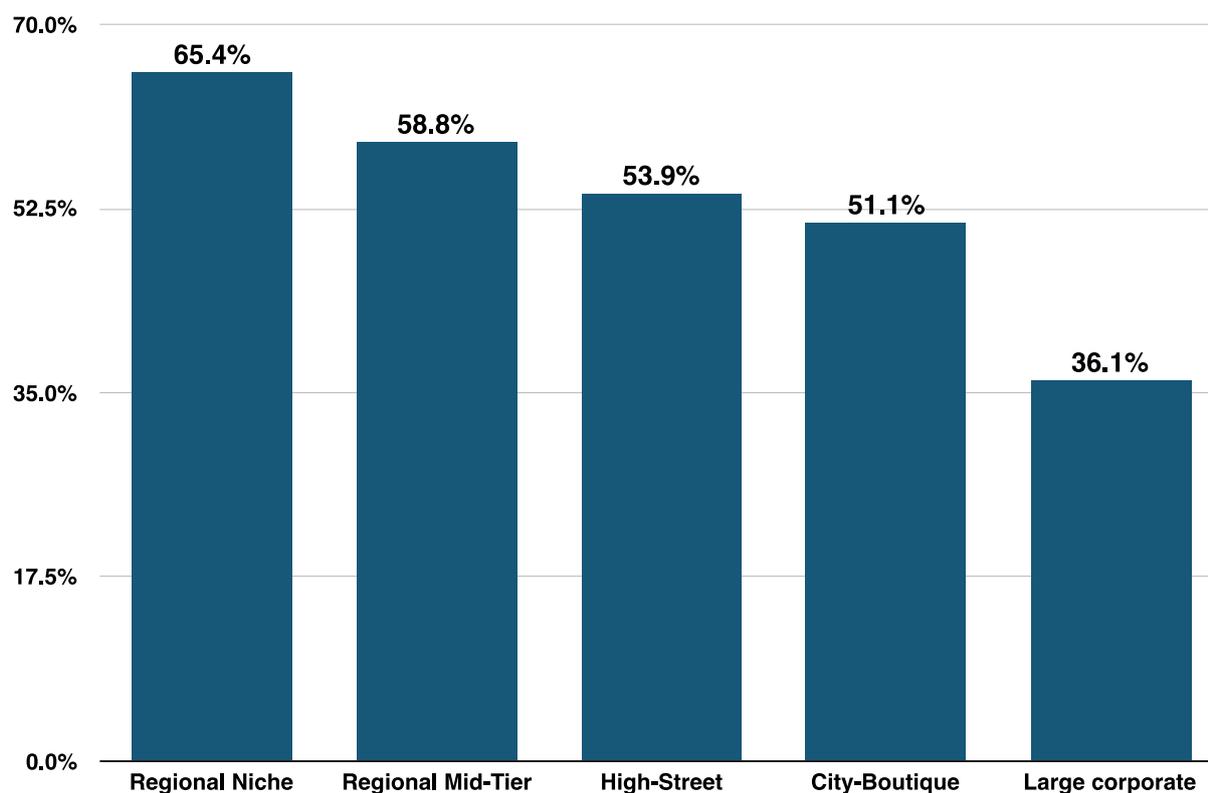


Figure 5.2 shows the proportion of solicitors who are partners within each of the five firm profiles. At one end of the spectrum, 65% of solicitors practicing in regional niche firms are partners whilst in contrast the equivalent figure is 36% for solicitors practicing in large corporate firms. Thus, taking together the data displayed in Figures 5.1 and 5.2, this reveals that while large corporate firms account for the highest number of partners, progressing to this level is highly competitive given the number of new associates recruited by these firms, many of which are growing in size.

Figure 5.2: The proportion of solicitors who are partners across the five solicitor firm profiles, 2016



5.3: The Relationship between Gender, Ethnicity and Partnership

This section explores the relationship between gender, ethnicity and the probability of becoming a partner in each type of firm by employing a statistical technique called regression analysis. This technique is able to examine the average relationship between two or more variables (such as gender and progression to partner) while holding the effects of other variables constant. Appendix C summarises the approach in full, providing technical details relating to the regression model, including the regression equation, complete regression outputs and robustness checks. To understand how the ensuing results were obtained, it is sufficient to note the following points.

First, taking the sample of 96,524 solicitors working across 8,243 private practice firms in 2016, it was necessary to exclude 1,290 firms (employing 9,608 solicitors) because they did not provide data on the number of fee earners. While the proportion of missing data is significant, it has not changed the outcomes of statistical analysis. Complete data without fee earners returned the same clusters of law firms and statistical estimates similar to the main model with fee earners.

Second, to explore the relationship between gender, ethnicity and progression to partnership, a form of regression analysis called multilevel modelling was applied to the new sample of 80,453 solicitors working across 6,126 private practice firms. The advantage of this model is that it takes into account that the probability of becoming a partner varies significantly across the five different firm profiles. The regression model controlled for two further factors: year of entry to the Roll, and the three successive solicitor cohorts (earlier, representative and recent – for detail see chapter two). It takes

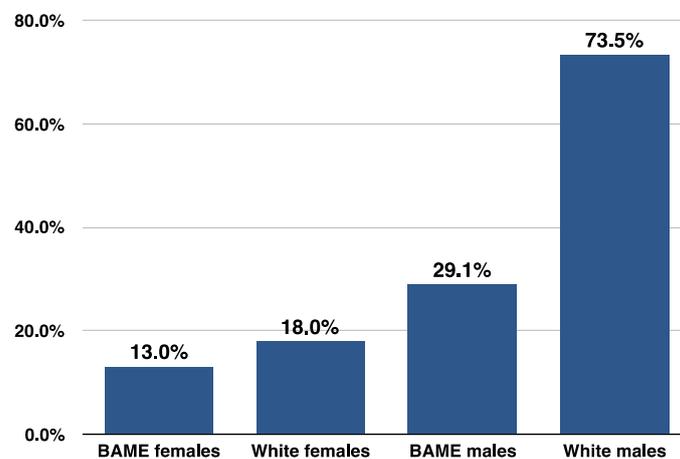
into account, therefore, that the later the date at which solicitors are admitted to the Roll, the less chance they have of becoming a partner. Likewise, it acknowledges that the earlier cohort of solicitors, those that were admitted to the Roll before 2006, may be prone to sample selection bias.

Key regression results did not change with the addition of the two control variables to the model, demonstrating the robustness of the statistical estimates.

5.3.1: The probabilities of progressing to partnership by gender and ethnicity

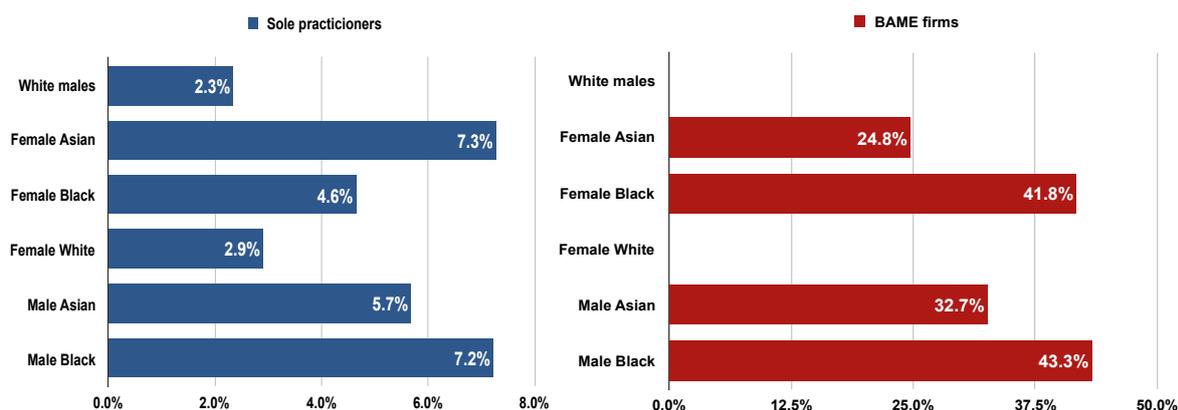
Figure 5.3 illustrates the probability of reaching partnership by gender and ethnicity. The results vividly show that the prospects of partnership are markedly higher for white males than any other group, with the average probability calculated to be nearly 75%. The results also show that BAME males are more likely to become a partner than white females.

Figure 5.3: The average probability of becoming a partner by gender and ethnicity



Solicitors with multiple characteristics of social penalty often turn to sole practice as a mean to securing partnership status. Figure 5.4 illustrates the share of sole practitioners with partner status (by gender and ethnicity) on the left-hand side and what proportion of partnership is made up by 100% BAME firms (the right-hand side). Whereas sole practices account only for a small share of partners, females and minority ethnic groups are more likely to use sole practice as a route to partnership. Unsurprisingly, BAME firms account for a significant share of partners among minority ethnic groups. This effect is especially pronounced among the black population, both females and males.

Figure 5.4: Proportion of partners by gender, ethnicity, firm size and ethnic composition of the firm



5.3.2: The probabilities of progressing to partnership by gender, ethnicity and firm type

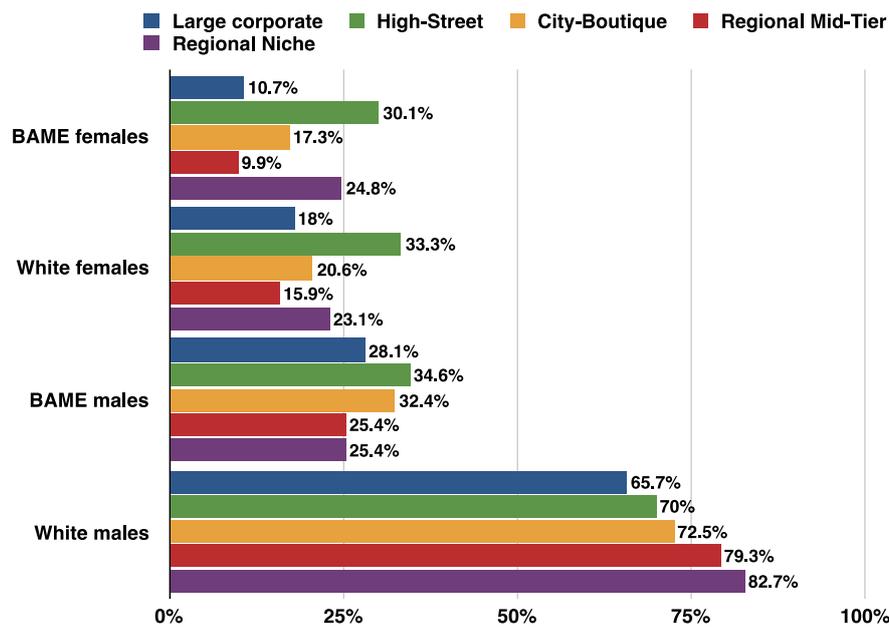
Figure 5.5 illustrates the probability of reaching partnership by gender, ethnicity and firm type. In line with the results summarised above, it highlights once more the gulf between white males and all other groups. In short, the probability of white males becoming a partner is significantly higher than females and BAME male peers across all five firm types with the prospects highest in regional-niche firms.

The average probability of progressing to partner level is lowest among large corporate firms. This however concerns solicitors of a white ethnic background while BAME solicitors, especially males, have a slightly higher chance of career progression than their counterparts in Regional mid-tier firms. Yet, white males are 3.6 times more likely to become a partner in large corporate firms than white females and six times more likely than BAME females. Women and BAME men are most likely to reach partnership in regional high-street firms (34.6%) with the prospects of doing so in City-boutique practices very nearly on a par (32.4%).

The probability of white females becoming a partner are higher than BAME females in four of the five firm profiles. Regional-niche firms are an exception with BAME female practitioners slightly more likely to become partner than white females. Overall though, the data shows career progression amongst BAME females is the lowest of all groups, indicating they experience the double disadvantage as a result of both their ethnicity and their gender.

High-street firms present BAME males, white females, and BAME females the greatest opportunities to become a partner and *almost* an equal chance of doing so amongst the three groups. In other words, the three groups share a similar probability of reaching partnership here, ranging from 30.1% (BAME females) to 34.6% (BAME males). A similar observation can also be made for regional-niche firms where the three groups share a similar probability of reaching partnership, ranging from 23.1% (white females) to 25.4% (BAME males). By contrast, the likelihood of becoming a partner in the other firm profiles varies markedly between the three groups.

Figure 5.5: The average probability of becoming a partner by gender, ethnicity and firm type



BAME males, white females, and BAME females are all the least likely to become a partner in regional mid-tier firms and slightly more likely to do so in large corporate firms. For example, BAME males have a 25% probability of becoming a partner in a regional mid-tier firm and 28% chance in a large corporate firm. Similarly, the equivalent figures for white females are 15.9% and 18% respectively. That said, given that large corporate firms account for nearly 70% of the partner population, and that the probability of becoming a partner in other firms is also not that high, females, and BAME females especially, are disadvantaged when it comes to career progression in the solicitors’ profession.

To summarise, the overall picture that emerges from this analysis is one of white male advantage and female disadvantage which is more severe for minority ethnic women. Minority ethnic men appear to experience disadvantage as a result of their ethnicity but this disadvantage is offset by the advantages of male gender, though they are more likely to be reaching partnership through the route of sole practice or through working in small firms. Profiling data from 2015⁷³ for example, shows that male BAME solicitors are better represented at partnership level in smaller firms than in larger firms; 15.6% of sole practitioners and 11.2% of partners in 2-4 partner firms are of BAME origin compared to 3.3% of male partners in the largest firms (81+ partners). The disadvantage of gender and ethnicity is less pronounced in smaller firms that undertake private client work outside of central London and are more significant in large corporate firms (for women) and small regional niche firms undertaking corporate work (for minority ethnic men).

Whilst the results reported from this study clearly raise questions as to how such trends may be explained, it is difficult to provide explanations directly from this study since it was designed to document changes in the diversity of the solicitor’s profession and to focus analysis on the extent to which social characteristics of those reaching partnership, notably gender and ethnicity, have changed over time. Although it was not within the remit of this study to speculate on the causes of the trends, we can offer some likely explanations based on existing research. As is widely acknowledged, whilst

the solicitor's profession is highly fragmented⁷⁴ by type of firm, clientele and practitioner specialisations,⁷⁵ a key criterion for advancement in firms of *all* types is 'rainmaking' – bringing in new business and clients.⁷⁶ In addition to this, as explained in chapter one, social and cultural capital are also core determinants of career progression because of the 'prestigious' clients for which they undertake work. By comparison, regional niche, mid-tier and high street firms provide a wide range of general legal services to companies of all sizes as well as individuals. Many of these are likely to be family owned practices, within which employment of minority ethnic practitioners is largely (but not exclusively) concentrated. Promotion processes and decisions are more favourable to minority lawyers. Such law firms may also offer more favourable work-life balance opportunities, which also facilitates career progression for female solicitors.

6. CONCLUSIONS AND RECOMMENDATIONS

This research was commissioned by the Solicitors Regulation Authority (SRA) to find out how the diversity characteristics of the profession have changed and the extent to which characteristics associated with social advantage and disadvantage affects the career progression of different groups. As discussed in chapter one, many previous studies in this area in the UK have been based on qualitative data. Therefore, this study, through the analysis of the two SRA datasets, provides a statistical portrait of how gender and ethnicity shape legal careers that is unrivalled in scope and coverage. This chapter presents the main conclusions arising from this analysis and highlights further areas of research.

6.1: Study Conclusions

The study examined the following two questions and the conclusions relating to each are detailed in turn.

1. How has the legal profession changed in terms of the diversity characteristics of practising lawyers; are there increasing numbers of lawyers with social characteristics associated with advantage or disadvantage?
2. How do social characteristics associated with social advantage (male-gender, white majority ethnic status) and disadvantage (minority ethnic status, female-gender) affect career progression in the legal profession?

6.1.1: Changes in the diversity characteristics of practising lawyers

Analysis of the SRA's dataset containing records of 194,019 solicitors who were still registered on the Roll between 2006 and 2016 shows the diversity characteristics of practising lawyers has changed significantly since 1970. From a profession overwhelmingly constituted from white men, women now make up nearly half of all practitioners. In addition, women comprised 60% of all new admissions to the Roll in 2016 compared with less than 10% in 1970.

The representation of solicitors from BAME backgrounds has also greatly increased. Admissions by BAME solicitors accelerated over the last ten years, particularly those of Asian background. In fact, new admissions by Asian solicitors have been double that of all other minority ethnic groups since the mid-1970s, increasing to two-thirds in the last three years. In 2016, Asian solicitors accounted for 17% of all new admissions.

The combination of increases in women and BAME solicitors has meant that the proportion of white men qualifying as solicitors has declined relatively since the 1970s.

6.1.2: Career progression in the solicitors' profession – advantages and disadvantages

Access to SRA records on individual solicitors and law firms has allowed us to provide an authoritative account of how gender and ethnicity relate to progression to partnership in different types of law firm. Findings from this study show vividly that the characteristics associated with social advantage and disadvantage affect the career progression of different groups – this is clear evidence of

social privileges and penalties. Thus, the prospects of becoming a partner are markedly higher for white males than for any other group. Second, across all ethnic groups, men are more likely to become a partner compared to their female counterparts. Additionally, BAME men are more likely to become a partner than white women. Third, BAME women face a double disadvantage or penalty as they are the least likely of all groups to achieve partnership status.

6.2: Recommendations and areas for further research

1. **Improve the quality of administrative data on diversity collected by the SRA** – One of the limitations of this study is that individual solicitors typically do not respond to questions about religion, sexuality and disability when joining the Roll and renewing PCs. The SRA could experiment with different prompts and formats for collecting this information with the aim of ‘nudging’ more solicitors to provide it. Greater clarity on why this information is valuable and how this information is used at the organisational and regulatory levels might help in this regard. More information on social background, including schooling and education could also be collected at an individual level to facilitate a better understanding of the extent and nature of social mobility in the legal profession. Better data on a wider range of diversity characteristics would allow for more encompassing analysis of diversity and discrimination can be conducted in the future. Similarly, research could be undertaken to understand why firms do not provide information on the diversity characteristics of their workforce, and behavioural experiments could be conducted to try to identify methods of requesting and collecting such data that improve response rates.
2. **More in depth analysis of SRA administrative data** – The research described in this report has only begun to scratch the surface of what is possible with such a large and rich set of records. Further areas that warrant investigation include attrition; this study has focused on the probability of progressing to partner level. However, we have not investigated the factors prompting career moves *out* of the profession, the timing of such transitions, and how, if at all, this varies across different groups. As well as exploring how factors triggering the attrition of female and BAME practitioners may differ compared to white male solicitors, it would be valuable to consider the influence of variables such as area of law, career stage, and type of firm. The approach to classifying law firms in this report has been constrained by limited information on the variety of law firm characteristics that exist in England and Wales. Information on the area of practice and the location of headquarters was obtained from SRA records on individual solicitors. Having such data at firm level will increase the precision of statistical estimates and allow for a more fine-grained analysis of the types of law firms. Firm-level data on diversity characteristics covered all workers involving practising solicitors, administrative staff and other employees. Disaggregating this information into solicitors and other staff members would then facilitate a more nuanced analysis of career moves within and between firm types.
3. **Build and promote an evidence base about ‘what works’ and what does not** – This study has examined the relationships between career progression and diversity characteristics in different types of firms. It has not however explored plausible avenues for improving career trajectories of

BAME and female solicitors which can be affected by the wide variety of initiatives undertaken by firms, professional bodies, practitioner networks as reported in various academic studies and the legal press. Therefore, it would be useful to commission research (a) mapping diversity strategies/initiatives being implemented by at firm level and, most importantly (b) identifying the most effective strategies to support substantive diversity by merging data on firm level practices with SRA records to examining the relationship between diversity management practice and the career progression and attrition of women and minority ethnic solicitors.

4. **Follow-on research** – This study has applied advanced statistical techniques to detailed records on the population of solicitors and law firms in England and Wales in order to find out ways in which discrete groups may vary in their experiences of career advancement. As such, the study findings provide unrivalled insights into how those who enter the profession fare within it over time in terms of the positions they occupy, their likelihood of advancement within, or exit from, the profession. Nonetheless, there are limitations to what can be done with the SRA administrative data. The finer gradations of social background and education (for example school and university type) cannot be fully captured, and as we noted above, there is little data on personal characteristics like religion, sexuality and disability that may also result in experiences of discrimination.
5. **New business models and new career types** – Following the 2007 LSA, some legal practices are no longer organised as traditional partnerships but are experimenting with new business models, including virtual and dispersed law forms. In parallel, the profession is also beginning to witness the emergence of flexible self-employment as practitioners leave private practice to work as freelancers or obtain work through an agency.⁷⁷ However, we know little about the backgrounds of practitioners shifting to flexible employment, the stage at which this occurs, their motivations for doing so, and how these may vary across different groups. Nor do we know much about how practitioners experience flexible self-employment and how this differs across groups.

Appendix A: Latent Class Analysis (LCA)

The underlying probability function for LCA rests on the expected maximisation (EM) algorithm in line with the following equation.

$$P(y_n|\theta) = \sum_{i=1}^k \pi_j P_j(y_n|\theta_j)$$

Where, y_n is the n^{th} observation of observed variables plugged in the equation to capture career classes; k – number of classes; π_j – prior probability of membership in class j ; P_j – class specific probability of y_n given class specific parameters θ_j .

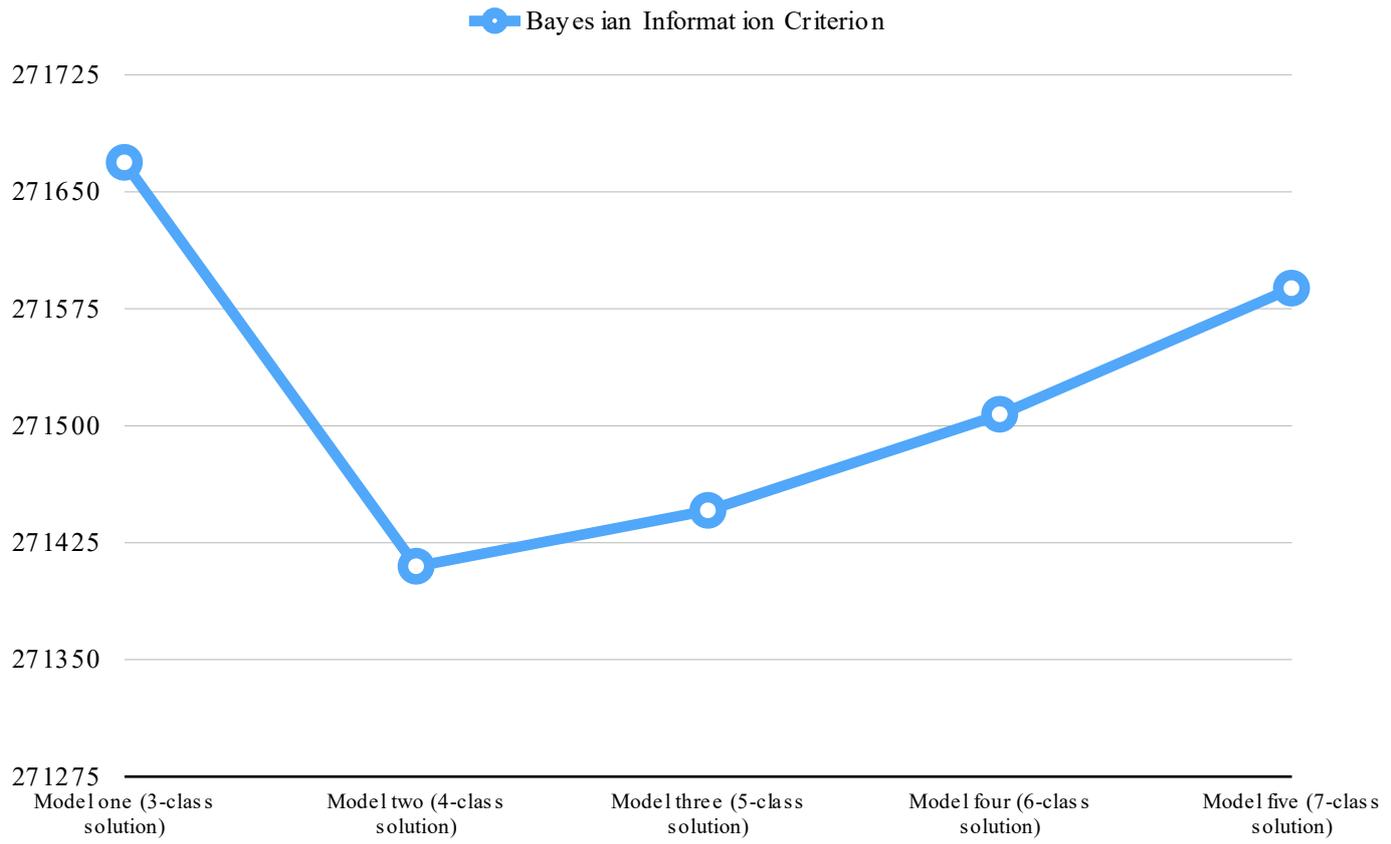
The complete LCA output corresponding to the above equation is reported in the table below.

Representative cohort (2006-2010)

	Non-partners	In-house	Partners	Outside central London	Central London	Male white	Female white	BAME males	BAME females	Private client	Corporate	Membership share
City lawyers	97.4%	2.6%	0.0%	17.1%	82.9%	31.3%	49.8%	3.7%	15.2%	24.2%	75.8%	33.3%
In-house	16.0%	74.9%	9.2%	40.5%	59.5%	34.8%	44.3%	7.6%	13.3%	13.6%	86.4%	10.2%
High-street providers	83.7%	2.2%	14.1%	71.6%	28.4%	14.9%	72.3%	1.5%	11.3%	47.8%	52.2%	34.6%
Corporate fast-tracks	53.6%	0.0%	46.4%	41.1%	58.9%	58.1%	7.9%	24.1%	9.9%	16.9%	83.1%	21.9%

The clustering algorithm was performed repeatedly, the exact number of times required to avoid ‘local maxima’, a common error in LCA corresponding to the maximum likelihood function that does not pertain to the true ‘global maxima’ of the population in question. Given the time constraints, we fitted a finite number of solutions, looping the model from the basic one cluster solution as if the population in question were homogeneous through to the model composed of 7 clusters of lawyers. This was deemed appropriate as subsequent models returned negative degrees of freedom and were virtually impossible to explain theoretically. A combination of Bayesian Information Criterion (BIC) and the quality of posterior probabilities were used to identify the best solution while other fit indices were used as auxiliary indications. Excerpts from some of the fitted models containing fit indices and changes in BIC are shown below.

	Model one (3-class solution)	Model two (4-class solution)	Model three (5-class solution)	Model four (6-class solution)	Model five (7-class solution)
Akaike Information Criterion	271419.9	271075.3	271025.3	271001.2	270996.3
Bayesian Information Criterion	271668.7	271409.8	271445.6	271507.2	271588.1
Deviance statistics (Log-likelihood ratio)	775.264	376.8263	289.9798	247.7135	222.9962
Chi-squared	755.812	362.9096	278.7605	236.4571	211.588
Number of estimated parameters	29	39	49	59	69
Residual degrees of freedom	66	56	46	36	26



Appendix B: Latent Profile Analysis

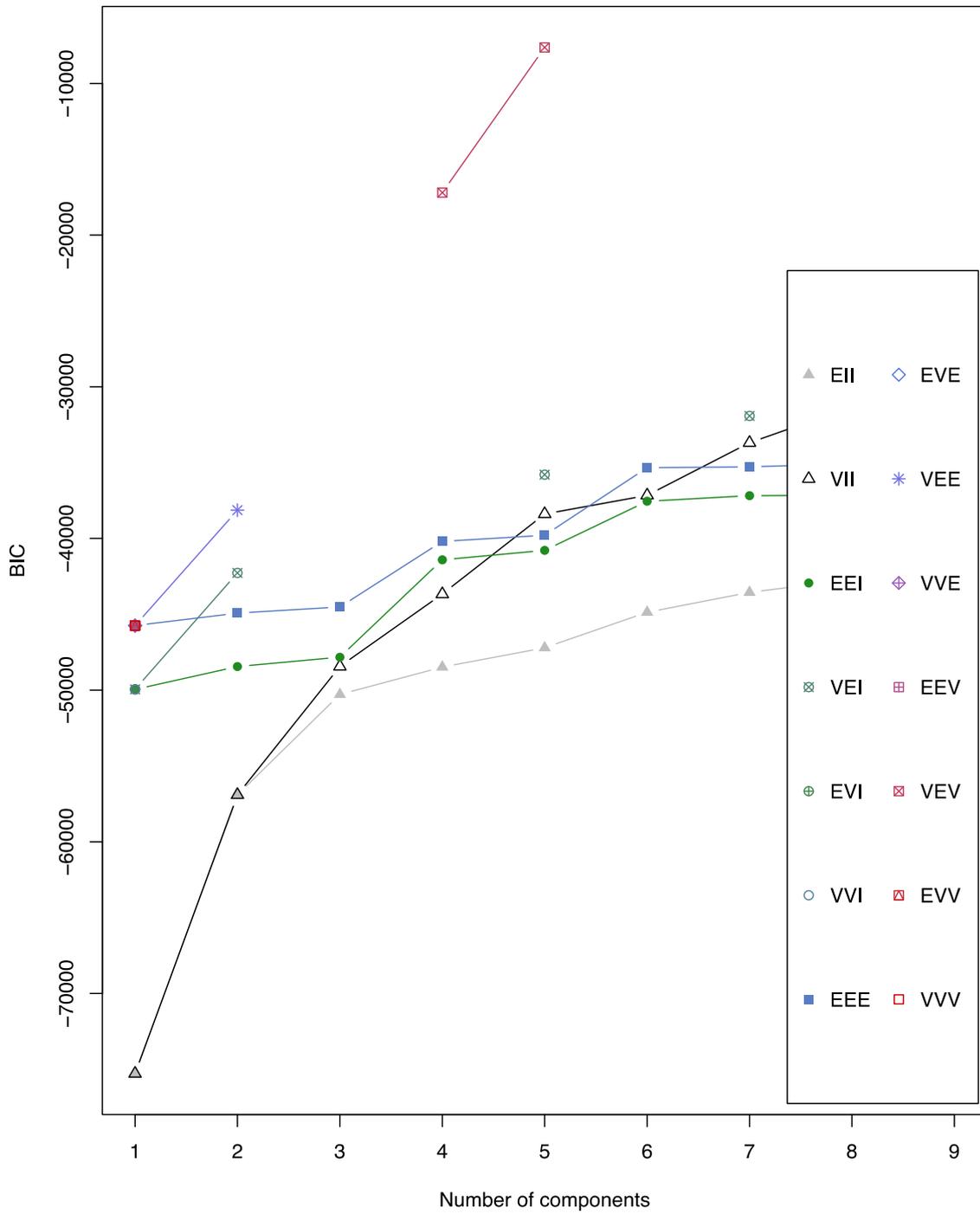
Latent profile analysis belongs to the class of Gaussian Mixture Modelling. It is akin to latent class analysis, with the same underlying Expected Maximisation algorithm as in Appendix A. Latent profile analysis however deals with continuous variables. Therefore, the resulting proportions are representative of a predicted average firm in the respective class of law firms. Table B1 illustrates the main output wherein the shares relating to firm diversity characteristics and averages with regard to firm size, region and area of practice were derived from posterior probabilities, akin to those used in latent class analysis.

The best model selection is based on comparative fit indices, using Bayesian Information Criterion (BIC) as a chief indicator. Model fit for the optimal 5-cluster solution is reported in the lower portion of Table B1. Figure B1 in turn exhibits BIC for other plausible models, indicating that the current solution is indeed statistically sound, whichever technique is used to recover latent classes.

Table B1: Latent profiles of law firms

	Large corpo rate	City- boutique	High- street	Regio nal- niche	Regio nal mid-tier
Gend er (femal e) (%)	45.0%	42.3%	46.1%	49.7%	53.9%
Ethnicity (white, (%)	57.6%	54.9%	64.7%	62.4%	65.6%
State s cho oling (%)	49.8%	42.6%	60.2%	61.4%	63.2%
First g ene ratio n gradu ates (%)	20.1%	16.5%	65.7%	32.2%	25.0%
Partn er cou nt (av er age)	4.49	1.91	1.51	2.00	3.00
Area of prac tice (av er age)	2.00	2.00	1.43	2.00	2.00
Regio n (av er age)	1.54	1.66	1.29	1.00	1.00
Clu ster shar e	18.2%	26.2%	21.4%	20.1%	14.1%
Fit ind ice s					
	Samp le	df	Log -lik	BIC	ICL
	8243	155	-3139.907	7631.45	7822.828

Figure B1: Comparative fit index (BIC)



Appendix C: Regression Analysis

The regression equation corresponding to the outputs reported in Chapter 5 is as follows. The equation fits a random intercept model only, wherein probability of progressing to partner level varies randomly across the law firms. This type of modelling adds an extra error term to the equation, signifying residual variance at level two, between the law firms.

$$\text{logit}(P(Y_{ij} = 1)) = \alpha_0 + (\chi_{ij})\beta + \omega\theta_{ij} + \vartheta\lambda_{ij} + u_{oj}$$

Note, Y_{ij} – dependent variable takes values 0 and 1, depending on whether solicitors progress to a partner (the subscript ij means solicitor i in firm j). The regression model above belongs to the class of generalised mixture models (multilevel logistic regression)

- α - intercept, corresponding in the above equation to the probability of progressing to partner level among white males;
- χ_{ij} - matrix of diversity characteristics (gender and ethnicity) where subscript ij means solicitor i in firm j ;
- ω – fixed effects for age;
- ϑ – fixed effects for successive cohorts of solicitors;
- u_{oj} – residual variance at level two
- β, θ, λ - regression coefficients

The regression equation was executed first using the complete sample of solicitors nested on their respective law firms. Thereafter the sample was disintegrated into the five classes of law firms. Table C1 below reports raw regression estimates (logarithm of odds), standard errors and significance levels for the complete model based on all available observations. It also reports variance partitioning coefficient, an essential parameter of multilevel models illustrating the proportion of variation in a dependent variable due to level two (between firm variation). Generalised linear models have no variance estimate at level one (among solicitors). The latent threshold model was used to calculate variance partition coefficient (ICC_1): $ICC_1 = \frac{u_{oj}}{u_{oj} + \alpha}$, where $\alpha = \frac{\pi^2}{3}$ - constant variance at level one.

Table C1: Regression estimates

	Model one		Model two		Model three	
	Estimate (standard error)	Z value	Estimate (standard error)	Z value	Estimate (standard error)	Z value
Intercept	1.021*** (0.021)	47.72	-3.442*** (0.047)	-73.38	-0.981*** (0.061)	-16.15
White females	-1.492*** (0.020)	-75.99	-1.138*** (0.023)	-49.37	-1.250*** (0.024)	-51.40
BAME males	-0.884*** (0.038)	-23.27	-0.331*** (0.044)	-7.50	-0.171*** (0.048)	-3.57
BAME females	-1.924*** (0.039)	-49.30	-1.174*** (0.044)	-26.57	-1.237*** (0.047)	-26.21
Age			0.740*** (0.007)	105.64	0.426*** (0.008)	51.62
Cohort (representative)					-2.746*** (0.049)	-55.45
Cohort (recent)					-1.469*** (0.031)	-47.04
ICC1	0.145		0.234		0.275	
Significance codes	*** p< 0.001; ** p< 0.01; * p< 0.05					
Sample size: 80,453 solicitors nested on 6,126 law firms.						

In terms of robustness checks, the main regression equation was executed using the complete (non-linked) sample of solicitors and then using the representative cohort only. The significance of regression coefficients remained stable, so did the size of the effect. This was taken as evidence of the robustness of the model in question.

Table C2 reports descriptive statistics for main study variables involving diversity characteristics of solicitors (proportions), the proportion of partners, median age and the share of every successive cohort of solicitors in the sample.

Table C2: Descriptive statistics	
Partners	
The share of partners	18.1%
Diversity characteristics	
White males	43.7%
White females	41.9%
BAME males	6.3%
BAME females	8.1%
Age	
Median age	Band 5 (40-44 years old)
Cohorts	
Earlier	52.3%
Representative	25.5%
Recent	22.2%
Sample size: 80,453 solicitors nested on 6,126 law firms.	

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