

News

Diversity Research Programme - expressions of interest

19 March 2021

We are about to open a tendering process to engage expert research partners to work with us to deliver key research on particular equality and diversity issues in the legal services market.

We will commission in-depth research and analysis to explore and build our understanding of underlying issues and contributory factors relating to:

- The attainment gap for Black, Asian and Minority Ethnic (BAME) candidates in legal professional assessments
- The over-representation of BAME professionals in regulatory enforcement processes.

Both pieces of research are intended to focus on the legal services market, while recognising and taking account of what is a similar picture in wider professional services. More information on the background and context to this brief is below.

Criteria

We are looking to partner with recognised experts in this field, including independent research bodies and/or academic institutions, with a demonstrable track record of authoritative equality, diversity and inclusion research. We are also open to, and supportive of, consortia and partnership bids.

We welcome institutions or consortia bidding for each of these projects separately as suits their individual expertise, or for both projects if they have the breadth, experience and resource to manage both. We anticipate the work will be largely completed by the end of our 2020/23 Corporate Strategy.

Expression of Interest

If you are interested in this work and are considering participating in the tender, you can express your interest by [emailing us](mailto:expressinterest@sra.org.uk) [<https://www.sra.org.uk/contactus>], providing relevant contact details, by 17.00 on 1 April, 2021. Requests for further information or reasonable adjustments should also be sent to this address.



Next Steps

Parties that express an interest in this project will be asked to submit information about their organisation and potential proposals, which we will use to establish a list of suitable prospective candidates for these projects. A request for a proposal document including all details of the tender process will then be shared with these parties, subject to appropriate confidentiality arrangements.

Background

In our 2020/23 corporate strategy, we set out our commitment to equality, diversity and inclusion in our sector, building on our work in previous years.

We consulted on our 2020-21 business plan and our proposals to undertake significant research into two key areas of equality, diversity and inclusion - the long-standing pattern of differential attainment seen in legal professional assessments, and the over-representation of BAME solicitors in our enforcement processes.

We know that these issues cannot be solved by us alone or in a short period of time, but we want to understand where we might be able to help and/or where we can work with others to improve our collective understanding and therefore make some significant progress.

The proposals were welcomed by a wide range of stakeholders. We published our final [business plan in September 2020](https://www.sra.org.uk/globalassets/documents/sra/board-meetings/2020/annex-2---sra-business-plan-and-budget-2020-21.pdf?version=4a81af) [<https://www.sra.org.uk/globalassets/documents/sra/board-meetings/2020/annex-2---sra-business-plan-and-budget-2020-21.pdf?version=4a81af>].

In December 2020, we published the profile of solicitors in our enforcement processes, as part of our [Upholding Professional Standards](https://www.sra.org.uk/globalassets/documents/sra/research/upholding-professional-standards-2018-19.pdf?version=4af086) [<https://www.sra.org.uk/globalassets/documents/sra/research/upholding-professional-standards-2018-19.pdf?version=4af086>] report for 2018/19, along with a supporting [report](https://www.sra.org.uk/sra/how-we-work/archive/reports/2018-19-review/upholding-professional-standards-supporting-report/) [<https://www.sra.org.uk/sra/how-we-work/archive/reports/2018-19-review/upholding-professional-standards-supporting-report/>]. This showed, when compared to the diversity of the profession as a whole, an over-representation of BAME solicitors in both the concerns raised with us and the cases that were investigated. We also published a [summary of our work](https://www.sra.org.uk/sra/how-we-work/archive/reports/iccr-response/) [<https://www.sra.org.uk/sra/how-we-work/archive/reports/iccr-response/>] in this area following the [Independent Comparative Case Review](https://www.sra.org.uk/sra/equality-diversity/archive/independent-comparative-case-review/) [<https://www.sra.org.uk/sra/equality-diversity/archive/independent-comparative-case-review/>] in 2014.

In February 2021, we published our [annual education and training monitoring report](https://www.sra.org.uk/sra/how-we-work/archive/reports/education-training-authorisation-monitoring-activity/) [<https://www.sra.org.uk/sra/how-we-work/archive/reports/education-training-authorisation-monitoring-activity/>], which again showed an attainment gap for BAME candidates in legal professional assessments.

In line with what we set out in our business plan, we are now looking for an external partner to support our aim of delivering significant research in these areas.

We are committed to ensuring that the research moves the existing knowledge and understanding of both areas forward and is not a reproduction or summary of previous research. This will be an important factor throughout the procurement and selection process.

The Issues we are looking to address

Attainment gap

There is considerable evidence that BAME candidates perform less well as a group in professional assessments, including in the legal sector, as seen in our [annual report](https://www.sra.org.uk/sra/how-we-work/archive/reports/education-training-authorisation-monitoring-activity/1) [https://www.sra.org.uk/sra/how-we-work/archive/reports/education-training-authorisation-monitoring-activity/1].

The differential is seen elsewhere in the education and training system, for example in higher education in many sectors, and there may be a range of societal and structural factors underpinning what we are seeing.

We also saw this attainment gap in our [pilot work](https://www.sra.org.uk/sra/policy/solicitors-qualifying-examination/pilot/sqe-pilots/1) [https://www.sra.org.uk/sra/policy/solicitors-qualifying-examination/pilot/sqe-pilots/1] ahead of the implementation of the new [Solicitors Qualifying Examination](https://www.sra.org.uk/become-solicitor/sqe/1) [https://www.sra.org.uk/become-solicitor/sqe/1] (SQE). It is important to note that the fairness of the SQE itself will be monitored through a separate independent assurance process, and a 10-year SQE evaluation programme.

Overrepresentation in our enforcement processes

There is an over-representation of BAME professionals in disciplinary processes in many sectors. For solicitors, the Law Society started looking into this in 2004, publishing a report about BAME solicitors in its disciplinary work in 2006, before the SRA was established in 2007. Since then we have commissioned three external independent reviews into what's happening, as set out in [Upholding Professional Standards](https://www.sra.org.uk/globalassets/documents/sra/research/upholding-professional-standards-2018-19.pdf?version=4af086) [https://www.sra.org.uk/globalassets/documents/sra/research/upholding-professional-standards-2018-19.pdf?version=4af086].

We want to understand the factors that might be driving the overrepresentation of BAME solicitors in the reports we receive and to look again at the internal assessment decision point where we see further overrepresentation.

Next steps

For both these areas, we would welcome recommendations on what we and others might do to address any underlying factors identified and to support the diverse and inclusive sector we all want to see.