The Law Society
of England and Wales

INTERNATIONAL WOMEN IN LAW SUMMIT 2012

"Setting the agenda for change"

Summary with key recommendations

Held at the Law Society of England and Wales, London

8 March 2012

National Association of Women Lawyers®
the voice of women in the law®

Association of Women Solicitors
Essential for Success

CATALYST

LexisNexis® Wragge&Co HERBERT SMITH FREEHILLS

The Law Society
of England and Wales

What our sponsors say

Wragge & Co recognises the urgent need to support female progression within our sector. The recommendations and initiatives within this report provide positive and practical ways for firms like ours to provide the best environment for female lawyers to progress into partnership and other senior roles.

Quentin Poole, senior partner, Wragge and Co

Herbert Smith Freehills is delighted to sponsor the publication of the Legacy Report of the Women in Law conference. We share with the Law Society the ambition to create a diverse legal profession where the very best talent can realise their full potential. At Herbert Smith Freehills we hold the diversity of our people and the inclusiveness of our culture as central to our success in the battle for talent and meeting the needs of clients. As a global firm, by cultivating the breadth of diverse perspectives we can create business value for our clients and that's why diversity means business to us.

Ian Gatt QC, diversity partner, Herbert Smith Freehills

LexisNexis is proud to support the Law Society International Women in Law summit and the summit legacy report. We encourage law firms and law societies to consider the recommendations it contains. As an employer of talented lawyers for our practical online content and services, we know that there is a wealth of talent out there. Providing the environment for all lawyers to have rewarding careers and increasing female representation at the top of the profession mean that law firms and clients alike will realize the great organisational and commercial benefits which come from diversity.

Judy Vezmar, CEO, LexisNexis International

INTRODUCTION

Context and background to the summit

The International Women in Law Summit: Setting the Agenda for Change on 8 March 2012 was a timely event. It followed over a decade of gender diversity initiatives. Yet, despite this and major shifts in working practices in the business world, the legal profession is not keeping pace.

The summit provided a unique opportunity to bring together lawyers in private practice with in-house counsel to examine the current progress and ongoing challenges to achieving greater diversity in the legal profession. Over 130 delegates took part, from a range of organisations including; top city firms, boutique practices and senior in-house counsel from major corporations.

Planned and executed as an international event, the summit sought to address some of the challenges that women continue to experience in reaching senior positions in legal practices across the world. Organised by the Law Society of England and Wales, the National Association of Women Lawyers (NAWL), the Association of Women Solicitors (AWS) and Catalyst, the event attracted lawyers from all around the world.

Research review

Ahead of the summit, a global research review examined current progress in gender diversity through the lens of international business research and the legal profession. What emerged was a clear picture that women lawyers, operating across different jurisdictions, were encountering very similar challenges to their career development progress. The slow and, at times, backward movement being made by women in the legal profession is corroborated by data from professional bodies worldwide, which shows that, despite growing numbers of female trainees, firms still have low numbers of female partners and even fewer women on their management boards.

Pre-summit global research survey

To inform debate and recommendations, a separate, specially commissioned pre-summit survey was conducted by LexisNexis (global legal information and practice solution providers and principal sponsor of the event). With access to the international Martindale Hubbell database, this global survey was circulated to thousands of lawyers. Nearly 1200 (male and female) lawyers responded. The findings substantiated the frustration of participants at the exceedingly slow rate of change and the continuing low numbers of senior female lawyers. Top-line findings of the survey are outlined in section one below.

What to discuss and where to start?

The research review identified the most pertinent topics for focus at the summit and sparked a call for papers amongst the international business and legal communities. Key topics highlighted as critical and recurring factors in the arrested progress of women included: current working practices and culture within firms, the role of the client in shaping work cultures, the importance of mentoring, sponsorship and the impact of globalisation.

SECTION TWO

2.0 Plenary and breakout session summary

Five plenary sessions presented five different topics which were led by five key figures; these five topics were later discussed by summit delegates in highly animated breakout sessions. Each breakout consisted of two separate groups of up to twenty five lawyers who had selected to discuss the topic in greater detail in order to identify desirable action points to 'set the agenda for change' after 8 March.

Plenary topics

The topics and top line reporting of the breakout groups' discussions, along with full session voting are reported below.

SECTION TWO

2.1. Plenary session one: 'the numbers game: do targets or quotas work?'

In the light of the Davies Report (published in 2011 in the UK to examine whether top companies should introduce targets or quotas to achieve better female representation at board level), this plenary considers whether targets work in boosting diversity or law firms should adopt quotas to improve gender equality?

Lead by Charlie Geffen, senior partner at Ashurst LLP , this plenary opened by harnessing Darwin's theory of evolution and highlighting that, "It is not the strongest of the species that survives, nor the most intelligent. It is the one that is the most adaptable to change." (Origin of the Species). The plenary acknowledged that the business case for gender equality is compelling but law firms, as independent living organisms, "were designed by and for men; and are by their nature conservative and traditional. "

This plenary acknowledged that the presence of senior women alters the DNA of an organisation and that winning the intellectual arguments and business case for more women was easy, but achieving behavioural change was hard within a large organisation. A core imperative for Ashurst included providing greater flexibility, removing unconscious bias, embedding flexibility and remote working and moving away from work/life balance to work/life fit. This means the ability to flex around external factors. The firm was demonstrating best practice and aligning itself to the Davies Report and the Ashurst board has set a target to achieve 25 % female partners by 2014.

Geffen highlighted the importance of acknowledging that progress will be uneven but that changing current thinking and behaviours was central to this shift and that progress would be uneven. Advocating honesty about what is realistic and achievable, Geffen also recognised the vulnerability of, and need to protect, the talent pipeline, particularly at 2-5 years post qualified, also identifying that stumbling blocks to diversity and inclusion initiatives are frequently found in middle rather than senior management. This was also identified through the Law Society of England and Wales' consultations with senior female lawyers. Blockages to change are frequently rooted in not identifying or building awareness of biased behaviours and language.

SECTION TWO

2.2 Plenary session two: ‘when commitment isn’t enough: the role of workplace culture in women’s careers.’

This topic aimed to examine how the current culture affects the long term career development decisions of women, whether unconscious bias can be reduced or removed from the workplace, and what key cultural changes will improve the retention and growth of women into senior roles?

Rupert Bondy, group general counsel BP plc heads the global steering team of the diversity and inclusion programme. Bondy provided the critical client view of diversity challenges within legal firms and spoke “as a major purchaser and consumer of legal services. The experience is that women will work hard, especially those enabled to work”

Bondy highlighted the importance of sponsorship, particularly for women. He also discussed the value of creating an inclusive environment. Since BP represents a typically very male organisation, with roots in the engineering and mining industries, a significant element of the Diversity and Inclusion initiative was to demystify what was required in order to progress at BP. Unconscious bias awareness is being firmly embedded in the BP corporate culture through all senior staff engaging in training and awareness building.

“Aspirations are useless if employees do not feel that change is possible.” (Rupert Bondy, group general counsel BP plc)

Speaking from a business perspective and as a major purchaser of external legal expertise, he highlighted the fact that both men and women experience the ‘fear factor’ regarding equality and bias conversations. He provided examples of biased language where ambitious women may be perceived as ‘pushy’ whereas their male equivalents may be viewed as assertive and positive.

Bondy underlined five core values central to implementing a truly diverse culture: safety, respect, excellence, courage and one team. Drawing upon his global role, he highlighted the need to adapt diversity and inclusion initiatives to understand and respect different local cultures. Bondy was clear that diversity and inclusion should be an integral part of all management targets.

Top line summary of breakout sessions: ‘when commitment isn’t enough: the role of workplace culture in women’s careers’.

Breakout sessions highlighted the significant gap between policies and culture and that frequent “lip service” is paid to “doing the right thing”. Participants were clear that change was long overdue.

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