



THE LAW SOCIETY
of SCOTLAND
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Profile of the Profession 2013

Demographics and work patterns of Scottish solicitors

Research conducted by



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FOREWORD

The publication of this report represents a significant milestone for the profession and the Society’s equality work. For the first time, we can start to see trends emerging, rather than a simple snapshot, which is immensely valuable in informing policy and work.

Individual solicitors throughout Scotland, across a range of employment areas, have made this work possible. Everyone who took the time to respond to this and previous surveys deserves our thanks. It is only through collecting data over a significant period of time that we can identify the progress the profession is making, where more work may still be needed, and how we at the Society should target support or encouragement.

In 2004, we had little data on the profession and patterns of work beyond the age and gender details held on the roll of solicitors. Growing pressure from both members and external stakeholders saw us undertake a study on women, equal pay and career progression. Recognising the value of this, the Society immediately commissioned further work to collect data across all of the ‘protected characteristics’ now in the Equality Act 2010. In 2009/10 the profile was updated again, extracting key information from a joint study with the Judicial Appointments Board for Scotland. However, by 2013 it was time for a further review, to allow us to see how key measures were changing.

In my time working with the Society, it has been relatively rare for a plan to be set in motion and allowed to unfold over nine years, and then to be patiently followed through to start delivering results for members. I have been proud to take up the role of convener of the Society’s Equality and Diversity Committee and complete this phase of work. However, I would wish to say a special thanks to my immediate predecessor, Professor Kay Hampton, and to the first committee convener, Farah Adams, as well as my fellow committee members and the team at the Society, who have shown huge commitment to the development of this work.

We are now placed ahead of many professions and employers, having sought out not just the data required by the equality duties placed on us, but on all areas of equality legislation – preparing us for future challenges as well as current ones. Given the fantastic response to this independently managed study, we can be confident of the data and the trends identified. Likewise, the information will help future planning by the Society and the law firms and organisations that employ Scottish solicitors.

I hope that every firm and organisation with solicitor employees in Scotland will find this data useful. It allows analysis of the composition of an organisation’s own solicitor teams, in light of reliable national data on the profession as a whole. It identifies issues facing many solicitors – possibly including you and your colleagues – in relation to employment policies and career development. It provides an insight into the attitudes of individuals in the profession on a range of equality issues. Finally, it assists in setting the agenda for future equality work of the Society.

By ensuring that equality and diversity are central to the Society’s work, we help to promote a vibrant and innovative legal profession that is accessible to all and attracts the brightest and best talent. This data, along with the earlier studies, now allows us to move forward with implementation of our Equality Strategy, ensuring we meet, not just our legal obligations, but the needs of our members now and in the future.

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I believe that if we as solicitors embrace the principles embedded in our strategy, we will enable our profession to grow and thrive. Our future depends on widening our reach and appealing to all members of society in Scotland and beyond.



Janet Hood

Convener – Equality and Diversity Committee of the Law Society of Scotland

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ACKNOWLEDGEMENTS

MVA and the Law Society of Scotland would like to thank the Equality and Diversity Committee members who assisted in the design and testing of the questionnaire. We would also like to give particular thanks to all those who spent some of their valuable time to complete and return the questionnaire. Finally, we acknowledge that the questionnaire was, in part, based on previous work between the Law Society of Scotland, the Equal Opportunities Commission, Glasgow Caledonian University, Grange Group, and the Judicial Appointments Board for Scotland.

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1. EXECUTIVE SUMMARY

1.1 Introduction

1.1.1 In January 2013, MVA Consultancy was commissioned by the Law Society of Scotland to design and conduct their Profile of the Profession survey. The questionnaire was designed to collect information on the following areas:

- Professional background, and current occupation information;
- Details of current working patterns, including hours of work, any flexible working arrangements and use of any career breaks;
- Identify any experiences of discrimination within the profession;
- Demographic information; and
- A short section was also included on applying for judicial office on behalf of the Judicial Appointments Board for Scotland (JABS). This followed previous joint research by the Society and JABS, and aimed to track any changes since that project.

1.1.2 The main approach consisted of a postal survey, where all solicitors, trainees and those retained on the roll of the Society (n=14,064) were sent a hard copy of the questionnaire. An electronic link to an online version of the questionnaire was also provided.

1.1.3 Overall, **3,449** responses were received, giving a combined response rate of almost **25%**. This represents a good response rate, and an increase on the last survey of the profession of this nature (ie 18% response rate, n=1968 in 2009/10). It also provides a robust and reliable base for the analysis.

1.1.4 Most (85%) responses were paper-based questionnaires, with only a small proportion (15%) submitted via the online version of the survey.

1.1.5 A good mix of respondents were achieved across the demographic profile and while this was similar to the profile of the profession as a whole, responses were weighted to the gender and age of the Society’s current membership profile to ensure that the results were as representative and reliable as possible. A total of 41 respondents did not include a response to one or other of the relevant demographic questions, reducing the number of questionnaires included within the weighted statistical analysis to **3,408**. These respondents results were, however, included in the analysis of the open ended qualitative questions, and numerical data was checked for any differences against the usable sample to ensure no bias was introduced to the results due to their exclusion.

1.2 Demographic Profile

1.2.1 The full dataset contained an approximate 50/50 male/female gender split.

1.2.2 79% of respondents were aged between 25 and 55. Females are more prevalent in the younger age groups with males being more prevalent in some of the older age groups. Most respondents were white (97%), heterosexuals (96%), with no disability (96%).

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- 1.2.3 46% reported having no religion/belief, a further 47% reported themselves to be Christian, 2% (n=55) reported being one of the other main named faiths (Muslim, Buddhist, Sikh, Jewish or Hindu), approximately 2% (n=66) reported 'Other' and 3% (n=113) chose not to answer the religion question.
- 1.2.4 Almost two thirds of respondents are currently married (63%), while 30% are single (ie have not ever married or registered a same-sex civil partnership). Slightly less than half (45%) indicated that they have dependents, which, in the vast majority of cases, are children.
- 1.2.5 It would appear that there has been a shift in thinking within the profession towards seeing the parenting role as a joint responsibility rather than solely the mothers responsibility. However, it seems that the mother is still largely expected to take time of work when a child is sick, although the gap is closing here as well (albeit to a lesser extent) with a greater proportion seeing this as a joint responsibility compared to the results of the 2005 Women in the Legal Profession research.
- 1.2.6 When respondent profile is compared to similar previous survey results (from 2006 and 2009), there appears to have been very little change to the overall profile within the profession. Gender breakdown, ethnic background, proportions of transgender and LGBT respondents, and marital status have all remained relatively static across the period.
- 1.2.7 However, the results did suggest a small increase in the proportion of respondents with a disability, where the relevant proportion has risen from around 2% in 2006, and 3% in 2009 to around 4% in this most-recent 2013 survey. There has also been a decline in the proportions of respondents from a Christian faith (down from 37% in 2006 to 30% in 2013) and corresponding increase in those with no faith/religion/belief (up from 36% in 2006 to 46% in 2013); however, those the proportions from non-Christian faiths have remained fairly static.

1.3 Occupational Profile

- 1.3.1 The average age of respondents when they fully qualified as a solicitor was 26. While it appears that the age of qualification has increased slightly since 2006 (where just over half of the sample qualified under the age of 25), it has perhaps changed little over the longer term, with all age groups in this survey indicating they had, on average, qualified between the ages of 24 and 27.
- 1.3.2 Around three quarters (73%) work in private practice and the remaining quarter (27%) work in-house. Over a third (35%) are currently employed in private practices with 16 or more partners. This is broadly in agreement with the data the Society holds.
- 1.3.3 A fairly wide range of 'years of experience' was reported within the sample, with females (on average) reporting fewer years' of relevant legal experience than the males. This is, at least in part, a symptom of a historically male dominated profession. Also, females were more likely than males to be trainees, assistants, associates and solicitor team member, while males were more likely to be equity partners, consultants or

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Directors. It would appear that men’s careers move forward at faster rate than women’s after they have achieved ten years’ experience, with this pattern being prevalent in both private practice and in-house.

- 1.3.4 Of those working in, or planning to move back into private practice, 39% indicated that achieving partner status is ‘very important’ or ‘important’ to them. Male respondents were more likely than their female counterparts to consider it very important, while disabled respondents were less interested in becoming partner, with 48% stating this was not at all important to them.
- 1.3.5 Of those respondents that were already a partner, on average, they had been a senior associate (or other level below partner) for around 4 years. Most (65%) had been successful in achieving partnership status on their first application. However, it appears to take women longer to achieve partnership than men, spending on average 4.60 years at lower grades compared to 3.96 years for men.
- 1.3.6 Salary (40%), quality of work (38%), and work/life balance (34%) were most often chosen as important day-to-day work motivations. Slight variations exist between male and female respondents, with males more likely to value a management role, while female respondents more likely to value a supportive manager.
- 1.3.7 Higher salary (55%), improved work/life balance (33%), and promotion (25%) feature heavily in terms of future career aspirations. Female respondents were more likely than male respondents to value promotions and being appreciated for the role they do.

1.4 Patterns of Work

- 1.4.1 The majority (77%) of respondents work full-time, with only 17% indicating they work part-time; most other respondents work condensed hours or on some other contract type. This proportion working part-time varies by gender, with 24% of females working part-time, compared with only 9% of the male respondents. Respondents’ working patterns were generally quite ‘traditional’, with very few, if any, respondents working monthly hours, annualised hours, etc.
- 1.4.2 Full-time respondents were contracted to work, on average 37 hours per week, while part-time respondents were contracted to work 24 hours per week, on average. Slightly more than half of all respondents (52%) reported working additional hours on a daily basis, with more men reporting this than women. On average, respondents are working an additional 10 hours per week in the office, and a further five hours at home. For the majority of respondents, these additional hours are not remunerated.
- 1.4.3 Most respondents begin work before 9am in the morning. There appears to be a trend towards working lunch breaks with 41% working through lunch two or three times a week, and 30% doing so every day. Just over a third (37%) continue or restart work after 8pm at least once a week. In addition, 10% work on non-contracted weekdays at least once a week, while 13% work regularly on Saturdays and 16% on Sundays.
- 1.4.4 Over half (52%) believe that their organisation equates working late with commitment.

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1.4.5 The majority (90%) of respondents were happy with their current pattern of *contracted* hours. However, a lower proportion (60%) indicated that they are happy with their *actual* working hours, and over a third (39%) would in fact prefer to reduce their *actual* working hours.

Flexible Working¹

1.4.6 Nearly two thirds of respondents are allowed to work from home (62%) and/or remotely (59%), although males were more likely than their female counterparts to have (or chose to have) this flexibility. Despite this availability, only a quarter (25%) of respondents avail of this at least once a week. Working from home appears to be slightly more acceptable for those working in-house and for those in smaller private practice firms. However, despite the lower levels of availability, it appears that those in private practice use this facility more frequently than those working in-house.

1.4.7 Over two fifths (42%) of respondents have access to flexi-time in their organisation, and in most cases (71%) this allows them to take additional half-days or days off work. The availability of flexi-time is considered by some as vital to being able to continue in their job, 14% indicated that they would not be able to continue in their job if this facility was removed, and a further 10% did not know. Access to flexi-time was more important for females than males.

Amended Hours²

1.4.8 Only 17% of all respondents currently work amended hours, however females are more likely than males to currently work amended hours. Women generally cited child care responsibilities as being their main reason for requesting amended hours, while men were more likely to indicate personal preference and phased retirement plan as their main reason.

1.4.9 Just over two fifths (43%) of those respondents that currently work amended hours plan to continue working amended hours for the rest of their career. Further, over a third (38%) felt that they would no longer be able to continue in their current role; again this was more important to female respondents.

1.4.10 Over two thirds (67%) of those working amended hours feel that their firm or employer is either supportive or very supportive of their current working pattern. Despite this, nearly half (49%) of those working amended hours felt that this has had a negative

¹ We use ‘flexible working’ as a term to describe measures which allow employees to adjust the start and end times of their working day e.g. to avoid peak hours congestion, to allow for children to be dropped off/picked up from school, or to fit in with other activities. It also includes the ability to work from home or from offices or locations other than your ‘normal place of work’. We also wish to explore whether your working patterns are being influenced by the use of technology.

² We use ‘amended working hours’ to mean a contractual change to your hours of work i.e. where your contractual hours are reduced from the standard full time contracted hours of your employer (often referred to as ‘part time’) and/or where the days you are contracted to work are varied (such as condensing 35 or 40 hours a week into four days or working only during ‘term time’).

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impact upon their career, with most indicating that they will either not achieve a promotion and/or that their career prospects have been curtailed.

- 1.4.11 Some groups were identified as being given priority in requests for amended working, those with children (33%), women (13%), and staff with illnesses (10%) being the most common.

Career Breaks

- 1.4.12 Nearly one third of respondents (30%) had taken maternity/paternity/adoption leave on at least one occasion. Typically, respondents took 21 weeks for this type of leave. Only half (51%) indicated that they had taken their full entitlement of maternity/paternity/adoption leave on the most recent occasion, with the main reason for not taking their full entitlement being largely due to financial pressures (41%).

- 1.4.13 Only 14% of respondents had taken some other type of career break, such as a sabbatical or time out of employment. The main reasons for respondents taking other careers breaks included child care responsibilities, changing career, further education/training, loss of job/redundancy, ill health, and/or travel.

Impacts of Amended Hours/Flexible Working Patterns

- 1.4.14 Despite the earlier indication of a desire to reduce *actual* working hours, most respondents (71%) felt that they were achieving a reasonable work-life balance.

- 1.4.15 Respondents identified a number of positives/advantages for **themselves** around working amended hours and/or flexible working patterns. These generally centred around maintaining an agreeable work-life balance, reduced stress, reduced travel needs and costs, and reduced need to be in the office to do their work.

- 1.4.16 Some negative aspects were also noted by respondents however, which centred around problems with availability and contacting those not in the office, a lack of communication with clients, colleagues and employers, limited access to the required IT services, whilst others were concerned about the impact this had on family commitments/home life.

- 1.4.17 Respondents were also asked to identify any positive and negative consequences **for the team**. Around one third of respondents felt that it allowed for a better work-life balance for colleagues (35%), and that it contributed to keeping valued members of staff (31%). Nearly a quarter however, feel that negative impacts for the team are created by colleagues not being available (24%), while 21% feel it can create a stressful environment and puts more pressure on other people. Other important negative consequences include continuity issues (19%), work not being completed or delays in work being completed (18%), and the difficulties created in trying to cover colleagues' work (17%).

- 1.4.18 The impact that working flexibly had on partnership opportunities was also analysed. There was no direct relationship between working amended hours and the time taken to become partner (by gender or in total). However, when career breaks are factored in,

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those that have taken a career break typically take longer (4.76 years) to achieve partnership status compared to those that have never taken a career break (3.79 years). For those taking up to six months, the delay merely covers the time out of the workplace, however, it appears that taking a break of more than six months in total adds additional time spent at lower grades before becoming partner than would be required to cover the length of the break. For example, those who have taken breaks of between six months and one year have typically spent an additional 1.41 years at lower grades compared to those who have taken no career breaks.

1.5 Equal Pay

- 1.5.1 Nearly two thirds of respondents (63%) have salaries up to £55,000, with only 6% earning the largest salaries of over £150,000 per annum.
- 1.5.2 In general, male respondents are largely receiving higher salaries than females. There is little difference in earnings between the genders for those in the early stages of their careers, however, differences become apparent for those aged 36 onwards, and after respondents have more than five years post qualification experience.
- 1.5.3 Results, therefore, indicate that a genuine pay gap exists between the genders once careers are more established.

1.6 Discrimination

- 1.6.1 15% of those that work in the legal profession have experienced discrimination within a work environment in the last five years. Women and minority groups were, however, more likely to suffer this, including LGBT respondents, those with disabilities, ethnic minorities, and those from minority religions/faiths/beliefs. In addition, those from the younger age categories, those with children, those that work amended hours, and those that work in-house were also all more likely to experience discrimination.
- 1.6.2 The most common types of discrimination were sex/gender discrimination (n=271), age (n=161), then pregnancy and maternity (n=103), socio-economic background (n=97), and working amended or flexible working patterns (n=93). All other forms of discrimination were reported by a small number of respondents. No respondents reported any discrimination related to transgender/gender reassignment.
- 1.6.3 Most commonly, ‘discriminated-against’ respondents felt they had not been considered for promotion or ‘in relation to their salary’. Other common areas where respondents feel they are being discriminated include being left out of communication and in relation to networking. A significant proportion also included ‘harassment’ and ‘bullying’ within the forms of discrimination they reported having encountered.
- 1.6.4 Encouragingly, it would appear that the overall numbers of people experiencing discrimination has reduced compared to the results of the 2006 Society survey.

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1.7 Conclusions

- 1.7.1 There does not appear to have been significant changes in the composition of the profession in the last 3 years, or over the longer period (7 years) where it is possible to correlate data with earlier studies. If the legal profession is to reflect the wider Scottish population more active work may need to be considered.
- 1.7.2 There appears to be a culture of working additional hours throughout the profession, most of which is not remunerated. Many would prefer to reduce their *actual* working hours. Despite this, however, most respondents felt they are currently achieving a reasonable work-life balance.
- 1.7.3 Very few respondents currently work amended hours, although females are more likely than males to do so. Nearly half of those working amended hours felt that this has had a negative impact upon their career, with most indicating that they will either not achieve a promotion and/or that their career prospects have been curtailed.
- 1.7.4 The research has highlighted a number of elements worthy of ongoing/future monitoring:
- to ensure that the young women entering the profession now and in recent years are encouraged to remain within the profession and that the gendered pay gap reduces over time;
 - it is also important to build further understanding and to address the barriers that appear to exist throughout the profession (either real or perceived) that those working amended hours, and/or more flexibly, and those that take career breaks are not held back in their careers and denied promotion;
 - it may be interesting to monitor whether more members take-up the facilities offered to allow them to work from home/remotely as time goes on and technology makes this seem more 'normal', and whether this is considered to be a benefit or an imposition on personal time;
 - it will be important to continue to monitor instances of discrimination within the profession and for steps to be taken to reduce/eliminate this;
 - although relatively low, the incidence of active bullying and harassment may be of concern to the profession; and
 - the small numbers in relation to certain protected characteristics make statistical conclusions difficult, therefore, it may be worthwhile considering alternative approaches to ensure the needs of these groups are understood.

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2. INTRODUCTION

- 2.1.1 In January 2013, MVA Consultancy was commissioned by the Law Society of Scotland to design and conduct their Profile of the Profession survey. This follows on from other successful surveys of the profession in 2006 and 2009/10 which also considered the professions profile, as well as a survey considering issues around gender and the profession (2005).
- 2.1.2 The aim of this most recent survey is to update the demographic and occupational profile of the profession and trainees, including data on the protected characteristics in the Equality Act 2010 (for example, age, disability, gender reassignment, marital status, pregnancy and maternity, race, religion and belief, sex, and sexual orientation). The results of this survey will also be compared against the previous research to identify how this profile has changed since 2005.
- 2.1.3 In addition to providing profile information, the survey also aimed to collect information on working patterns in the profession, collect data around equal pay, and explore experiences of equality/discrimination issues within the profession to assist the Society in setting an agenda around equality.

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3. METHODOLOGY

3.1 Survey Method

3.1.1 A survey questionnaire was designed to be consistent with the previous surveys where appropriate to facilitate comparative analysis and build a picture of how the profession has changed over the years.

3.1.2 The questionnaire was designed to take around 10 minutes to complete, and to include the following topics:

- Professional background, and current occupation information;
- Details of current working patterns, including hours of work, any flexible working arrangements and use of any career breaks;
- Identify any experiences of discrimination within the profession;
- Demographic information; and
- A short section was also included on applying for judicial office on behalf of the Judicial Appointments Board for Scotland (JABS).

3.1.3 The main approach consisted of a postal survey, where all members of the Society (14,064 in total) were sent a hard copy of the questionnaire along with a postage paid return envelope to return the questionnaire directly to MVA.

3.1.4 In addition to the paper based approach, we also converted the questionnaire to a web-based format in order to provide a choice of response medias for respondents. The details of the online version of the questionnaire were included on the cover of the paper based questionnaire and was advertised in various communications from the Society to their members, on the Society’s website, and in wider related press and social media.

Reminder/Booster Exercises

3.1.5 As the survey was entirely anonymous it was not possible to conduct targeted reminder exercises, therefore reminders were circulated as widely as possible amongst the entire profession. These reminders were designed and conducted directly by the Society and consisted of a variety of methods, including:

- Articles/adverts in the Society’s Journal, a print copy which is sent to all members;
- Articles/adverts in the Society’s E-bulletin which is emailed directly to all members;
- Adverts on the Society’s website;
- Press releases in various national online and print media (both legal and more general media);
- Social media alerts, ie LinkedIn and twitter was used throughout the survey period to stimulate interest; and
- Various groups/committees were also contacted directly by the Society to encourage support for the research and boost responses. These included, but were not limited to, Council members and HR managers in the top 30 firms.

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3.2 Response Rate

- 3.2.1 A total of 14,064 questionnaires were circulated; of these, however, 42 were returned to the Society as undeliverable. The undeliverable questionnaires were primarily from retained and/or retired members and were presumably due to address details being out of date. Therefore, a total of 14,022 members were invited to participate in the survey directly.
- 3.2.2 Overall, **3,449** responses were received. Of these, 85% (n=2,919) were paper based questionnaires and 15% (n=530) were online responses. This is a total response rate of **25%**. Although this is lower than the 33% target set, the response rate, both in terms of numbers and percentage is an improvement on the most recent (2009/10) survey where an 18% (n=1,968) response rate was achieved from Society members. Given the length of the questionnaire and that the Society had also issued a number of other smaller surveys during this survey period, this represents a very good response rate.
- 3.2.3 The survey achieved a good response rate from members in all age-gender categories meaning that the achieved sample is, at a high level, representative of the population of Society members as a whole. Response was lowest among the youngest age group (less than 25), particularly for young males where response was nearly 50% lower than the average response rate. This lower response rate is compensated for by higher response rates in older age groups, particularly the 66 and above age group. These differences between the population and sample are adjusted for by the data weighting as discussed in paragraph 3.3.1 below.
- 3.2.4 The sample size is sufficient to provide robust estimates of derived responses to questions asked of the whole sample (n=3,449) and sub-groups of the sample such as males (n=1,453), with 95% confidence intervals typically less than $\pm 2.5\%$. For instance, the proportion of males (n=1,414) working in the Criminal law sector is 15.3% which has 95% confidence intervals of (13.4%, 17.2%). The confidence intervals are a measure of the 'sample error' and reflects the fact that the estimate is based on a sample (not everyone) and the estimate will vary randomly depending upon who responded at the time. Only rarely, 5% of the time, might we expect this estimate based on a random sample of this size to fall outside this interval.

3.3 Analysis

- 3.3.1 Although a good mix of respondents were achieved across the demographic profile, and was similar to the profile of the profession as a whole, responses were weighted to the gender and age of the Society's current membership profile to ensure that the results were as representative and reliable as possible. The sample was weighted to match the distribution of age group into 7 bands for males and females separately: a total of 14 categories of combinations of age and gender.
- 3.3.2 Due to the data weighting process, a small number of questionnaires were removed from the analysis as neither gender or age had been specified. This reduced the usable number of questionnaires to **3,408** for statistical analysis. These respondents' results were, however, included in the analysis of the open ended qualitative questions, and

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numerical data was checked for any differences against the usable sample to ensure no bias was introduced to the results due to their exclusion.

3.3.3 Analysis consisted largely of frequencies of all questions and cross-tabulations of key questions. Cross-tabulations were generally used to identify any differences in responses by the various equality groups, although some were also conducted based upon the nature of respondents’ professional position.

3.3.4 Statistical tests were carried out to determine whether the difference in the measures observed for different sub-groups was greater than what would be explained by the sample error associated with the measures at the 95% level of confidence. Only those differences that were identified as being statistically significant have been discussed within the report.

3.4 Reporting Conventions and Caveats

3.4.1 Whilst both paper based and online questionnaires were available to respondents, none of our data checks highlighted any repeated ‘multiple’ responses to any of the open questions, suggesting that the possibility of multiple returns by an individual is probably only a theoretical problem. No specific safeguards were included in the survey to reduce the risk of a respondent either completing both the paper questionnaire and the online survey, or completing the online survey multiple times. The options for introducing relevant safeguards were considered during the project inception and scoping phase. However, given the sensitive nature of some of the questions/topics covered in the questionnaire and the resulting need for the survey to be (and perceived to be) anonymous, it was decided that these options were not appropriate. However, given the length of the questionnaire, it is unlikely that any respondent would have completed it multiple times.

3.4.2 Although results have been disaggregated by the various equality groups, some of these have small sample sizes. In these cases, a number of categories have been grouped together to provide larger sample sub-groups. Where samples are not of a significant size (generally where ‘n’ is less than 100) this is indicated in the report and caution should be used when interpreting the results. We would also caution against generalising too far from these ‘small-sample-size’ results.

3.4.3 Finally, not all reported percentages will add to 100% due to rounding, and/or due to not illustrating ‘not disclosed’ options on figures. Also, where sample sizes are lower than 0.5%, these have been reported as <1% to distinguish these from true zero values.

Comparisons with the previous surveys

3.4.4 Although all surveys discussed in this report were circulated to all Society members by the Law Society of Scotland directly, it should be noted that the 2009 survey was targeted at the legal profession more widely (to include Judges and Advocates, although the data extract used for comparison only contains solicitors); all other surveys mentioned were exclusively targeted at Society members only.

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- 3.4.5 It should be noted that, not all question wording and response options provided were consistent between survey years. Where there are differences, this has been outlined in the text. Also, where response options offered were not consistent between years, this has been indicated in the tables by a '-' to show that the option was not available for selection. Continuity of questions is often an issue in research, balancing the need to generate comparable data with refining questions which have caused issues in previous research or where social attitudes or best practice have changed. In some cases, changed questions represent a deliberate choice to narrow the frame of reference once baseline data from early surveys becomes available (for example, looking only at incidence of discrimination in the last five years, rather than over a whole career).
- 3.4.6 Due to data restrictions and differing formats it has not been possible to perform rigorous statistical testing to determine if any changes highlighted between survey years are statistically significant or not. As such, while these comparisons provide an indication of changes over time and the direction of such change, they should not be considered as statistically significant.

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4. DEMOGRAPHIC PROFILE

4.1.1 Within this chapter, the first section details the demographic profile created by this research exercise. The following sections then compares this against previous research, where possible, to start drawing conclusions on trend.

4.2 Personal Characteristics

4.2.1 Overall, 50% (n=1720) of respondents were female and 50% (n=1688) were male.

4.2.2 As might be expected, the majority of respondents (79%) were aged between 25 and 55 years of age. However, there were significantly more female respondents in the 25 to 35 years old age group in comparison to males (42% and 23% respectively). While males were more common in the older age groups, from 56 years of age and older, with 28% of male respondents falling into this category in comparison to just 9% of females.

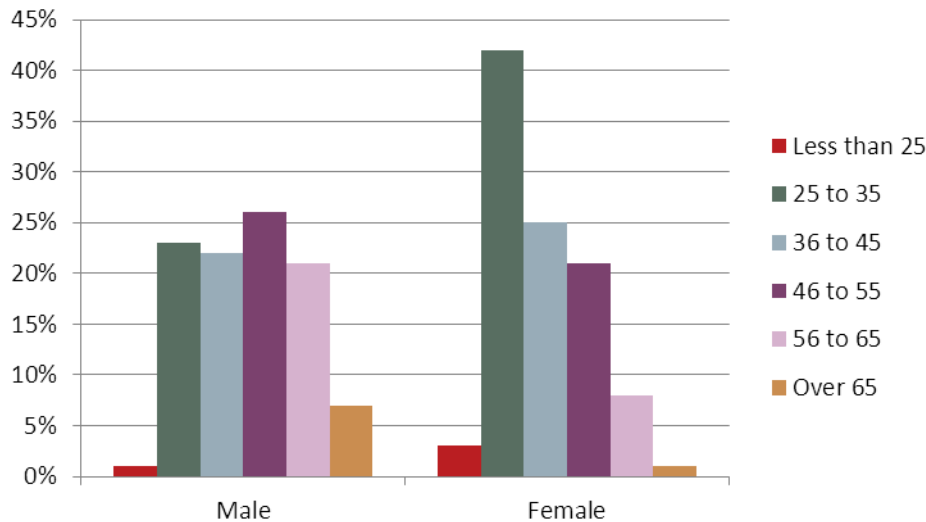


Figure 1. Age by Gender

4.2.3 Most respondents (94%) indicated they are heterosexual, while 3% indicated they were lesbian, gay, bisexual or other (i.e. LGBT), and the remaining 3% declined to answer the question. Only 5% of male respondents indicated that they are gay, while 1% of females indicated that they are lesbians. Meanwhile, less than 0.5% of respondents indicated that they considered themselves to be transgender.

4.2.4 The majority of respondents specified their ethnic background as 'White, Scottish' (86%), while a further 10% came from the remaining 'white' groups (ie British, Irish, Gypsy/traveller, Polish, and other white ethnic group). Meanwhile only 2% came from any other ethnic group, and the remaining 1% did not specify.

4.2.5 Table 1 below provides a breakdown of ethnic background by age group. This shows that the proportions of non-white ethnic backgrounds increase (albeit slightly) as the

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age of respondents decreases, which suggests that more ethnic minorities are being attracted into the profession recently.

Table 1. Ethnic Group by Age

	Up to 35	36-45	46 +
White Scottish	86%	85%	87%
White Other	10%	11%	10%
Non-White Ethnic Group	3%	2%	1%
Not disclosed	1%	1%	2%
Sample (n)	1174	812	1423

4.2.6 Only 4% (n=126) of respondents indicated that they consider themselves to have a disability. Of the 119 respondents who specified what this disability/impairment was, 37% have a long term illness, disease or condition, and 21% have a physical disability.

4.2.7 Of those that are currently employed within the legal profession, only 3% consider themselves to have a disability. Of the 93 who also indicated what their disability/impairment was, 38% have a long term illness, disease or condition, 22% have a sensory impairment, and a further 20% have a physical disability.

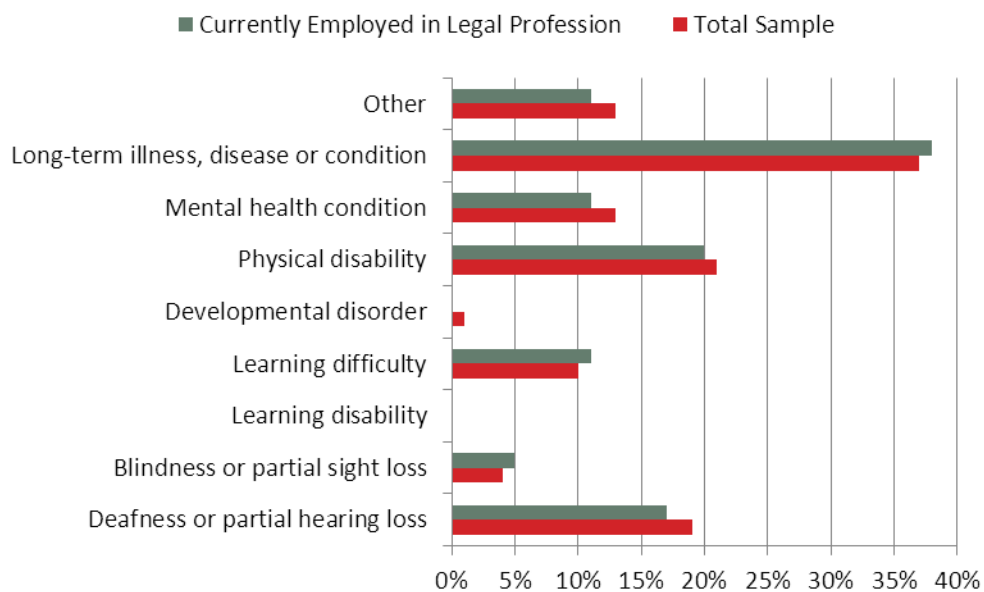


Figure 2. Type of Disability or Impairment

4.2.8 Of all those that indicated they have a disability (n=126), 41% indicated that they were disabled when they initially applied for their traineeship, however, only 17% declared their disability/condition in their application.

4.2.9 Over half of those that are disabled (52%) have not requested/required an adjustment (see list below), 27% had requested and adjustment which was provided; however in 5% of cases an adjustment was requested but not provided.

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4.2.10 Those adjustments that were provided included:

- Software and general equipment, for example keyboards, screens, printers, improved alarm system, special desks, etc. (17 respondents);
- Flexibility in working hours, for example reduced working hours for health reasons, move from full to part-time job, flexibility for doctor and hospital appointments, time off for hospital or any other appointments, etc. (11 respondents);
- Fitness facilities (1 respondent); and
- Change in office location due to mobility issues (1 respondent).

4.2.11 Almost half of all respondents indicated that they were not affiliated with any religion (46%, n=1,566), while nearly one third (30%, n=1033) belong to the Church of Scotland. Very low numbers of respondents were recorded within the Muslim, Buddhist, Sikh, Jewish or Hindu faiths (4% across these groups).

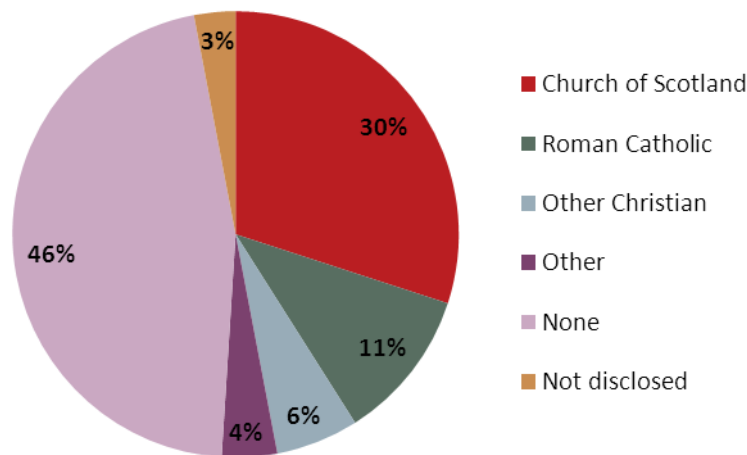


Figure 3. Religion

4.2.12 Almost two thirds (63%) of respondents indicated that they are married, with 30% having never married or registered a same-sex civil partnership, while 1% are in a registered same-sex civil partnership.

Table 2. Legal Marital or Same-Sex Partnership Status

	%
Never married and never registered a same-sex civil partnership	30%
Married	63%
In a registered same-sex civil partnership	1%
Separated, but still legally married	2%
Separated, but still legally in a same-sex civil partnership	<1%
Divorced	4%
Widowed	1%
Sample (n)	3,336

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4.3 Dependants

4.3.1 Overall, 45% (n=1,539) of respondents indicated that they have dependents. In the vast majority of cases these dependants are children (see Table 3). There are very few differences by gender, with the exception that women are more likely to have pre-school children compared to men (39% and 29% respectively), while men are more likely to have children at university compared to women (32% and 22% respectively) (both significant at the 99.9% level). These differences are most likely due to the current age structure of the profession with higher proportions of women in the younger age categories and men generally dominating the older age categories.

Table 3. Type of dependant(s)

	Male	Female	Total	Sig.
Pre-school child/children	29%	39%	34%	***
Child/children at primary school	36%	39%	38%	
Child/children at secondary school	33%	30%	32%	
Child/children at university	32%	22%	27%	***
Disabled adult	2%	2%	2%	
Elderly parent/relative (your direct relative)	3%	7%	5%	**
Elderly parent/relative (current partner's relative)	1%	1%	1%	
Elderly parent/relative (other)	<1%	1%	<1%	
Other	2%	1%	2%	.
Sample	803	729	1532	

Significance codes: 0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' ' 1

4.3.2 Generally, two fifths (40%) of respondents feel that the primary care giver for dependants is reasonably evenly split between themselves and their partner. However, of those who indicated that there is one primary care giver, female respondents are more likely to indicate it to be themselves while males indicate that it would be their partner. Likewise, 30% of respondents indicate that both themselves and their partner fairly evenly split any time off work required due to dependants being ill, however, in those cases where there is primarily one person taking time off female respondents generally indicate that it is themselves while their male counterparts indicate that it's their partner that takes time off.

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Table 4. Dependants primary care giver

	Primary Care Giver				Takes time off work when dependant is sick			
	Male	Female	Total	Sig.	Male	Female	Total	Sig.
Partner does not work so not an issue	-	-	-		24%	3%	14%	***
Self	7%	56%	31%	***	8%	59%	33%	***
Partner	46%	3%	26%	***	33%	5%	19%	***
Fairly evenly split between self and partner	42%	38%	40%		31%	28%	30%	
Someone else	4%	3%	4%	.	4%	6%	5%	
Total	779	723	1502		742	704	1447	

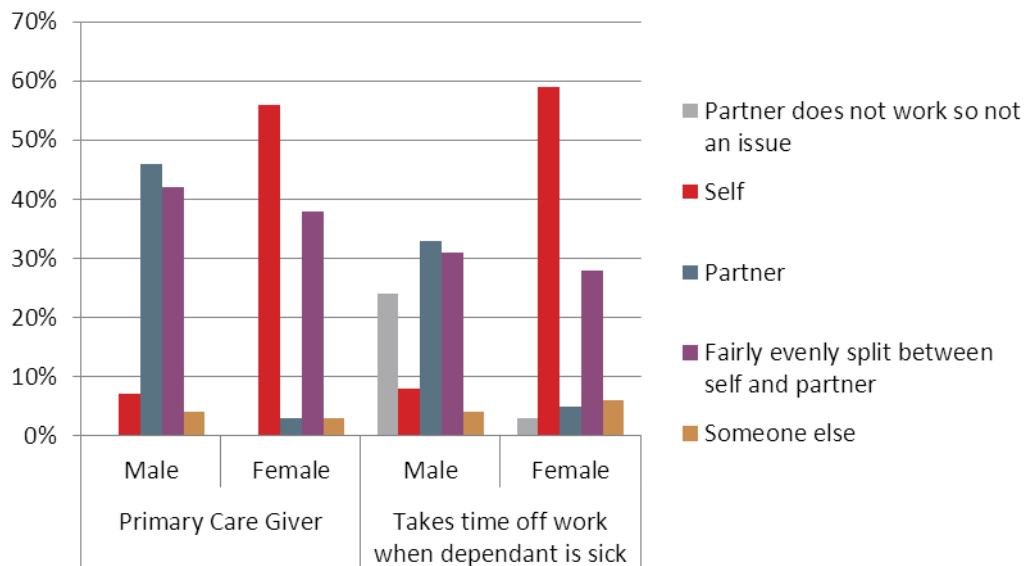


Figure 4. Dependants Primary Care Giver

4.3.3 The 2005 Women in the Legal Profession in Scotland³ study asked a similar set of questions around caring responsibilities. Comparison with their results suggests that there has been a shift towards seeing caring responsibilities as a joint responsibility. In 2005, only around 20%⁴ of respondents indicated that the role of primary carer was shared with their partner compared to 40% here. Women are less likely to see themselves as the primary care giver now, 56% compared to 71% in 2005; whilst men

³ MacMillan, M., McKerrell, N., & McFadyen, A. (2005) *Women in the Legal Profession in Scotland: A Study by the Law Society of Scotland and the Equal Opportunities Commission Scotland*.

⁴ Access to raw data was not provided for the 2005 survey and neither the percentage or the number was published in the report, the percentage reported here is based on a graph in the report (pg.43) so we can only provide a rough estimate of this aspect.

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are also less likely to indicate that their partner is the primary care giver (46% compared to 66% in 2005).

4.3.4 It would also appear that taking time off work when a dependant is sick is also seen more as a joint issue now that in the past, albeit to a lesser extent than the role of primary care giver. Although no figures are available for those who indicated that this was shared with their partner in 2005, there has been reductions in the proportions of women who indicate that they always take time off (68% in 2005 compared to 59% in 2013), and in the proportions of men that indicate that it is their partners responsibility when a dependant is sick (70% in 2005 compared to 57% in 2013).

4.4 Socio-Economic Background

4.4.1 Of those who indicated the nature of the secondary school they had attended (n=3,317), nearly three quarters (72%, n=2397) indicated that they had attended a state secondary school, compared to nearly one third (29%, n=964) who had attended a private secondary school (please note, some respondents attended both types).

4.4.2 When considered by age, it appears that the proportion of those attending private schools has fallen over time, with lower proportions of those respondents in the younger age categories indicating they had attended a private school compared to those in the older age categories (see Figure 5 – note, multiple responses were given by some respondents therefore not all percentages add to 100%).

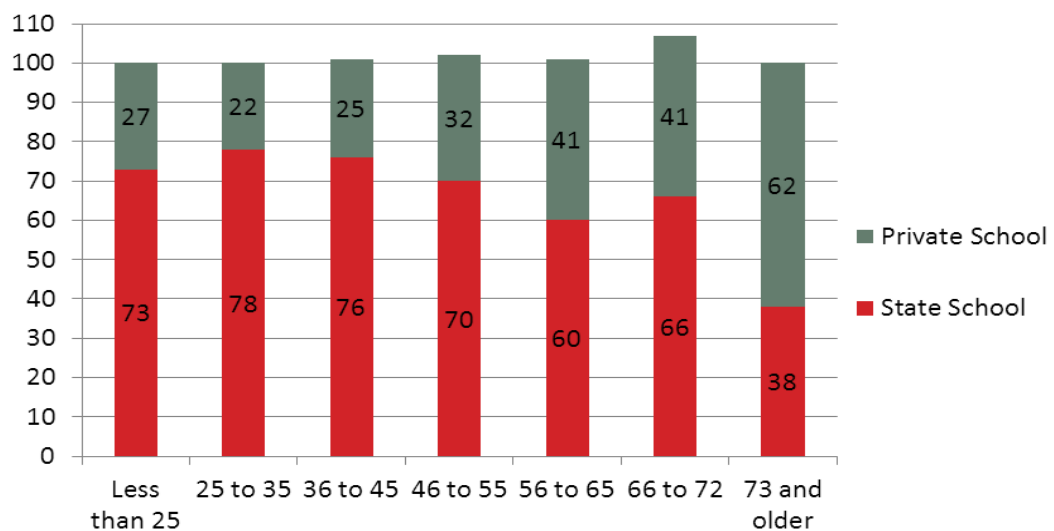


Figure 5. Secondary School Attended by Age

4.4.3 Respondents were also asked to identify the occupations of their parents/main carers at the time they started studying for their law degree or professional exams. Of those who provided a response, half (50%) of fathers and a third (33%) of mothers held either professional, managerial or executive roles. A further 7% of fathers and 2% of mothers held legal occupations. Around a fifth (19%) of mothers were noted to have been full-time parents/carers.

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Table 5. Parents Occupation at start of law degree/professional exams

	Father/Carer 1	Mother/Carer 2
Unemployed	1%	6%
Unskilled	4%	11%
Skilled	14%	12%
Self-employed	12%	6%
Professional	32%	28%
Managerial	14%	4%
Executive	4%	1%
Legal – Solicitor	6%	1%
Legal – Advocate	<1%	<1%
Legal – Other	1%	1%
Full-time parent/carer	<1%	19%
Other	6%	9%
Deceased	4%	2%
Not Known	1%	<1%
Total	3311	3299

4.4.4 Nearly half of all respondents (48%, n=1,639) indicated that neither of their parents had attended university. Meanwhile, 19% indicated that their father had attended, 8% indicated that their mother had attended, and a further 22% indicated that both parents had attended university.

4.4.5 When disaggregated by age, however, it appears that there has been an increase in the proportions of respondents where both parents, and mothers only, had attended university in the younger age groups compared to the older groups (see Figure 6).

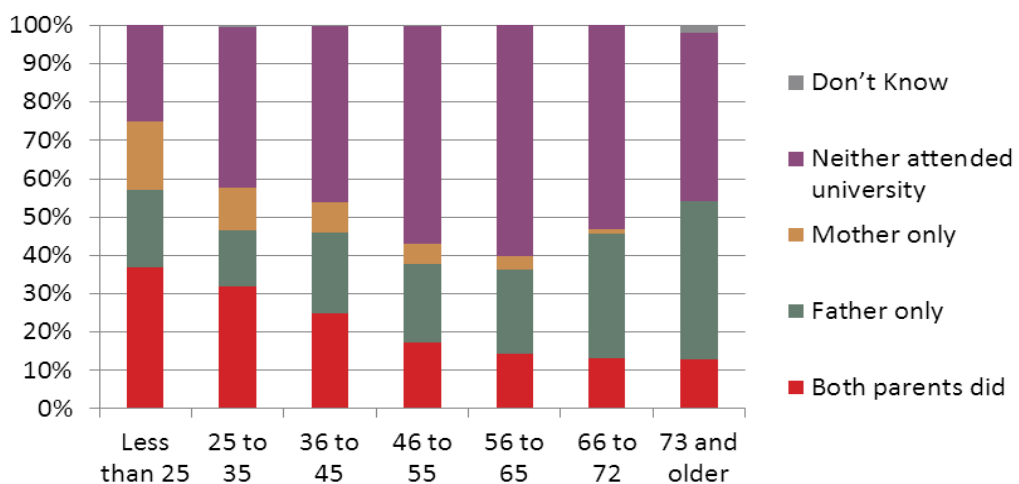


Figure 6. Parents Attendance at University by Age

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4.5 Changes in the Profile 2006-2013

4.5.1 The 2013 Society data was looked at in conjunction with the findings from the 2006 Society survey and the findings from the 2009 JABS survey in order to get an understanding of the change over time in the profile of respondents.

Gender

4.5.2 Figure 7 below shows respondents' gender across the three surveys. This shows a relatively even split between the respondents in the 2006 and 2013 survey, with slightly more men than women participating in the 2009 survey. There is slightly greater proportion of women within the profession, however, when compared to the national average as shown by the results of the 2011 Census.

4.5.3 **Trend:** Although earlier results would suggest that women have been entering the profession in greater numbers in more recent years, it would appear that the overall gender profile has remained fairly static within the profession overall.

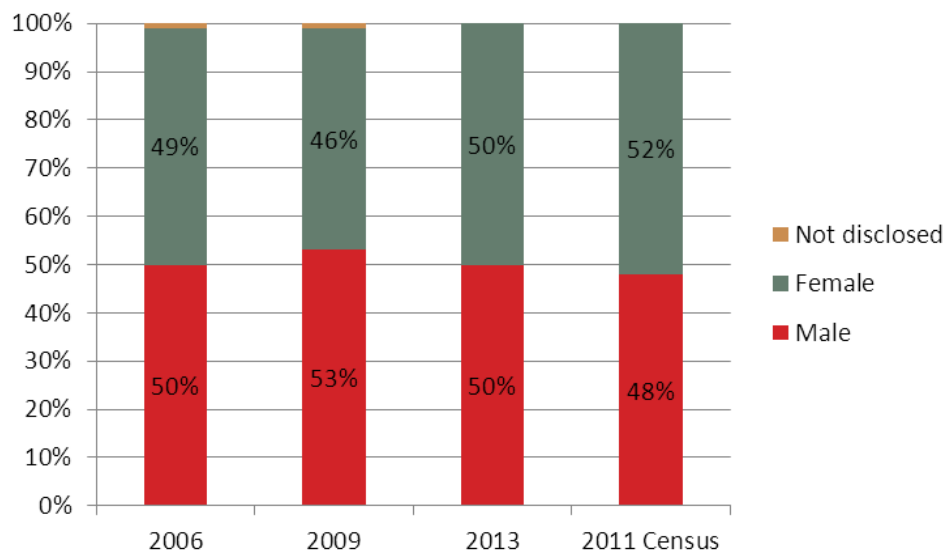


Figure 7. Gender of Respondents

Age

4.5.4 The figure below shows the age categories of respondents across the three survey years. This shows that there was a slight decrease in the proportion of respondents aged under 25 and a slight increase in the 56 to 65 age categories in the 2013 survey compared to the 2006 and 2009 surveys.

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Figure 8. Age

4.5.5 **Trend:** It would appear that the proportion of those aged 45 and under has declined within the profession since 2006, with a corresponding increase in the proportion of those aged over 46. In particular, there has been a decrease in the proportions of those aged under 25 and an increase in those aged 56 to 65 and 66+.

Ethnicity

4.5.6 Table 6 shows that there has been very little change in the representation of different ethnic groups within the profession between 2006, 2009 and 2013. However, it would appear that those from an Asian background may be underrepresented within the profession when compared to the national average.

Table 6. Ethnicity

	Survey Results (%)			Census
	2006	2009	2013	2011
White	97	97	97	96
Asian, Asian Scottish, or Asian British	1	1	1	3
Black, Black Scottish, or Black British	<1	0	<1	1
Mixed	<1	1	<1	<1
Other Ethnic Background	<1	<1	<1	<1
Not disclosed	1	1	1	-
Total	3017	1968	3408	5,295,403

4.5.7 **Trend:** The results show that the ethnic profile of the profession has remained static since 2006.

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Transgender and Sexual Orientation

- 4.5.8 In the 2013 and 2006 Society surveys, respondents were asked to indicate whether they considered themselves to be transgender. Numbers and proportions were very similar in both years, only eight respondents (<1%) in 2013 and seven respondents (<1%) in 2006.
- 4.5.9 A separate line of questions was asked as part of the 2009 JABS survey, respondents were asked to indicate if their current gender identity was the same as the gender they were assigned at birth. Again, similar numbers and proportions were reported, with only six respondents (<1%) indicating that their current gender identity was not the same as the gender they were assigned at birth.
- 4.5.10 Table 7 shows, that across the survey years, the majority of respondents described their sexual orientation as heterosexual. Very little difference was recorded between the three years indicating that the trend has been static.

Table 7. Sexual Orientation

	2006 (%)	2009 (%)	2013 (%)
Heterosexual/straight	95	95	94
Homosexual man	2	2	2
Lesbian	<1	<1	1
Bi-sexual man	<1	<1	<1
Bi-sexual woman	<1	<1	<1
Other	<1	<1	<1
Not disclosed	2	2	3
Total (n)	3017	1968	3305

- 4.5.11 It would appear that the proportion of LGBT (lesbian, gay, bi-sexual and transgender) people within the profession is below that of the Scottish average. Stonewall estimate that the total Scottish population is made up of between 5% and 7% LGBT people⁵, while they account for only around 3% of the profession.
- 4.5.12 **Trend:** The number of transgender individuals and the proportion of LGBT people within the profession appears to have been fairly static over time.

Religion/Faith/Belief

- 4.5.13 Figure 9 provides a breakdown of respondents’ religion/faith/belief across the three survey years and for the 2011 Census. This shows that a slightly smaller proportion of respondents indicated they followed/belonged to the Church of Scotland and a slightly higher proportion followed/belonged to no religion/faith/belief in 2013 compared to both 2006 and 2009. Further, a greater proportion of those with no faith and a lower

⁵ Accessed at http://www.stonewallscotland.org.uk/scotland/at_home/scottish_attitudes_towards_lesbian_gay_bisexual_and_transgender_people/2798.asp

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proportion of those from Christian backgrounds are now found within the profession than is found within the national average.



Figure 9. Religion

4.5.14 **Trend:** The results suggest that there has been an overall reduction within the profession of those from all Christian religions/faiths/beliefs and an increase in those with no religion/faith/belief. The proportions of those from non-Christian religions/faiths/beliefs have been reasonably stable.

Legal Marital or Same-Sex Civil Partnership Status

4.5.15 Figure 10 shows the profile of respondents’ marital status in 2009 and 2013 (this question was not asked in the 2006 survey), and from the 2011 Scottish Census. This shows that, whilst there has been little change in the profile of marital status within the profession between 2009 and 2013, the profession contains a significantly higher proportion of married people than the national average, with lower proportions being widowed, divorced and single.

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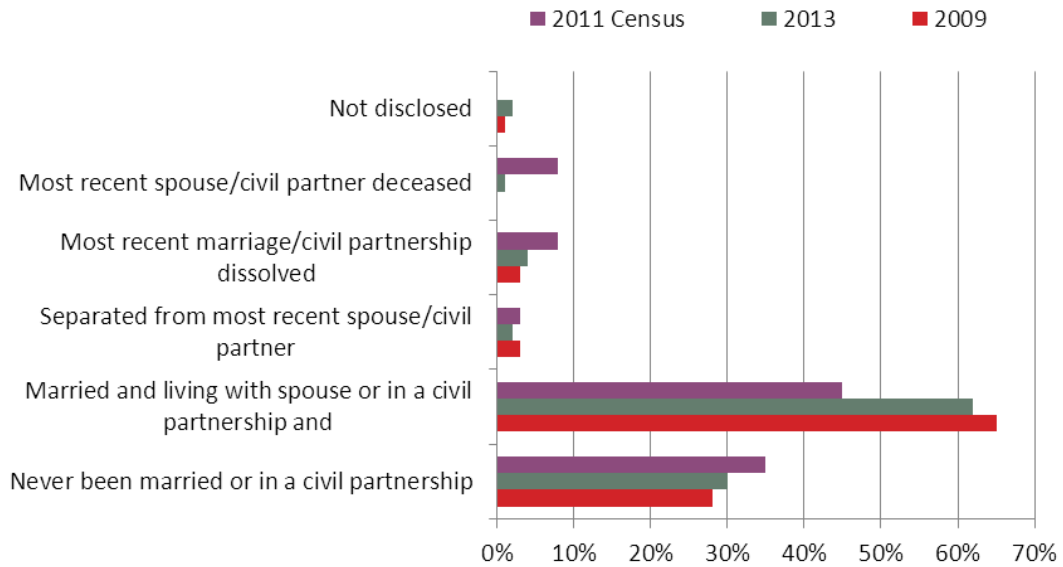


Figure 10. Legal Marital or Same Sex Civil Partnership Status

4.5.16 **Trend:** Although there have been slight differences between categories, generally, the profile of marital status within the profession has remained relatively stable.

Disability

4.5.17 In the 2013 Society survey, 4% of respondents (n=123) considered themselves to have a disability. This proportion is slightly higher than in the 2006 Society survey (2%, n=70) and the 2009 JABS survey (3%, n=51). This is, however, significantly lower than the Scottish average of 20% who indicated in the 2011 Census that they had a long-term health problem or disability which limited their day-to-day activities to some extent.

4.5.18 Table 8 details those disabilities which respondents indicated that they had across the survey years. Multiple responses were possible, therefore, percentages may add to more than 100%.

4.5.19 It should be noted that the categories offered were not the same in all surveys; more categories with broader scope and clear definitions were offered in 2006 than 2009 and 2013, which may have led to some definitional issues between years. As such, the comparison should be treated with caution.

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Table 8. Nature of Disability

2006	%	2009	%	2013	%
Visual impairment (not corrected by spectacles or contact lenses)	14	Visual impairment (not corrected by spectacles or contact lenses)	14	Visual impairment - Blindness or partial sight loss	4
Hearing impairment	27	Communication impairment (for example, hearing or speech)	14	Deafness or partial hearing loss	18
Speech impairment	3				
Reduced physical capacity (includes debilitating pain and lack of strength, breath, energy or stamina e.g. from asthma, angina or diabetes)	39	Mobility	22	Physical disability	20
Physical co-ordination difficulties (includes problems of manual dexterity and of muscular control e.g. incontinence, epilepsy)	11				
Mental illness	9	Mental health	8	Mental illness	12
Learning disabilities	4	Learning impairment	8	Learning disabilities	9
Severe disfigurement	3		-		-
	-		-	Long-term illness, disease or condition	35
Other	9	Other	29	Other	13
Not disclosed	10	Not disclosed	6	Not disclosed	15
Total (n)	70	Total (n)	51	Total (n)	126

Note: Multiple responses were possible so percentages may add to more than 100%.

4.5.20 **Trend:** The proportion of disabled people within the profession appears to have increased very slightly across the survey years.

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5. OCCUPATIONAL PROFILE

5.1 Entry to the Profession

5.1.1 The average age of respondents when they fully qualified as a solicitor was 26 years old, with the majority (73%, n=3,372) qualifying between the ages of 23 and 26. Figure 11 below, shows the average age at which the various age groups qualified. This shows very little difference, with the average age of qualification being between 24 and 27.

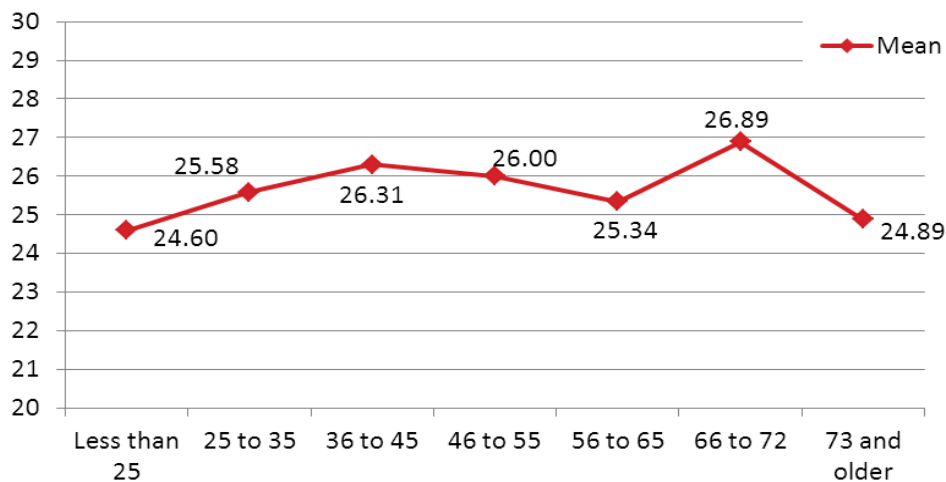


Figure 11. Average Age of Qualifying by Age Group

5.1.2 A reasonable spread of respondents with different years of experience was achieved within the sample. Significantly higher proportions (at the 99.9% level) of female respondents have been qualified for 10 years or less, while significantly higher proportions (at the 99.9% level) of male respondents have been qualified for 21 years or more. There was no significant difference between genders of those with 11 to 20 years' experience.

Table 9. Time since completing traineeship

	Male	Female	Total	Sig.
I am currently a trainee	5%	9%	7%	***
Less than 1 year	3%	5%	4%	***
1-5 years	11%	20%	16%	***
6-10 years	8%	16%	12%	***
11 -15 years	11%	13%	12%	
16 -20 years	10%	9%	10%	
21-30 years	22%	17%	19%	**
31-40 years	22%	8%	15%	***
41 + years	8%	2%	5%	***
Sample	1677	1714	3391	

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5.1.3 This suggests that a change has been taking place within the industry in the last 20 years, with more young females entering, and perhaps remaining, within the law profession. Of interest will be monitoring whether the gender gap remains reduced as these young women progress through their career.

5.1.4 Over half of respondents (54%, n=1759) undertook a summer placement prior to gaining a traineeship, with higher proportions of females undertaking placements than males. Two thirds (66%) were paid for all placements, while 14% were only paid for some of the placements they attended and one in five (21%) received no payment for their time. Further, slightly over half (54%) were not offered a traineeship with any of the firms they had completed a placement with, while just over one third (35%) were subsequently offered and accepted a traineeship with one or more of their placement organisations; the remaining 11% were offered a traineeship by a placement firm but they accepted another offer.

5.2 Current Employment

5.2.1 Most respondents (92%, n=3,095) are currently employed within the legal profession. Of the 8% who were not, 32% were aged between 25 and 45; 48% were aged between 46 and 65; and 20% were aged 66 or over.

5.2.2 Around three quarters of respondents worked in private practice (73%, n=2231) with the remaining quarter working in-house (27%, n=845). Similar patterns are found when the data is disaggregated by gender (see Figure 12), although males are slightly more prevalent than females in private practice, and females are more prevalent than males in-house.

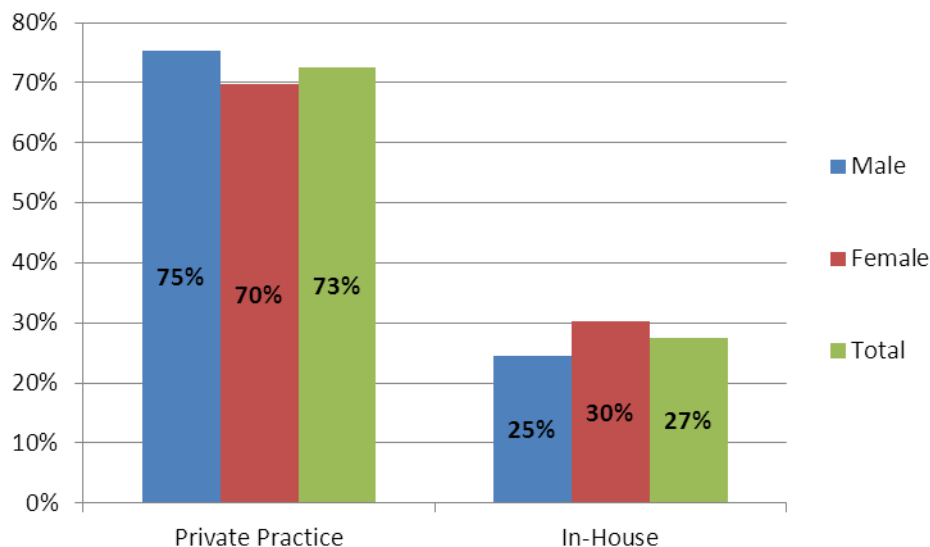


Figure 12. Employment Type

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5.2.3 Private practices with 16 or more partners account for over a third (35%) of the organisations which respondents are employed in. Males were significantly more likely (at the 99.9% level) to be employed in private practice with 5 or fewer partners than female respondents (24% and 18% respectively). While females were more likely (at the 99% level) to be employed in Other Public Bodies.

Table 10. Employer Type

Employer type	Male	Female	Total	Sig.
Private Practice				
Sole Practitioner	7%	4%	6%	*
Private Practice - 5 or fewer partners	24%	18%	21%	***
Private Practice - 6 to 10 partners	8%	7%	8%	
Private Practice - 11 to 15 partners	2%	3%	3%	*
Private Practice - 16 or more partners	34%	36%	35%	
Other Sectors				
Local Government	5%	7%	6%	*
Central Government	3%	3%	3%	
Crown Office and Procurator Fiscal Service (COPFS)	3%	3%	3%	
Other Public Body	3%	5%	4%	**
Charity Sector	0%	1%	1%	*
Commercial Organisation	8%	7%	7%	
Higher or Further Education	1%	1%	1%	
Other (please specify below)	2%	3%	2%	
Sample	1521	1555	3075	

5.2.4 While there were some differences in the types of organisations respondents worked for in terms of the gender split, there was greater variation found between males and females in terms of the positions they currently hold within their organisations.

5.2.5 Table 11 details respondents position within their firm/organisation. Females were significantly more likely (at the 99.9% level) than males to be trainees, assistants, associates and solicitor team member; while males were significantly more likely (at the 99.9% level) to be equity partners, consultants, and Directors. Respondents of non-white ethnic backgrounds were more likely (significant at the 99% level) than Caucasian respondents to be a solicitor team member, or equivalent.

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Table 11. Position within firm/organisation

	Male	Female	Total	Sig.
Private Practice				
Trainee	5%	9%	7%	***
Assistant	11%	21%	16%	***
Associate	7%	14%	10%	***
Senior Associate	4%	5%	5%	.
Salaried Partner	7%	6%	6%	
Equity Partner	31%	11%	21%	***
Consultant	6%	1%	3%	***
PSL (Professional Support Lawyer)	1%	0%	1%	
Private Practice Other	3%	3%	3%	
Other Sectors				
Trainee	0%	1%	0%	
Solicitor team member, or equivalent	7%	12%	9%	***
Senior team member, or equivalent	5%	6%	6%	
Team manager, or equivalent	4%	5%	5%	
Director or equivalent	5%	2%	4%	***
Other Sectors	3%	3%	3%	
Sample	1532	1563	3095	

Significance codes: 0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' ' 1

5.2.6 Table 4 in Appendix B provides a further breakdown of position within firm/organisation by gender and post-qualification experience (PQE). Whilst there are some fluctuations by gender, for those with up to ten years' experience the differences are not statistically significant. In particular, the gender difference above for trainees is not found when PQE is taken into account indicating that this difference has been created by more women entering the profession in recent years.

5.2.7 Within private practice, it would appear that after ten years' experience men's careers advance faster than women's. The main differences include:

- For those with between 11 and 20 years' experience, women are more likely to be an associate or a senior associate compared to their male counterparts, whilst males are more likely to be equity partners;
- Extensive differences are found between men and women with 21 to 30 years' experience, with women more likely to be assistants, associates, senior associates and salaried partners compared to men, whilst men are considerably more likely to be equity partners;
- Of those with over 30 years' experience, although small proportions are found in both cases, women are more likely than men to be an associate; meanwhile men are more likely than their female colleagues to be equity partners and consultants.

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5.2.8 For those working in-house, it would appear that male’s careers also move forward at faster rate than their female colleagues after achieving ten years’ experience. For example, a greater proportion of men than women have achieved a management or directors role with between 11 and 20 years’ experience, with similar patterns observed for those with 21 to 30 years’ experience. Once respondents have over 30 years’ experience, women are now more prevalent in the management role, however the difference between men and women as director is more acute with 40% of men in this role compared to only 16% of women.

Area of Work

5.2.9 Approximately one in five respondents work in the areas of commercial conveyancing (23%), domestic conveyancing (22%), and private clients (23%). Male respondents were significantly more likely (at the 99.9% level) than females to work in the areas of criminal law, commercial or banking law, and corporate law. Those who indicated that they had a disability were more likely (significant at the 99% level) to work in criminal law and employment law.

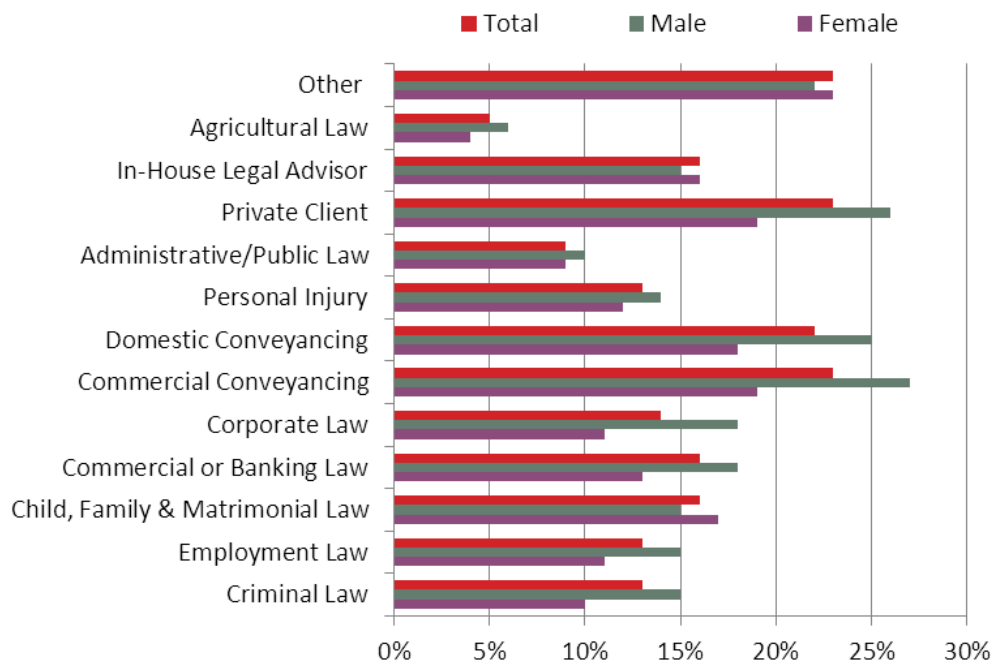


Figure 13. Areas of Law Respondents Currently Work In

5.2.10 The majority of respondents work exclusively within Scotland, with just 11% working in England and/or Wales, 1% in Northern Ireland, and 2% working in the EU or in a EEA country.

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Table 12. Sheriffdom or geographical area worked in

	%
Glasgow and Strathkelvin	32%
Grampian, Highland and Islands	25%
Lothian and Borders	43%
North Strathclyde	16%
South Strathclyde, Dumfries and Galloway	17%
Tayside, Central and Fife	22%
England and/or Wales	11%
Northern Ireland	1%
EU/EEA Country	2%
International	4%
Sample	3095

5.3 Changes in Professional Profiles over Time

Age of Qualification

5.3.1 Figure 14 shows the age at which respondents qualified as solicitors between the 2006 Society survey, the 2009 JABS survey and 2013 Society survey. It should be noted that the question was not worded consistently between the three years. In 2006, respondents were asked to indicate at which age they completed their traineeship, while in 2009 and 2013, respondents were asked to indicate at what age they qualified as a solicitor.

5.3.2 It would appear that there was some difference between the ages at which respondents qualified as a solicitor. Just over half of the samples in 2006 and 2009 indicated that they had qualified whilst under the age of 25, while in 2013 the age of qualification was fairly evenly split between being under 25 and 25 to 30.

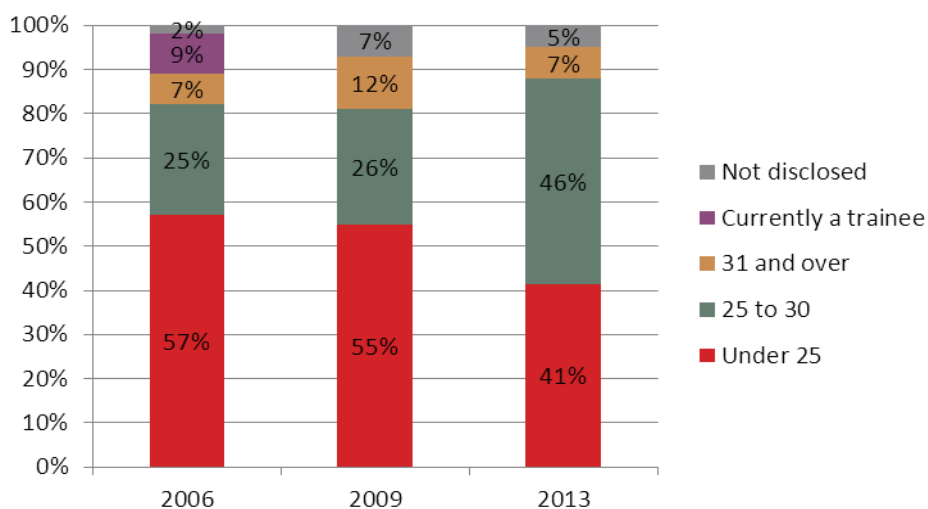


Figure 14. Age of Qualification

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Main Occupation

- 5.3.3 Figure 15 outlines respondents’ main occupation category across the three survey years. This shows very little difference in occupation type between 2006 and 2013 across all categories.
- 5.3.4 Given the similarity between the 2006 and 2013 findings, it is hard to say whether the differences recorded in 2009 are real differences, or simply misunderstanding/misinterpretation regarding the difference between the categories of ‘private practice’ and ‘commercial organisation’ between the survey years.

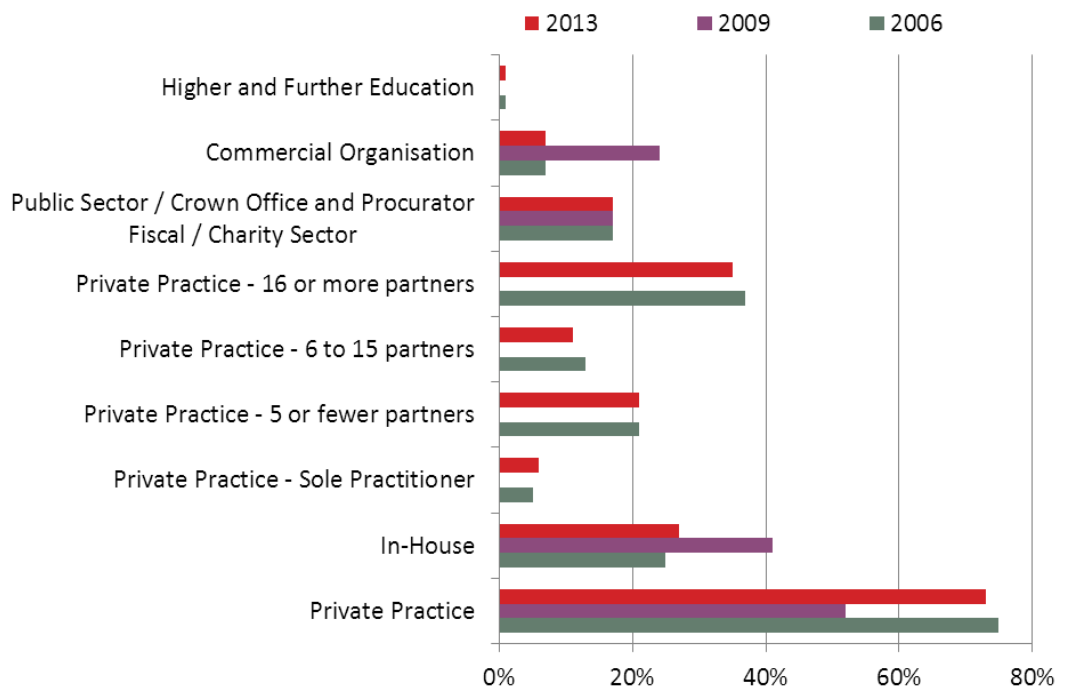


Figure 15. Current Main Occupation

Position Within Firm

- 5.3.5 Figure 16 shows the composition of respondents’ positions within their firm/organisation during the 2006 and 2013 surveys. This shows that, within the private sector, there has been a reduction in the proportion of respondents that are equity partners, and slight declines in associates and assistants, yet an increase in senior associates since 2006. Within the other sectors there have been increases in the proportions of solicitor team members and team managers/directors but decreases in senior team members.

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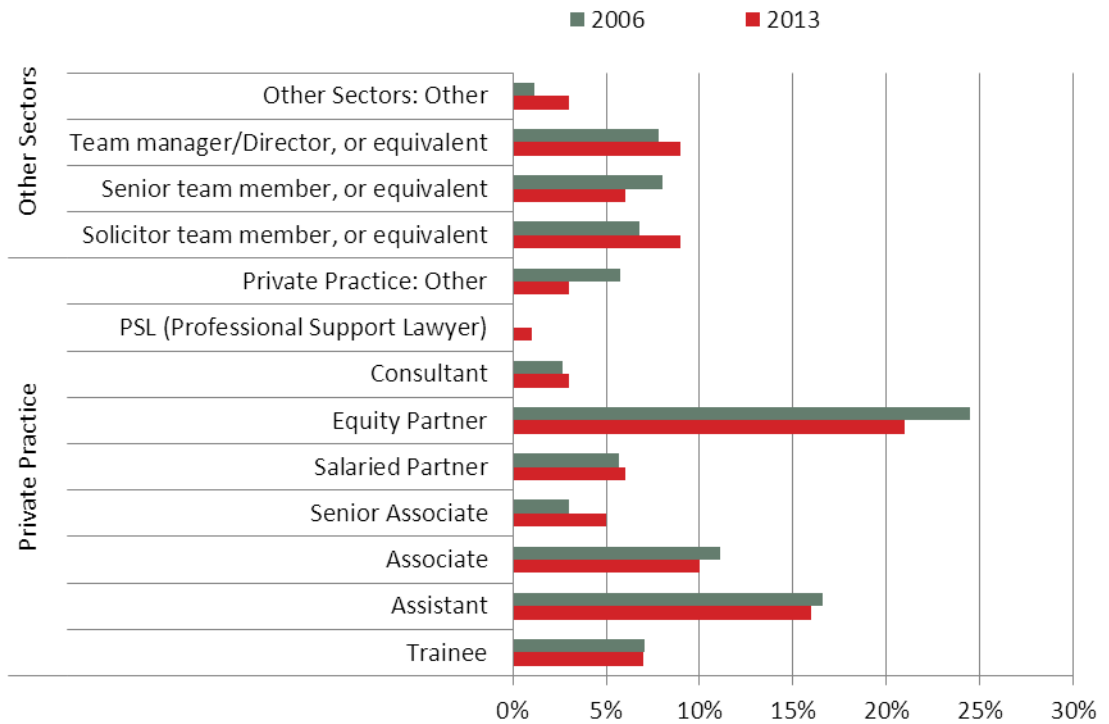


Figure 16. Position Within Firm

5.4 Partnership Status

5.4.1 Of those working in, or planning to move back into private practice, 39% indicated that achieving partner status is 'very important' or 'important' to them. Male respondents were significantly more likely (at the 99.9% level) than their female counterparts to consider it very important (24% in comparison to 12%). On the other hand, respondents who reported having a disability were significantly more likely (at the 99.9% level) to consider achieving partner status as not at all important compared to those without a disability (48% and 26% respectively).

Table 13. Importance of achieving partner status

	Male	Female	Total	Sig.
Not at all important	26%	26%	26%	
Somewhat important	8%	15%	13%	***
Neither important nor unimportant	13%	20%	17%	***
Important	25%	22%	23%	
Very important	24%	12%	16%	***
Don't know	4%	4%	4%	
Sample	569	906	1475	

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5.4.2 When consultants are excluded from the analysis (on the basis that they are likely to be former partners) there is little difference in the proportion of those that consider achieving partnership status to be ‘important’ or ‘very important’, 41% compared to 39% above. This time, men were more likely to consider achieving partnership status as important to some degree, (54% compared to 34% of women). Women, on the other hand, were more likely than men to indicate that it was unimportant to some extent (51% and 28% respectively).

Table 14. Importance of achieving partner status – Excluding Consultants

	Male	Female	Total	Sig.
Not at all important	19	26	24	**
Somewhat unimportant	9	15	13	**
Neither important nor unimportant	14	20	18	**
Important	28	22	24	*
Very important	26	12	17	***
Don't know	4	4	4	
Sample	505	894	1399	

5.4.3 Those respondents that indicated it was of low importance for them to achieve partner status were asked to explain why this was the case. The main reasons provided are outlined below.

- Many felt that **quality and work-life balance** are more critical than partnership status (62 respondents).

“Quality of work is more important to me than seniority. Being a partner can sometimes be more about business development than law.” (Female, 36-45, Private Practice)

- They have **already been partners** (58 respondents).

“I have been a Partner elsewhere. The status is over-rated, and has little direct effect on a day to day basis.” (Male, 46-55, Private Practice)

“I have been a Partner in other firms for over 20 years - being a consultant gives status without the hassle and personal liability.” (Male, 46-55, Private Practice)

- It is **not their ambition/ priority/interest** in being a partner (49 respondents).

“Given the current challenges in future reforms to the personal injury market, becoming partner cannot be seen as a priority.” (Male, 25-35, Private Practice)

“I don't see this as something I want to do. I am happy where I am.” (Female, 25-35, Private Practice)

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- Some do not wish to take on the **level of responsibility** that partnership status would bring (48 respondents).

“I don't want managerial responsibility, either relative to finance or personnel. I enjoy working with colleagues but I do not like to be in a supervisory/ managerial role.” (Female, 46-55, Private Practice)

“I do not want to take on additional responsibility for office environment” (Female, 46-55, Private Practice)

- Some do not want to take on the increased **level of stress and pressure** that partnership status would bring (36 respondents).

“I don't want the added stress of all the management issues; what I enjoy is the work I do. It's not worth it!” (Female, 25-35, Private Practice)

“There is an increased level of stress in current economic climate” (Female, 56-65, Private Practice)

- Some support that there is a **high risk** to being a partner and consequently a **lack of security** (27 respondents).

“There is a low financial reward and high financial risk.” (Female, 46-55, Private Practice)

“I am more focused on doing a good job for clients and having a decent salary and not prepared to take the financial risk becoming a partner in this economic climate and the impact it could have on my family.” (Female, 36-45, Private Practice)

- They believe that **family is more important** than any partnership status (27 respondents).

“You have to sacrifice your family life to achieve this and it is often not worth it. You also have to be quite ruthless to get to the top (no thanks!)” (Female, 36-45, In-house)

“I have a young family and the time commitment would be too great.” (Female, 36-45, Private Practice)

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- Most of them have **other priorities or career aspirations** (26 respondents).

“I was a mature student and as an older trainee it is more important for me to stay in employment and continue to improve my skills” (Female, 36-45, Private Practice)

“It has never been my long term career goal - I don't see myself being in private practise for my whole career. I would prefer to move in-house or higher in the management of a company.” (Female, 25-35, Private Practice)

- Some respondents were close to **retirement age** (25 respondents).

“I am close to retirement. I have had career as in-house lawyer.” (Male, 46-55, Private Practice)

“I am semi-retired and I am only working to supplement my pension and keep my mind alert.” (Male, 66-72, In-house)

- There are **low opportunities** to achieve partner status (12 respondents).

“I have been told that I do not have what it takes to be a partner”(Female, 46-55, Private Practice)

“There is a lack of opportunity for doing so, further commitment required - job already requires a substantial commitment.” (Female, 25-35, Private Practice)

- Some feel that working **part-time** means that partnership status is not achievable for them (12 respondents).

“I work part time so partnership isn't an option.” (Female, 25-35, Private Partnership)

“I only work part-time. I have a fair degree of status and responsibility; don't want to be responsible for VAT etc. and the commercial risks attached to being a partner. I am also hoping to retire in the next 5 years.” (Female, 46-55, Private Practice)

5.4.4 Just 2% of respondents have previously applied for partnership but were rejected/not supported. The main reasons that these respondents thought they had been rejected/not supported included:

- Financial constraints/problems (8 respondents)

“Financial - I wasn't bringing in enough income” (Male, 36-45, In-house)

“Supported by department but rejected by full firm - probably financial reasons” (Male, 36-45, Private Practice)

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○ Discriminatory attitudes (6 respondents)

“I am female - at the time only one female partner. No valid reason really given”.
(Female, 46-55, Private Partnership)

“There is a hidden discrimination against women - the law society should be auditing & asking questions about law firms who have failed to make a woman a partner in 10 years - left and set up on my own.” (Female, 46-55, Private Practice)

○ Part-time applicants (3 respondents)

“Part-time status and being a woman” (Female, 46-55, Private Practice)

“Part time status does not suit business needs.” (Female, 36-45, Private Practice)

5.4.5 Other issues also mentioned included assumptions being made around applicants’ family commitments, the relationship between the applicant and the supervising partner, and in some cases applicants were offered the partnership but they rejected it because the financial terms were not considered attractive to them.

5.4.6 Of those respondents that were a partner, on average, they had been a senior associate (or other level below partner) for 4.16 years before becoming a partner. Around two thirds (65%) stated ‘0’ times when asked how many times they had put themselves forward before being successful in becoming a partner, suggesting that most are successful on their first application. A further 32% had applied once previously, and only 3% had applied twice previously.

5.4.7 However, women appear to spend longer at these lower levels than men, with women spending 4.60 years on average as a senior associate (or other similar level below partner) before becoming a partner compared to 3.96 years for men. Once they do apply however, there is no real difference in the number of applications before being successful in becoming a partner.

5.4.8 Overall, 40% of respondents feel there is a lack of transparency in the criteria to become a partner in their firm. However, when segmented by gender, there is a significant difference in the findings, with significantly more males believing there is transparency and more females believing there is not (see Table 15).

Table 15. Transparency on criteria to becoming partner

	Male	Female	Total	Sig.
Yes	48%	25%	37%	***
No	33%	46%	40%	***
Don’t know	18%	29%	24%	***
Sample	968	993	1961	

5.4.9 Figure 17 shows the results segmented by the size of private practice firms. It shows that a greater proportion working in the smaller firms (ie those with five or fewer

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partners) consider that there is transparency in the criteria to becoming partner compared to those in larger firms (ie those with between six and 15 partners).

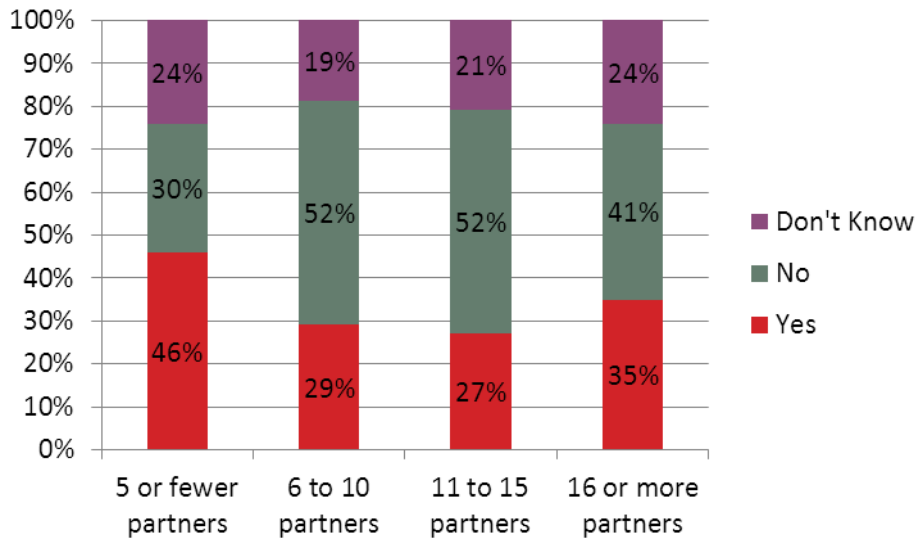


Figure 17. Transparency of criteria to become partner by size of private practice firm

5.5 Work Motivations/Aspirations

- 5.5.1 Respondents were asked to indicate their top 3 day-to-day motivations for their job. Salary, quality of work, and work/life balance were most often chosen as important day-to-day motivations. Slight variations exist between male and female respondents, with males significantly more likely (at the 99% level) to value a management role as a key motivation, while female respondents are significantly more likely (at the 99% level) to value a supportive manager.
- 5.5.2 Similar to the day-to-day motivations, higher salary and improved work/life balance feature heavily in terms of future career aspirations, while promotion is also important to a quarter of respondents. Female respondents were significantly more likely (at the 99% level) than male respondents to value promotions and being appreciated for the role they do.

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Table 16. Day to day work motivations

	Male	Female	Total	Sig.
Salary	22%	18%	40%	.
Quality of work	19%	19%	38%	.
Work/life balance	15%	19%	34%	*
Variety of work	12%	11%	22%	.
Colleagues you work with	8%	11%	19%	.
Level of responsibility	8%	6%	14%	.
Good working conditions	5%	8%	12%	*
Client facing role	7%	5%	12%	.
Opportunities to help others	6%	6%	12%	.
Appreciated for role you do	5%	6%	11%	.
Job security	4%	5%	10%	.
Possibility of promotion	3%	4%	8%	.
Work is close to home	2%	4%	6%	.
Management role	4%	1%	5%	**
Seniority	3%	1%	4%	*
Included in decision making	2%	2%	4%	.
Supportive manager	1%	3%	4%	**
Access to training and development	1%	2%	3%	.
Length of commute	1%	1%	2%	.
Flexibility in work locations	1%	1%	2%	.
Other	2%	1%	3%	.
Sample	1532	1563	3095	

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Table 17. Future Career Aspirations

	Male	Female	Total	Sig.
Higher Salary	26%	29%	55%	
Improved work/life balance	17%	15%	33%	
Promotion	10%	15%	25%	**
Greater quality of work	13%	10%	23%	.
Greater responsibility	6%	8%	13%	
To be more appreciated for role you do	4%	7%	11%	**
Improved job security	5%	6%	11%	
More opportunities to help others	6%	5%	10%	
Greater variety of work	4%	4%	9%	
Seniority	5%	4%	9%	
To be more included in decision making	4%	4%	8%	
Managing a team	4%	3%	7%	
Better working conditions	2%	3%	6%	
Gaining Judicial Office	3%	2%	5%	
Greater flexibility in work locations	2%	3%	4%	
Client facing role	2%	1%	3%	
Reduced commute	2%	2%	3%	
Work closer to home	1%	2%	3%	
To work for a more supportive manager	1%	1%	2%	
Better access to training and development	1%	2%	2%	.
Becoming an Advocate	1%	1%	2%	
Setting up on my own	1%	1%	1%	
To work with a new set of colleagues	0%	1%	1%	
Other	7%	3%	10%	***
Sample	1532	1563	3095	

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6. PATTERNS OF WORK

6.1 Work Patterns

6.1.1 The working patterns of those who participated in the research were quite traditional with very few, if any, respondents working monthly hours, annualised hours, etc.

6.1.2 The majority of respondents work full-time (77%) while 17% work part-time; most other respondents work either condensed hours or on some other contract type (see Table 18). Significantly more males (at the 99.9% level) than females reported working full-time. Female respondents, on the other hand, were significantly more likely than males (at the 99.9% level) to work part-time (see Table 18).

6.1.3 There appears to have been a slight increase in part-time workers since the 2006 survey where 13% indicated they worked part-time. This increase has been driven largely by women, with the proportions of female part-time workers rising from 20% in 2006 to 24% here, while men working part-time has risen only slightly, from 7% to 9%.

Table 18. Nature of contract/work pattern

	Male	Female	Total	Sig
Full-time	85%	69%	77%	***
Part-time	9%	24%	17%	***
Condensed hours	1%	3%	2%	***
Monthly hours	0%	0%	0%	
Annualised hours	0%	0%	0%	
Zero hours contract	0%	0%	0%	
Term time working	0%	0%	0%	
Extended annual leave entitlement	1%	0%	0%	.
Job share	0%	0%	0%	**
Locum	0%	0%	0%	
Temporary contract	1%	1%	1%	
Have more than one substantive paid employment	1%	1%	1%	
Other (please specify)	5%	5%	5%	
Sample	1688	1720	3408	

*Significance codes: 0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' ' 1*

6.1.4 Further, LGBT respondents are more likely to work full-time (85% of LGBT worked full-time compared to 77% of heterosexual respondents – however, this difference is only significant at the 95% level). Also, disabled respondents are more likely to be on condensed hours, zero hours, temporary contracts or some other form or working/contract type (all significant at either the 99.9% or the 99% level).

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Hours Worked

- 6.1.5 Those respondents employed within the legal profession, who indicated that they work full time are contracted to work, on average, 37.03 hours per week, with no real difference in men and women’s contracted hours (37.30 hours per week for men and 36.76 hour for women). Those who currently work part time are contracted, on average, to 23.72 hours per week. Women are more likely to work, on average, slightly longer part time hours than men (23.87 hours for women and 22.13 hours for men), however, the difference between the genders is marginal.
- 6.1.6 Part-time hours appear to be similar to the results in the 2006 survey, where nearly half (44%) of all part-time workers indicated that they worked between 21 and 30 hours, however around half (49%) of all full-time workers in 2006 indicated they worked longer, between 41 and 50 hours. It should be noted, however, that the questions were asked differently across the two survey years; in 2006 respondents were asked to select from pre-defined ranges and asked about their average working week, meanwhile the 2013 survey asked respondents to specify the exact number of hours they were contracted to work; therefore the 2006 results may include some instances of overtime whereas the 2013 survey does not, as separate questions were dedicated to overtime working.
- 6.1.7 Over half of all respondents (52%) indicated that they work additional hours in their main paid employment on a daily basis, though males were significantly more likely (at the 99.9% level) than their female counterparts to do so (see Table 19). Further, those that work in private practice are more likely to work overtime on a daily basis compared to those that work in-house (58% and 40% respectively). Conversely, those that work in-house are slightly more likely to report that they work overtime two or three times a week compared to those in private practice (32% and 25% respectively), and that they seldom work any additional hours (12% and 6% respectively). Similarly, those that work in the largest size category of private practice firms are more likely to report that they work additional hours every day compared to those in smaller firms (69% for those in firms with 16 or more partners, compared to between 46% and 51% in all other sizes of firms). When considered by areas of law that respondents work in, those that work in Child, Family and Matrimonial Law are less likely to work additional hours on a daily basis (45% compared to between 51% and 67% across all other sectors).

Table 19. Frequency of working additional hours

	Male	Female	Total	Sig.
Never	0%	0%	0%	
Seldom	7%	9%	8%	*
Only during peak periods in the year e.g. during deals, end of financial year	5%	6%	6%	
Once per week	4%	9%	7%	***
Two or three times a week	25%	30%	28%	*
Every day	58%	47%	52%	***
Sample	1473	1571	3044	

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- 6.1.8 On average, respondents are working an additional 10 hours per week in the office, with full time workers working an additional 10 hours per week, and part time respondents working an additional 5 hours per week in the office. A further 5 hours of work, on average, are being carried out at home, with full time workers working an additional 5 hours and part time workers working an additional 4 hours each week from home.
- 6.1.9 For the vast majority of respondents (91%), additional hours worked in the office are not remunerated over and above their current salary. Similarly, 92% also indicated that additional work done from home is not remunerated.
- 6.1.10 Figure 18 shows respondents typical work patterns. Most begin work before 9am, 52% doing so every day, whilst over one third start before 8am at least once a week. Likewise, most work their lunch breaks, with 41% of respondents working through lunch two or three times a week, and a further 30% doing so every day. Most also work on beyond 5pm, 59% doing so daily, while around two thirds (62%) continue or restart work after 6pm at least once a week, and a further third (37%) continue or restart work after 8pm at least once a week. In addition, 10% work on non-contracted weekdays at least once a week, while 21% work regularly during their annual leave, 13% work regularly on Saturdays and 16% on Sundays. (A full breakdown of working patterns can be found in Table 5 in Appendix B).

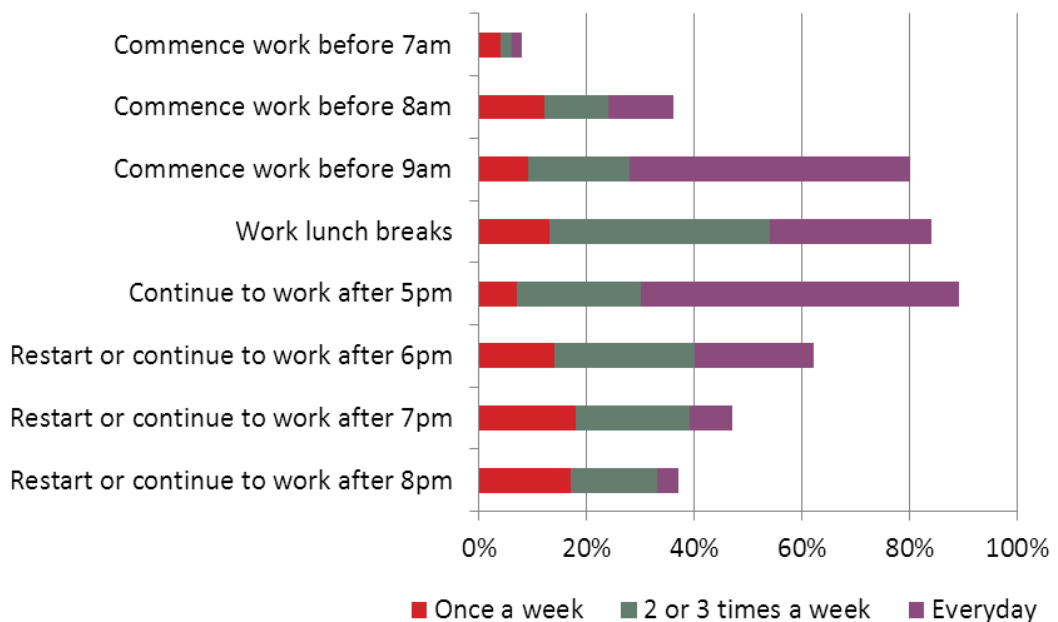


Figure 18. Typical Weekly Work Patterns

- 6.1.11 Men are slightly more likely to commence work earlier in the morning, work later into the evening, work weekends and whilst on annual leave than women. When results are disaggregated by the type of employer, there is little difference what time respondents start work in the morning, however, those working in private practice are more likely to work their lunch breaks at least once a week, during the weekend and whilst on annual

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leave, and are significantly more likely to work later into the evening at least once a week, particularly after 7pm and 8pm, compared to those that are employed in-house.

6.1.12 Over half of respondents (52%) believe that their organisation equates working late with commitment, this belief was particularly held by male respondents (significant at the 99.9% level) with 55% of males indicating this compared to 49% of females.

6.1.13 The majority of respondents (90%) were happy with their current pattern of *contracted* hours, however, a lower proportion (60%) indicated that they are happy with their *actual* working hours, and 39% would in fact prefer to reduce their *actual* working hours.

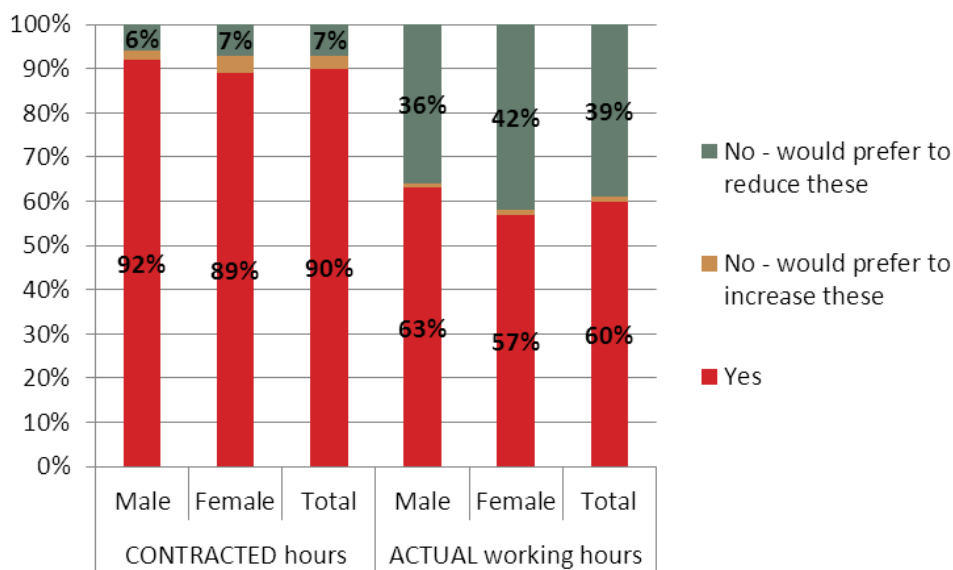


Figure 19. Satisfaction with Contracted and Actual Working Hours

6.2 Flexible Working Arrangements

6.2.1 Respondents were asked about their experience of flexible working arrangements. We provided a definition of flexible working as follows:

We use '**flexible working**' as a term to describe measures which allow employees to adjust the start and end times of their working day e.g. to avoid peak hours congestion, to allow for children to be dropped off/picked up from school, or to fit in with other activities. It also includes the ability to work from home or from offices or locations other than your 'normal place of work'. We also wish to explore whether your working patterns are being influenced by the use of technology.

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Remote Working

6.2.2 A high proportion of respondents (62%) are allowed to work from home, though males were more likely (significant at the 99.9% level) than their female counterparts to have this flexibility. Similarly, 59% of respondents are also permitted to work remotely, again, this was more common amongst male respondents (significant at the 99.9% level).



Figure 20. Availability of Remote Working

6.2.3 Those working in-house were slightly more likely to be allowed to work from home than those that work in private practice (66% and 60% respectively, significant at the 99% level). There was no difference in those allowed mobile/remote working by firm type.

6.2.4 Of those that work in private practice, those that are either sole practitioners or that work in the smaller firms (ie those with up to ten partners) are more likely to be allowed to work from home (between 63% and 66% for those in smaller firms compared to 51% for those with 11-15 partners and 57% for those with 16 or more partners). Again, there was no real difference in those allowed mobile/remote working by size of the firm.

6.2.5 There are also variations in the proportions of those that are allowed to work from home by legal sector, ranging from 54% of those that work in criminal law to 72% of in-house legal advisors. There are only two sectors where less than 60% of respondents indicated that they were allowed to work from home; criminal law (54%) and personal injury (57%). Meanwhile, in-house legal advisors are the only sector where over 70% are allowed to work from home. All other sectors range between 60% and 69%.

6.2.6 Instances of mobile/remote working are lower than working from home across all legal sectors, ranging from 50% of those working in criminal law to 67% of those working in corporate law.

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6.2.7 While remote working or working from home is available to a high proportion of respondents, just a quarter of respondents (25%, n=715) avail of it at least once a week. Men are more likely than their female colleagues to work remotely/from home two or three times a week, while women are more likely than men to never work from home/remotely (significant at the 99.9% level).

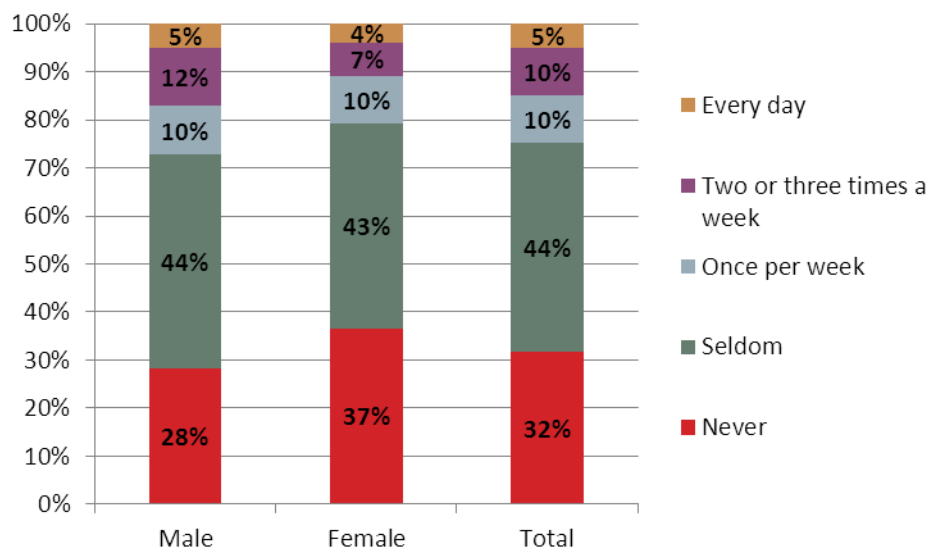


Figure 21. Frequency of Remote Working

6.2.8 Those working in private practice are slightly more likely than those working in-house to work remotely two or three times a week (10% and 7% respectively). Meanwhile, those working in-house are more likely to report that they only seldom work remotely (49% compared to 43% of those working in private practice).

6.2.9 Within private practice, sole practitioners are more likely to work remotely at least once a week compared to those working in firms (38% compared to between 21% and 25%).

6.2.10 There is a wide range of those that indicate that they never work, or only seldom work, remotely during their contracted hours by sector. Those that never work remotely ranges from just 25% of in-house legal advisors to 42% of those working in criminal law. Meanwhile, those that seldom work remotely range from 36% of those in criminal law to 54% of in-house legal advisors. Those working in agricultural law, however, were more likely to indicate that they work remotely at least once a week (33% compared to between 20% and 26% across the other legal sectors).

6.2.11 Access to both emails and office system and files is varied by device. Access to emails via a mobile phone is high (64%), however access to office files on this device is low (16%). Just over half (55%) have access to emails on a laptop/netbook, while 46% have access to office files in this manner. Similarly, 42% have access to emails via a desktop PC, with 33% able to access office files this way. Access to both emails and office files are low using tablets (28% and 14% respectively).

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6.2.12 Nearly half (47%) of the respondents with access to these remote working facilities do not access emails or office systems and files ‘out of hours’. Of those that do, 49% do so in the evenings, 38% do so at the weekend, 37% do so on their days off, and 25% do so whilst on annual leave. A greater proportion of males than females check their emails or office files in the evenings, at weekends, and whilst on annual leave, whilst women are more likely not to check out of hours.

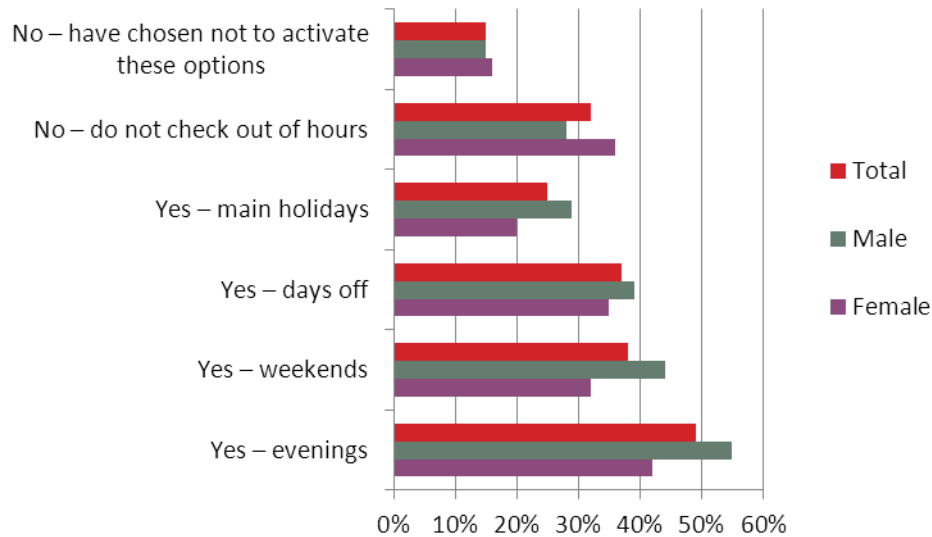


Figure 22. Access Emails and/or Office Files ‘Out of Hours’

6.2.13 There is little difference in the proportions of full and part time respondents who do not, or have chosen not to, check emails etc. out of hours (46% and 51% respectively). However, part time workers are slightly more likely to be expected to access emails etc. on their days off compared to full time workers (41% and 37% respectively, although only weakly significant at the 90% level), yet full time workers are significantly more likely than part time workers to be expected to check in the evening (51% and 38% respectively), at the weekend (41% and 27% respectively), and whilst on annual leave (27% and 16% respectively) (all significant at the 99.9% level).

Availability of Flexi-Time

6.2.14 Two out of five respondents (42%) have access to flexi-time in their organisation, of which, 71% indicated that this flexi-time allows them to take additional half-days or days off work.

6.2.15 If flexi-time was not available, 14% of respondents with access to it would not be able to continue in their job, and a further 10% did not know if they would be able to. Access to flexi-time was more important for female respondents than males, with 19% of females indicating that they could not continue in their job without it, compared to only 9% of males (significant at the 99.9% level).

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Table 20. Ability to continue in this job without access to flexi-time

	Male	Female	Total	Sig
Yes	83%	69%	76%	***
No	9%	19%	14%	***
Don't know	8%	12%	10%	*
Total	100%	100%	100%	
Sample	639	664	1303	

Significance codes: 0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' ' 1

6.3 Amended Working Hours

6.3.1 Respondents were asked about their experience of amended working hours. We provided a definition of amended working as follows:

We use 'amended working hours' to mean a contractual change to your hours of work i.e. where your contractual hours are reduced from the standard full time contracted hours of your employer (often referred to as 'part time') and/or where the days you are contracted to work are varied (such as condensing 35 or 40 hours a week into four days or working only during 'term time').

Experience of Amended Working Hours

6.3.2 Only 17% of all respondents currently work amended hours. Very few respondents (1%, n=16) have asked to work amended hours but were refused. Female respondents are significantly more likely than male respondents (significant at the 99.9% level) to currently work amended hours (26% versus 7% respectively). Further, LGBT respondents were less likely to work amended hours, only 6% versus 17% of heterosexuals (significant at the 99% level).

6.3.3 Of those that worked amended hours, the majority (72%) of female respondents cited child care responsibilities as their *main* reason for having chosen amended working hours; there was a significant difference in between genders in terms of this factor. In contrast, male respondents were significantly more likely to indicate personal preference and phased retirement plan as their main reason.

6.3.4 Secondary reasons also included general work-life balance (50%), personal preference (32%), and other personal interests (18%).

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Table 21. Reasons for having chosen amended working hours

	Main reason				Secondary reason			
	Male	Female	Total	Sig	Male	Female	Total	Sig.
Child carer responsibilities	13%	72%	60%	***	7%	9%	8%	
General work-life balance	16%	10%	11%	.	46%	50%	50%	
Personal preference	21%	8%	10%	***	27%	33%	32%	
Phased retirement plan It is required/has been imposed by my employer	32%	1%	7%	***	21%	3%	7%	***
Other (please specify)	5%	3%	3%		3%	2%	2%	
Other personal interests	6%	2%	3%	.	3%	3%	3%	
Other career interests	1%	1%	1%		29%	14%	18%	***
Phased return to work	1%	1%	1%		6%	4%	4%	
For the benefit of my firm/employer	2%	1%	1%		0%	1%	1%	
For the benefit of my colleagues/team	2%	0%	1%	.	10%	3%	4%	***
Other carer responsibilities	1%	0%	0%		4%	2%	3%	
Elder carer responsibilities	0%	0%	0%		2%	4%	3%	
Sample	99	407	506		111	415	527	

6.3.5 Disabled respondents were also less likely to choose to work amended hours due to child care responsibilities and were more likely to be doing so for general work-life balance and ‘other’ reasons.

6.3.6 If amended hours were not available, 38% (n=190) of those respondents that currently work amended hours felt that they would no longer be able to continue in their current role. The availability of amended hours is potentially more important to women overall, as 40% of female respondents indicated that they would not be able to remain in their current job, in comparison to 28% of men who indicated the same (significant at the 95% level).

6.3.7 Over two thirds (67%, n=345) of those working amended hours feel that their firm or employer is either supportive or very supportive of their current working pattern, while only 16% (n=82) feel that their firm or employer is either unsupportive or very unsupportive.

6.3.8 Overall, 43% (n=222) plan to continue working on amended hours for the rest of their career, compared to only 6% (n=29) who know that they do not wish to do this. Nearly a quarter (23%, n=119) plan to work amended hours only for a period or until their priorities change, while the remaining 29% (n=148) are not sure about their preferred future working hours. Significantly more males (67%) than females (37%) indicated that they intend to continue to work on amended hours for the rest of their career.

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6.3.9 About half (52%) of those working on amended hours feel that this has had no negative impact on their career progression, whilst nearly a third (31%) felt it has had a lasting negative impact. These negative impacts are felt more acutely by female respondents, with females more likely to feel there has been a lasting negative impact while males are more likely to feel there has been no impact on their career (see Figure 23).

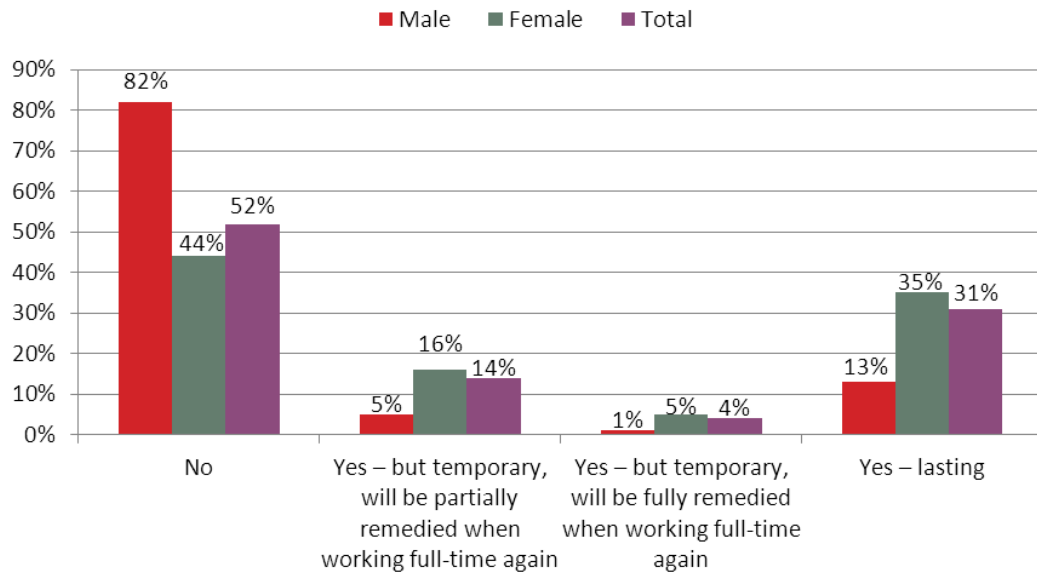


Figure 23. Have Amended Working Hours Had A Negative Impact on Career Progression

6.3.10 When results are disaggregated by only those men and women who have pre-school and school age children, men are more likely to feel that working amended hours has had no negative impact on their career progression (76% of men compared to 39% of women), while women are more likely to feel that it has had a lasting effect (37% of women compared to 15% of men). However, when segmenting gender based upon those who cited child care as their main reason for working amended hours, no significant differences were reported between their responses. It should be noted that in both cases the total number of males in the sample is low (n=41 for those men with pre-school and/or school age children where they also work flexibly, and n=13 where men gave child care as their main reason for working flexible hours).

6.3.11 The large majority of those who felt it had had a negative impact on their career progression indicated that it had reduced and/or delayed their chances of gaining a promotion or becoming partner. This was largely seen to be as a result of them working fewer hours and therefore gaining less experience than required, although some also indicated that they were being given less responsibility resulting in less experience and therefore, less likely to get promotion because of this.

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“Ability to meet criteria for promotion hampered by lack of time – some ground could be made up if worked longer.” (Female, 36-45, In-house)

“Being in the office less reduces your profile and financial statistics, other fee earners who are less years PQE start to ‘catch-up’ with you in terms of level of seniority.” (Female, 25-35, Private Practice)

“Access to the type of work passed to you, which then impacts on your credentials. Amount of responsibility.” (Female, 36-45, Private Practice)

6.3.12 A few mentioned that they had difficulty in meeting deadlines and/or targets which results in them finding it difficult to qualify for salary increases and bonuses as well as promotion.

“Cannot meet targets, which is then noted on my performance reviews, which means no pay rises, bonuses, or promotions, and exposure during redundancy considerations.” (Female, 36-45, Private Practice)

“Difficulty with deadlines as I have the same timescale to work to as other members of my team.” (Female, 36-45, Not currently employed in the legal profession)

6.3.13 Many also indicated that they could not apply for promotions as the job could not be done on part-time hours or that the firm did not want someone who was part-time in the role.

“Feel unable to apply for promotional posts as most are full-time and I would be competing against people who can do full-time hours.” (Female, 25-35, In-house)

“I do not believe it would be possible to have a legal manager’s role while working part-time hours.” (Female, 36-45, In-house)

6.3.14 Some highlight their lack of opportunities for networking, and that they are not being kept up to date with developments in their firm.

“I am based in a branch office, because I work reduced hours I am unable to attend as many meetings with senior managers at HQ as my male colleagues do. As a result my profile is lower and I miss out on networking opportunities and fear being overlooked for promotion at the next round of restructuring.” (Female, 46-55, In-house)

“I am no longer asked for an input in the firm and I am not kept up to date with firm developments.” (Female, 36-45, Private Practice)

6.3.15 In general, there appears to be a common perception within the profession that part-time workers and those on condensed hours contracts are not considered for promotion

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as they do not work sufficient hours. Many indicated that they would not be considered for promotion whilst they were on part-time/condensed hours.

“I do not think I would be considered seriously for a promoted role while working part-time.” (Female, 36-45, Private Practice)

“I feel career progression is stalled in the legal profession if you are unable to work full-time. Despite effectively still working full-time (ie working additional hours, from home, etc.) but on a part-time contract it does mean you are effectively side-lined and overlooked.” (Female, 25-35, Private Practice)

“I was advised clearly that working part-time hours will not allow me to progress to be promoted.” (Female, 36-45, Private Practice)

Priority for Amended Working

6.3.16 All respondents, whether or not they worked amended hours were asked if they felt that there were any employee groups that were given priority in requests for amended working hours.

6.3.17 Although, generally respondents either felt that no groups were given priority (29%) or that no one in their firm worked amended hours (17%), some groups were identified by some respondents as being a priority. The main groups that were identified were those with children (33%), women (13%), and staff with illnesses (10%). These were the main groups identified by both men and women, however women were more likely than men to identify those with children (38% and 28% respectively), while men were more likely than women to say that women were a priority (16% and 9% respectively) (significant at the 99.9% level).

6.3.18 As this might suggest that some men may not differentiate between a ‘woman’s issue’ and a ‘parenting issue’ the data was considered further to include age of the respondents. For those aged up to 35 there was no significant difference in the proportions of men and women who identified ‘those with children’ (40% and 47% respectively) whilst a greater proportion of men identified ‘women’ (24% versus 11% of women, significant at the 99.9% level). For those aged 36-45 and those aged 46 and over the original pattern was observed, with women more likely to identify ‘those with children’ (45% of women aged 36-45 and 33% of women aged 46+ versus 34% of men aged 36-45 and 27% of men aged 46+) and men more likely to identify ‘women’ as being given priority (24% of men aged 36-45 and 13% of men aged 46+ versus 11% of women aged 36-45 and 8% of women aged 46+). This appears to show that younger men and women have similar views with regard to ‘those with children’.

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Table 22. Groups given priority for amended working hours

	Male	Female	Total	Sig.
Those with children	28%	38%	33%	***
Women	16%	9%	13%	***
Staff with illnesses	11%	10%	10%	
Specific members (not specified)	4%	4%	4%	
Certain departments	2%	4%	3%	*
Senior staff	4%	6%	5%	*
Long term employees	4%	4%	4%	
Hard workers	1%	1%	1%	
Those with elder care responsibilities	5%	5%	5%	
Friendly with senior staff	2%	3%	3%	**
Certain positions (i.e. not front line)	3%	4%	4%	
Staff in lower grades	4%	6%	5%	*
Men	0%	0%	0%	
Other	1%	2%	2%	
Do not feel that any groups are given priority	29%	30%	29%	
Not applicable, no one in firm works/firm does not allow amended hours	21%	13%	17%	***
Sample	1688	1720	3408	

6.4 Career Breaks

6.4.1 Nearly one third of respondents (30%) had taken maternity/paternity/adoption leave, with 11% having taken it once, 14% taken it twice, and 5% taken it three or more times. As would be expected, this type of leave was taken more by women and less by men.

6.4.2 On average, respondents took 21 weeks for maternity/paternity/adoption leave, although the average time period taken reduced with each occasion it was taken (see Table 23 below).

Table 23. Number of weeks maternity/paternity/adoption leave taken

	Min	Max	Mean
First Occasion	1	624	25.37
Second Occasion	1	78	19.85
Third Occasion	1	78	17.47
All Occasions	1	624	20.90

6.4.3 Of those that had taken maternity/paternity/adoption leave at least once, only half (51%) indicated that they had taken their full entitlement on the most recent occasion. Of the remainder, 37% were certain they had not taken their full entitlement and 13% did not know/could not remember.

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- 6.4.4 The main reason for not taking their full entitlement on this occasion was largely due to financial pressures, 41% stated that this as their main reason. The remaining respondents were split between it being due to personal choice (27%) and work pressures (26%), whilst 7% gave other reasons, including that they were either self-employed and/or a partner and therefore did not have a statutory entitlement or that their contract did not cover this entitlement, or that the business needed them. In a small number of cases some moved jobs and returned to work early to fit in with new employers' requirements.
- 6.4.5 Only 14% of respondents had taken some other type of career break, such as a sabbatical or time out of employment. Females were more likely than males to have taken other career breaks, 14% of females compared to 9% of males (significant at the 99.9% level).
- 6.4.6 The main reasons for respondents taking other careers breaks included child care responsibilities, changing career, further education/training, loss of job/redundancy, ill health, and/or travel. The average time taken out of employment (in weeks) for other career breaks is detailed in Table 24 below.

Table 24. Number of weeks taken for other career breaks

	Min	Max	Mean
First Occasion	1	724	69.06
Second Occasion	1	239	35.92
Third Occasion	1	170	47.22
All Occasions	1	724	50.73

6.5 Impact of Flexible Working

- 6.5.1 Most respondents felt that they were achieving a reasonable work-life balance, with 71% of respondents indicating they were happy with this and 29% stating that they were not achieving a reasonable balance. There were no difference in results here by gender, with both males and females having similar views.
- 6.5.2 Respondents were asked to detail three positives and three negatives **for them personally** around amended and/or flexible working and/or remote access, whether they used them or not.
- 6.5.3 The main **positive** advantages that respondents identified included:
 - **High flexibility and convenience**, being able to arrange working hours to those that will suit you and accommodate any appointments etc that you might have;

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“Remote access - good for allowing you flexibility - work from home if necessary” (Female, 25-35, Private Practice)

“Flexibility lets me take time off during the day and make it up later” (No gender specified, 36-45, Private Practice)

“Working from home provides flexibility if unwell, but still able to work if not in the office.” (Female, 25-35, Private Practice)

○ Providing a **better work-life balance;**

“Would show my employer cares about my work/life balance” (Female, 25-35, Private Practice)

“May create better work/life balance & not feel chained to desk” (Female, 56-65, Private Practice)

“Better ability to manage personal life during working week” (Female, 25-35, Private Practice)

○ The ability to **meet family commitments;**

“I have the ability to be able to fit in events or other family members so as not to miss them.” (Male, 36-45, Private Practice)

“I am able to swap days to care for family if ill.” (Gender / age not specified, Private Practice)

○ **Reduced travel needs/commuting** and therefore **lower travel costs;**

“Cuts down on travelling and costs” (Male, 66-72, Private Practice)

“Travelling at non-peak times - commuting time reduced” (Female, 46-55, Private Practice)

○ **More effective client service;**

“Remote access improves client service” (Male, 56-65, Private Practice)

“Client service facilitated when got out of office commitment” (Male, 36-45, Not currently employed in the legal profession)

“Deliver high quality client service” (Gender not specified, 36-45, Private Practice)

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○ **Less stressful** if you work less;

“Less stressful to be able to deal on own terms” (Female, 46-55, Private Practice)

“Less stressful and better suited to needs” (Male, 46-55, In-house)

○ Ability to **work from home** if necessary ;

“Ability to work from home to avoid distractions in office” (Male, 25-35, In-house)

“Access to emails and files at home would allow to work from home” (Female, less than 25, Private Practice)

○ Remote **access to your e-mails** when you are not at office;

“I can answer emails before being in office in morning after office hours at night” (Female, 25-35, Private Practice)

“Remote access means I don’t have to come into office at weekend to check emails” (Female, 25-35, Private Practice)

○ Easier to **plan your time off** for any required holidays;

“Ability to build up flexi credit for time off” (Male, 46-55, In-house)

“If you need time off for an appointment it saves taking unpaid leave or using holidays” (Female, 25-35, Private Practice)

○ Allows **greater freedom** of planning your working hours;

“Happier when working in an environment where given freedom to determine best working practice for me” (Female, 25-35, Private Practice)

“Feeling of freedom- able to choose when to come in / leave” (Female, 46-55, In-house)

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6.5.4 On the other hand, the main **negative aspects** identified by respondents included:

- Being **available and contactable** during working hours;

“Encourages the idea you are constantly available” (Female, 25-35, Private Practice)

“Greater availability means greater pressure to be contactable.” (Male, 36-45, Private Practice)

- There is a **limited access** to IT services, telephone systems, files etc. which can cause work problems;

“Continual problems with technology especially remote access to files” (Male, 56-65, Private Practice)

“Lack access to resources” (Male, 36-45, In-house)

“If working from home, no access to paper files (we are not a paperless office)” (Female, 25-35, Private Practice)

- It is important **to meet clients’ expectations and needs and avoid any dissatisfaction**. If you are not at office there would be a lack of availability to them and there could be difficulties in arranging different meetings;

“You might miss clients’ opportunities if you are working from home” (Female, 36-45, Private Practice)

“Clients who telephone cannot speak to you immediately which can lead to complaints” (Female, 25-35, Private Practice)

“Reduced client satisfaction” (Male, 36-45, Private Practice)

- There is **no interaction and communication with your colleagues** causing inconvenience;

“More difficult dealing with colleagues who are not always around” (Male, 25-35, Private Practice)

“Lose benefits of working with colleagues e.g. bouncing ideas” (Female, 25-35, Private Practice)

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- There could be **greater expectations** from both the employer and clients considering working hours, response time and availability to clients etc.

“Remote access encourages expectation to work at all times” (Female, 25-35, Private Practice)

“There is a difficulty of balancing expectations of availability during "normal" office hours.” (Male, 46-55, In-house)

- **Continuous access to your e-mails;**

“Expectation that will check emails on days off” (Female, 36-45, In-house)

“More difficult to "switch off" from work if I have access to emails all day” (Female, 25-35, Private Practice)

- There should be a **sufficient cover at all times** in the office. This fact can greatly affect holidays or sicknesses leaves;

“Have to cover colleagues work if they are not in the office and deal with urgent matters” (Female, 25-35, Private Practice)

“Employer makes insufficient provision in office resenting perception that is covering for home workers” (Female, 46-55, In-house)

- **Great impact on family commitments;**

“Difficult to balance with family commitments” (Female, 46-55, Private Practice)

“Colleagues not realising the challenge of balancing work and family life” (Female, 25-35, Private Practice)

- There can be a **lack of communication** among clients, colleagues and your employer;

“Lack of communication between amended working colleagues when sharing tasks” (Male, less than 25, Private Practice)

“Reduced communication amongst team” (Female, 25-35, In-house)

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- Some of them believe that **staff may feel isolated** when they work from home – they consider themselves as not part of a team;

“Isolation when working independently” (Female, 36-45, Not currently employed in the legal profession)

“Isolation form colleagues and others” (Male, 25-35, Private Practice)

- 6.5.5 All respondents were also asked, if they worked in a team with some staff working on amended hours or with increased flexibility to identify any positive and negative consequences **for the team**. Figure 24 provides a full breakdown of positive consequences by gender while Figure 25 provides a breakdown of negative consequences.
- 6.5.6 Around one third of respondents felt that it allowed for a better work-life balance for colleagues (35%) and that it contributed to keeping valued members of staff (31%). These views were held more acutely by females than males, however. Women were also more likely to feel that it was positive for colleagues to know that flexible working is an option, that it creates a better working atmosphere, that colleagues have more job satisfaction/work harder, and allows them personally to work flexibly. Men, however, are more likely to work in a team where no one works flexibly.
- 6.5.7 Nearly a quarter however, feel that negative impacts for the team are created by colleagues not being available (24%), while 21% feel it can create a stressful environment and puts more pressure on other people. Other important negative consequences include continuity issues (19%), work not being completed or delays in work being completed (18%), and the difficulties created in trying to cover colleagues’ work (17%).
- 6.5.8 Women were more likely than men to identify a number of negative impacts, including restrictions in holidays and time off, covering colleagues’ work, colleagues not being available (all significant at the 99.9% level), work not completed/delays in work being completed, stressful/puts more pressure on other people, and staff shortages/staff unwilling to cover (all significant at the 99% level).

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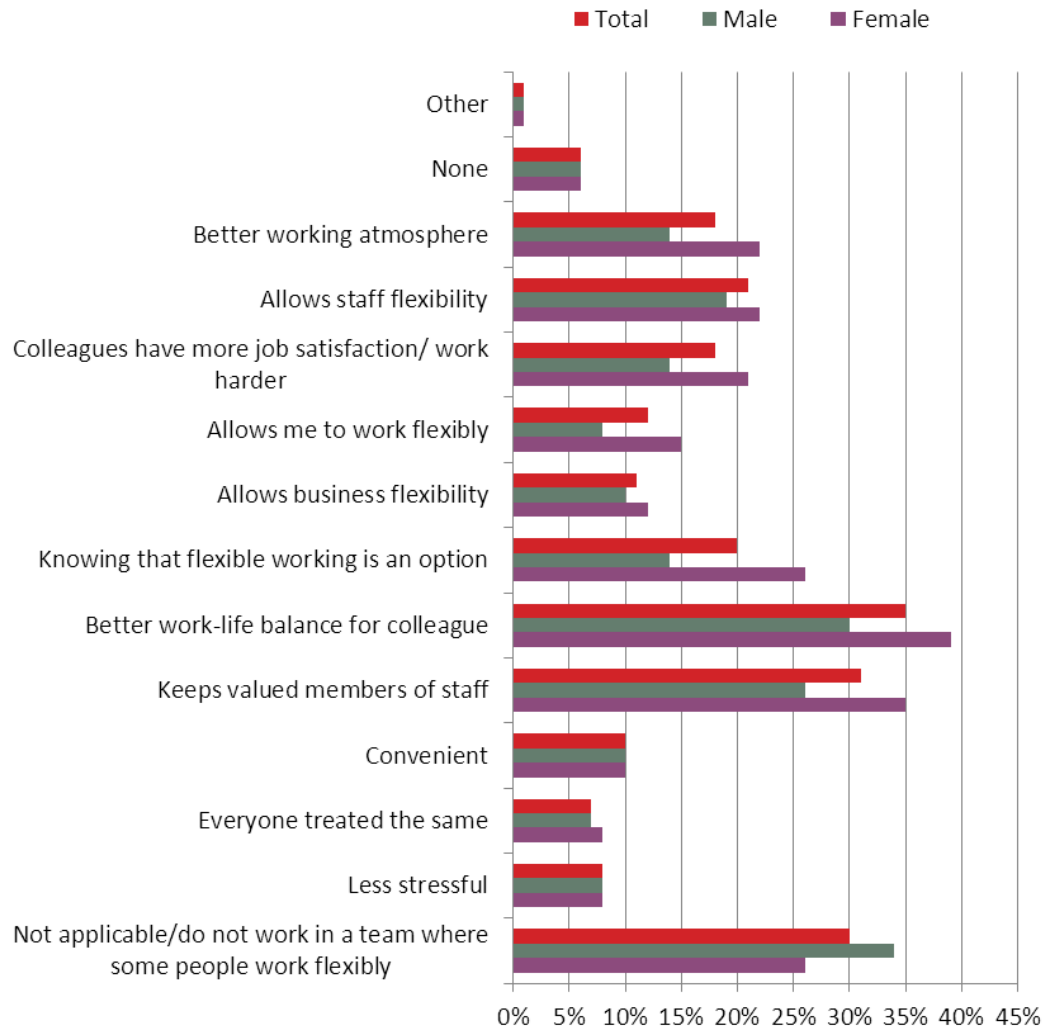


Figure 24. Positive Consequences for the Team

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Figure 25. Negative Consequences for the Team

6.5.9 When disaggregating the positive and negative consequences by both gender and whether respondents work amended hours or not, results are largely similar.

6.5.10 The top two positive consequences for men and women, both working amended hours and those that don't, is 'better work-life balance for colleagues' and 'keeps valued members of staff'. The third top positive consequence differs by males and females, but is consistent between those that work amended hours and those that don't; men identify this as 'allows staff flexibility' whilst women identify 'knowing that flexible working is an option'.

6.5.11 Of those that do work amended hours, men were more likely to identify 'convenient' (significant at the 99% confidence level) as a positive consequence. Meanwhile, women were more likely to identify the following positive consequences:

- Keeps valued members of staff (significant at the 99% confidence level);
- Better work-life balance for colleagues (significant at the 95% level);

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- Knowing that flexible working is an option (significant at the 95% level); and
- Colleagues have more job satisfaction/work harder (significant at the 95% level).

6.5.12 Of those that do not work flexibly, the only differences were that women were more likely to identify the following positive consequences than men:

- Knowing that flexible working is an option (significant at the 99.9% level);
- Better working atmosphere (significant at the 99.9% level);
- Colleagues have more job satisfaction/work harder (significant at the 99% level);
- Allows me to work flexibly (significant at the 95% level); and
- Better work-life balance for colleagues (significant at the 95% level).

6.5.13 Perhaps unsurprisingly, both men and women who work amended hours are more likely than their counterparts that do not work amended hours to identify all of the stated positive consequences.

6.5.14 The top two negative consequences for men and women who work amended hours are ‘colleagues not available’ and ‘continuity issues’. ‘Work not completed/delays in work being completed’ is the next most cited negative consequence for women, whilst men identify having to ‘cover colleagues’ work’ as the next consequence. For those that do not work amended hours both men and women agree that the most common consequence is ‘colleagues not available’. The next most common issues for men are ‘continuity issues’ followed by ‘stressful/puts more pressure on other people’, whereas women identify ‘stressful/puts more pressure on other people’ as their second most common issue followed by ‘work not completed/delays in work being completed’.

6.5.15 Of those that work amended hours, the only difference in results is that women are more likely to identify ‘work not completed/delays in work being completed’ and ‘stressful/puts more pressure on other people’ than their male counterparts (both significant at the 95% level).

6.5.16 Of those that do not work amended hours, women were more likely to identify the following issues;

- Restriction in holidays/time off (significant at the 99.9% level);
- Cover colleagues’ work (significant at the 99% level);
- Stressful/puts more pressure on other people (significant at the 95% level);
- Staff shortages/staff unwilling to cover (significant at the 95% level);
- Increased workload/varied workload (significant at the 95% level); and
- Colleagues not available (significant at the 95% level).

6.5.17 Meanwhile men were more likely to identify ‘continuity’ as a negative consequence of others working amended hours (significant at the 95% level).

6.5.18 No significant differences were noted between men who do and do not work amended hours. On the other hand, women who work amended hours were more likely than those who do not, to state that there were no negative consequences for the team (16% and 8% respectively, significant at the 99.9% level). However, women who do work amended hours were also more likely to identify ‘continuity’ issues (25% versus 18%,

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significant at the 99% level) and ‘work not completed/delays in work being completed’ (25% versus 19%, significant at the 95% level) compared to women who do not work amended hours.

Impact of flexible working on partnership opportunities

- 6.5.19 Instances of flexible working arrangements were analysed against the length of time taken for respondents to become partner.
- 6.5.20 No relationship was found between the time taken to become partner and whether respondents (male or female or in total) worked amended hours or not.
- 6.5.21 However, there does appear to be a relationship between whether respondents have taken a career break (either maternity/paternity/adoption leave or other career breaks) and the length of time taken to achieve partnership. For those that have not taken any type of career break the average time taken to achieve partnership status is 3.79 years, however this increases to 4.76 years for those that have taken a career break. It would appear, however, that this increase is proportionally linked to the average length of the career break taken, as the average time for all career breaks is 58.93 weeks (i.e. just over one year).
- 6.5.22 Table 25 below shows the length of time taken to achieve partnership status by the length of time taken for all career breaks. This indicates that, for those that take more than six months out of their career the time taken to achieve partnership status increases by more than just this amount. For example, those that have taken just six months to one year as a career break take, on average an additional 1.41 years to achieve partnership status than colleagues that have taken no career breaks. This indicates that additional ‘penalties’ may be being incurred over and above what would be required to account for the time taken for career breaks.

Table 25. Mean Number of Years Before Becoming Partner by Length of Career Break

	Total	Additional Time Compared to those with no career breaks
No Career Breaks	3.79	-
Up to 6 months	4.35	0.56
Over 6 months and up to 1 year	5.20	1.41
Over 1 year and up to 1.5 years	5.69	1.90
Over 1.5 years and up to 2 years	6.08	2.29
Over 2 years	5.25	1.46

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- 6.5.23 In addition, those that have taken career breaks are less successful at achieving partnership status on their first application, (57% compared to 69% of those without any type of career break) and are more likely to require a second application (38% compared to 28%).
- 6.5.24 There is no real difference between males that have and have not taken any career breaks, however females who have taken a career break are less successful at achieving partnership on their first application, (56% compared to 80% of women without any type of career break), and are more likely to require a second application (38% compared to only 14%).

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7. EQUAL PAY

7.1.1 Respondents were asked to indicate their salary/earnings per annum against a pre-coded range of options. The table below shows that nearly two thirds of respondents (63%, n=1823) have salaries up to £55,000, with only 6% earning the largest salaries of over £150,000 per annum.

7.2 By Gender

7.2.1 When gender is considered however, it would appear that, in general, male respondents are largely receiving higher salaries than females. More women are prevalent in the £15,001 to £45,000 salary brackets compared to men, while more men are prevalent in the £65,001 to more than £150,000 (significant at the 99.9% level).

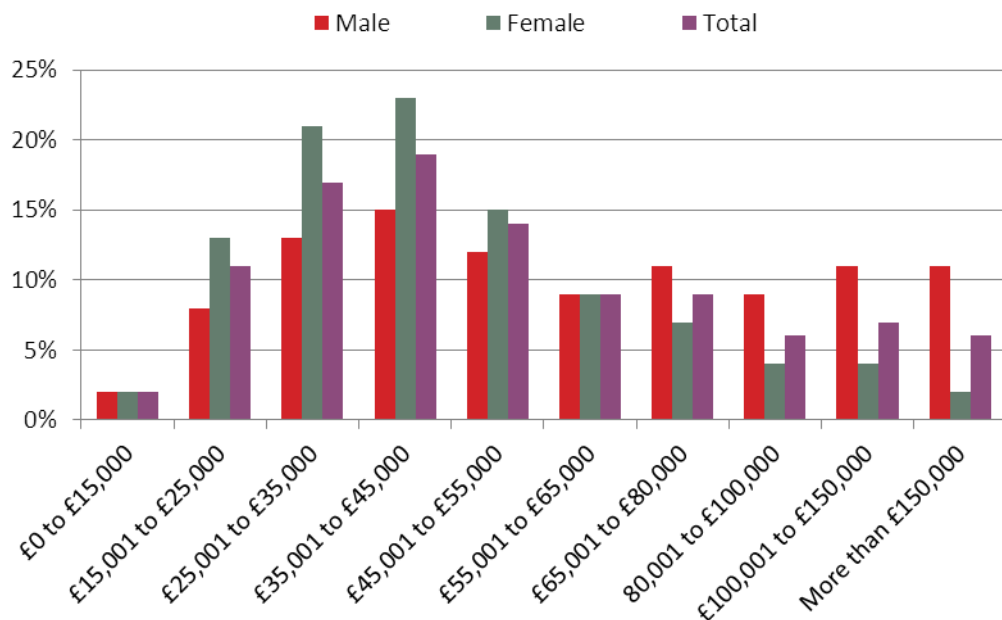


Figure 26. Salary/Earning per Annum by Gender

7.2.2 This is likely to be linked to the gender differences both in age group and in respondents' current position within their firm/organisation as outlined previously. Women were more likely to be found in the younger age groups and working as trainees, assistants and associates compared to their male counterparts in private practice, while men were more likely to be equity partners and consultants. Likewise, in other sectors, women were more likely to be a solicitor team member or equivalent compared to their male counterparts, while men are more likely than women to be directors or equivalent (significant at the 99.9% level).

7.2.3 It may be that, provided these young women remain in the profession, as they progress through their careers we would expect their salary to increase and the difference in salaries between males and females to reduce.

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7.3 By Age

7.3.1 Looking more closely at the data from an age perspective, there is very little difference in the earning profile of those aged 36 to 45 years and those aged 46 and over. Those earning less than £35,000 are more likely to be under age 35 (54%, n=599). For earnings ranging between £35,001 and £55,000 there is little difference across all age groups. For earnings over £55,000 there are greater proportions of respondents aged 36 and over in each of the earning brackets. When earnings exceed £80,000 the proportion of respondents aged 46 and over is higher (32%) than those aged between 36 and 45 (26%). This is particularly true when earnings exceed £100,000, which accounts for 13% of all respondents but 22% of those aged 46 and over.

Table 26. Salary by Age

	Up to 35 years			36 to 45 years			46 + years		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Up to £15,000	2%	2%	2%	2%	2%	2%	1%	2%	2%
£15,001 - £25,000	20%	22%	22%	2%	5%	4%	4%	4%	4%
£25,001 - £35,000	30%	31%	30%	6%	12%	9%	8%	12%	9%
£35,001 - £45,000	20%	22%	22%	13%	22%	17%	12%	24%	16%
£45,001 - £55,000	10%	13%	12%	15%	19%	17%	13%	16%	14%
£55,001 - £65,000	6%	5%	5%	12%	15%	13%	9%	13%	11%
£65,001 - £80,000	4%	3%	3%	13%	10%	11%	14%	11%	13%
£80,001 - £100,000	3%	1%	2%	10%	6%	8%	11%	7%	10%
£100,001 - £150,000	2%	1%	1%	15%	6%	10%	14%	7%	11%
More than £150,000	2%	<1%	1%	13%	4%	8%	14%	5%	11%
Sample (n)	386	725	1111	336	380	716	718	400	1118

7.3.2 When gender is also taken into account, only minor differences are prevalent for those aged up to 35, however from age 36 onwards women generally appear to be paid lower salaries than men of the same age. Women are generally more prevalent in the salary bands up to £65,000 and men more prevalent in salary bands over £65,000. For those aged 36 to 45, three quarters of women are still earning up to £65,000 compared to half of men, while half of all men are earning over £65,000 by this age compared to only a quarter of all women. The gap narrows only very slightly for those aged 46 and over, with 53% of men now earning over £65,000 compared to 30% of women. Further, over a quarter of males have achieved a salary of over £100,000 between the ages of 36 to 45 compared to only 10% of women.

7.4 By PQE

7.4.1 Table 27 details salary by the number of years since respondents completed their traineeship.

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Table 27. Salary by Number of Years Since Completing Traineeship

	Trainee	Up to 5 years	6-10 years	11 -20 years	21-30 years	31 + years
Up to £15,000	8%	<1%	1%	1%	1%	2%
£15,001 to £25,000	89%	9%	1%	2%	2%	4%
£25,001 to £35,000	2%	50%	13%	7%	7%	10%
£35,001 to £45,000	1%	27%	27%	17%	17%	13%
£45,001 to £55,000		6%	29%	18%	14%	13%
£55,001 to £65,000		2%	13%	15%	12%	9%
£65,001 to £80,000		3%	7%	13%	14%	12%
£80,001 to £100,000		1%	5%	7%	10%	10%
£100,001 to £150,000		1%	3%	11%	10%	14%
More than £150,000			2%	9%	13%	11%
Sample (n)	233	632	382	642	554	497

7.4.2 There appears to be a fairly strong relationship between length of post-qualification experience and earnings. Key observations include:

- most trainees (97%) earn up to £25,000;
- over three quarters (77%) of those with up to five years' experience earn between £25,001 and £45,000;
- over half (56%) of those 6 to 10 years' post-qualification experience earn between £35,001 and £55,000;
- nearly two thirds (63%) of those with 11 to 20 years' post-qualification experience earn between £35,001 and £80,000; and
- there is little difference between those with 21-30 years' experience and over 30 years, with 33% and 35% respectively earning over £80,000.

7.4.3 When gender is taken into account with years of experience, there is no real difference in salary between men and women who are either trainees or who have up to five years' experience. Figure 27, however, shows the differences in salary by gender for those with over five years' experience (a full breakdown is provided in Appendix B). This highlights the following:

- For those with 6-10 years' experience, although they are still in the minority, a greater proportion of men have moved out of the lower salary bands to be earning over £80,000 (16% of men compared to only 6% of women).
- For those with 11-20 years' experience, women are more prevalent in the salary brackets between £15,001 and £65,000 than men (70% and 46% respectively), while men are more prevalent than their female counterparts with salaries in excess of £80,000 (39% and 15% respectively).
- Similarly, for those with 21-30 years' experience women are more prevalent in the salary brackets between £25,001 and £65,000 than men (64% and 37% respectively), while men are more prevalent than their female counterparts with salaries in excess of £65,000 (58% and 31% respectively).

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- Finally, for those with 31 years' experience and above, women are more prevalent in the salary brackets between £35,001 and £65,000 than men (49% and 31% respectively), while men are more prevalent than their female counterparts with salaries in excess of £65,000 (54% and 33% respectively).

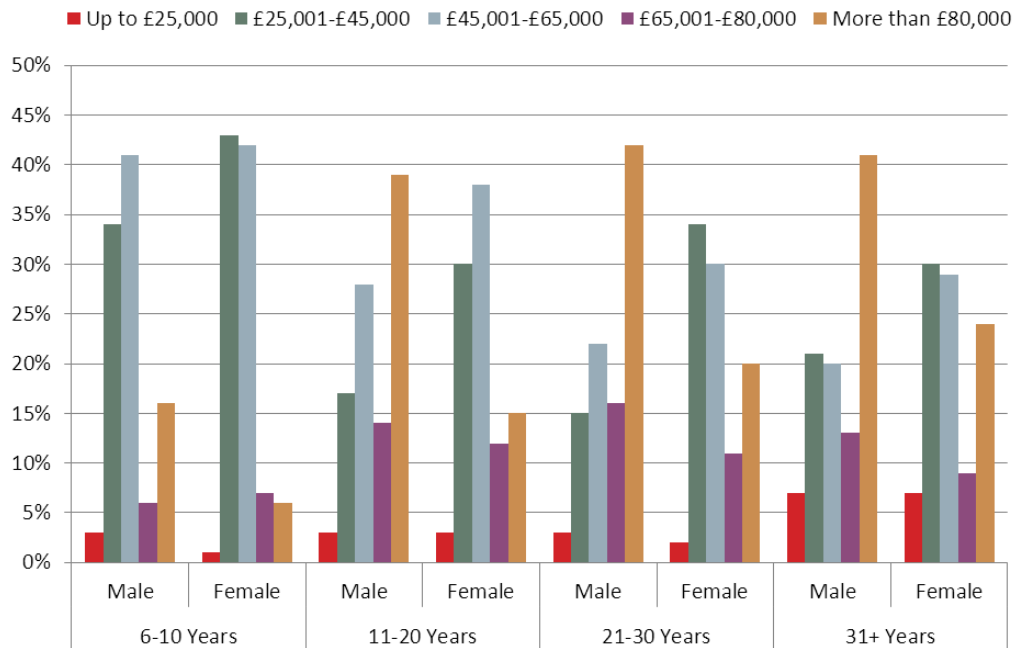


Figure 27. Salary by PQE and Gender

7.5 By Occupation Type

- 7.5.1 Only 4% of respondents working in-house earn up to £25,000, compared with 15% of respondents in private practice, while similar proportions in both areas have earnings thresholds between £25,001 and £45,000 (35% in private practice, 38% in-house). Place of work seems to make some difference in earnings between £45,001 and £65,000, with 20% in private practice and 30% in-house reporting this income. Conversely, there are slightly higher proportions of respondents in private practice earning in excess of £80,000, 21% compared to 17% of those working in-house.
- 7.5.2 When gender is considered with type of firm/organisation, women are more prevalent within the lower salary bands than men in both private practice and in-house, while men are more prevalent in the higher salary bands. In both employment types, 72% of women earn between £15,001 and £55,000 compared to 48% of men, while 41% of men in private practice and 40% of male in-house solicitors are earning over £65,000 compared to 16% of women in both employment types.
- 7.5.3 No gender pay gaps are apparent for those trainees, assistants, and associates in private practice. However, for Senior Associates, women appear to be earning lightly more than men, with just over half (56%) of male Senior Associates earning between £45,001 and

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£65,000 while just over half (59%) of the female Senior Associates are earning between £55,001 and £80,000.

7.5.4 On the other hand, for the roles of both Salaried and Equity Partners, men generally appear to earn significantly more than women in equivalent roles. Nearly half of the male respondents who were Salaried Partners (46%) earn over £80,000, compared to only 30% of female Salaried Partners. Similarly, male Equity Partners (46%) earn over £100,000, compared to only 29% of female Equity Partners. The number of female consultants was too small to allow a reliable gender comparison for this role.

7.5.5 For those that work in-house the salary gap by gender becomes more extreme the higher the role considered. For solicitor team members (or equivalent), men appear to be paid higher than women, with 37% of men earning over £45,000 compared to 25% of women. For senior team members (or equivalent), 38% of men earn over £65,000 compared to 22% of women. For team managers (or equivalent), 42% of men earn over £65,000 compared to only 17% of women. The number of female in-house Directors was too small to allow a reliable gender comparison for this role.

7.5.6 When looking more closely at those that work in private practice, those that are sole practitioners are more likely to earn up to £25,000 (29% compared to between 13% and 16% for those working in firms). Meanwhile, those working in the larger firms are more likely to earn over £100,000 (22% of those in firms with 16+ partners compared to 6% for sole practitioners and between 7% and 13% for smaller sized firms). Those working in firms with between six and ten partners are more likely to earn between £35,001 and £55,000 (34% compared to between 24% and 28% for sole practitioners and other firm sizes). There are only minor fluctuations in the other salary bands by firm size.

7.5.7 Table 28 below provides a breakdown of salary by private practice firm size and gender. Within private practice, men generally earn higher salaries than their female counterparts across all firm sizes. Key points of interest include:

- Three quarters (75%) of female **sole practitioners** earn between £15,001 and £45,000, compared to 42% of men. Meanwhile 46% of men earn over £45,000 compared to only 17% of women. The difference is even more pronounced for those earning over £100,000 - while no female sole practitioner earn this amount, 10% of men report these earnings.
- Women working in firms with between **one and five partners** are more prevalent in the salary bands £15,001 to £45,000 than men, (68% of women compared to 44% of men). Conversely, men are more likely to earn over £45,000, 53% of men compared to only 29% of women.
- Men working in firms with between **six and ten partners** generally earn more than women, 23% of men earn up to £35,000 compared to around half (52%) of the women working in this size of firm. Meanwhile, over three quarters (77%) of men earn over £35,000 compared to 48% of women, and 20% of men earn over £80,000 compared to only 7% of women.

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- The disaggregated sample size of those working in firms with between **11 and 15 partners** is too small to provide reliable comparisons by gender, however, it would appear that a similar pattern exists. Women are more likely to earn up to £65,000 whilst men are more likely to earn over £65,000.
- Similarly, men working in the largest firms with **16 or more partners** are more likely to have higher salaries. Women are more prevalent earning up to £65,000 (78% compared to 46% of men), while men are more prevalent earning over £65,000 (54% compared to 22% of women). In addition, men are more likely to earn over £100,000, with over a third (36%) of men earning this compared to only 10% of women.

Table 28. Salary by Gender and Size of Private Practice Firm

	Sole Practitioner		1-5 Partners		6-10 Partners		11-15 Partners		16+ Partners	
	Males	Females	Males	Females	Males	Females	Males	Females	Males	Females
Up to £15,000	11%	8%	3%	3%	1%	3%	0%	4%	<1%	<1%
£15,001 to £25,000	13%	30%	8%	19%	11%	14%	7%	16%	10%	15%
£25,001 to £35,000	20%	25%	20%	28%	11%	35%	22%	25%	11%	17%
£35,001 to £45,000	9%	20%	16%	22%	19%	17%	7%	18%	11%	19%
£45,001 to £55,000	14%	6%	11%	9%	17%	14%	7%	11%	8%	15%
£55,001 to £65,000	7%	3%	11%	6%	9%	5%	7%	11%	7%	12%
£65,001 to £80,000	11%	2%	11%	6%	12%	5%	19%	7%	9%	7%
£80,001 to £100,000	5%	6%	8%	5%	10%	2%	4%	2%	8%	5%
£100,001 to £150,000	3%	0%	9%	2%	9%	4%	15%	4%	13%	5%
More than £150,000	7%	0%	2%	<1%	1%	1%	11%	2%	23%	5%
Total (n)	88	64	332	274	118	105	27*	55*	500	550

* Note: small sample sizes.

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7.6 Amended Hours⁶

- 7.6.1 Those working amended hours, are more likely to earn between £35,001 and £65,000 (59%) compared to those that do not (38%). However, they are less prevalent at the extremes of the salary bands, with 20% earning up to £35,000 compared to 32% of those not on amended hours, and only 12% earning over £80,000 compared to 21% of those not on amended hours. Given that the salaries were pro-rata to full-time salaries this difference in the higher earnings brackets is not related to them working fewer hours but represents a genuine lower salary.
- 7.6.2 Men who work amended hours are more prevalent at both extremes of the salary scales, with 11% earning up to £25,000 (compared to only 5% of women) and 24% earning over £80,000 (compared to 9% of women). Conversely, women who work amended hours are more prevalent in the middle salary brackets, i.e. those earning between £25,000 and £65,000 compared to their male counterparts (77% of women compared to 57% of men).
- 7.6.3 Of those that do not work amended hours, men appear to be generally earning more than their female counterparts. Just over a third of men who do not work amended hours (36%) earn between £15,001 and £45,000 compared to nearly two thirds (62%) of women. Meanwhile, half of these men (50%) earn in excess of £55,000 compared to only a quarter (24%) of women.

7.7 By Geography

- 7.7.1 Although there are fluctuations in the proportions of respondents in each of the salary bands by Sheriffdom, there is little real difference between the Scottish Sheriffdoms. Around half of the respondents working in each Sheriffdom earns between £25,001 and £55,000 (from 48% in Glasgow and Strathkelvin to 54% in Tayside, Central and Fife).
- 7.7.2 However, those that work outwith Scotland (ie in England and/or Wales, Northern Ireland, EU/EEA Countries and Internationally) generally tend to have higher incomes than those that work in the Scottish Sheriffdoms. For example between 25% and 49% of those working outwith Scotland earn over £100,000 compared to only 12% to 18% of those working in the Scottish Sheriffdoms.

7.8 By Sector of Work

- 7.8.1 Those that work in commercial or banking law and/or corporate law tend to have higher earning potential than those in other sectors, with 23% of those in commercial or banking law, and 28% of those in corporate law earning over £100,000 compared to between only 6% and 14% across the other sectors.

⁶ The question regarding salary also included the following instruction "If you are not full-time please provide the full-time equivalent of your current salary/earnings" so that full-time and part-time workers salaries could be compared.

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- 7.8.2 Those in administrative/public law and in-house legal advisors are more likely to earn between £35,001 and £55,000 than other sectors, with 48% of those employed in administrative/public law, and 43% of in-house legal advisors earning between these two amounts, compared to between 27% and 34% across all other sectors.
- 7.8.3 There is little difference between the salaries earned between the other sectors generally.
- 7.8.4 The numbers are too small to provide reliable comparisons by sexuality, disability, and ethnicity, however, no differences were found in the data when it was disaggregated in these ways.

7.9 Conclusion

- 7.9.1 The results here appear to show a genuine pay gap between the genders for those established in their careers, which is not a result of sampling in this survey. Across all elements of disaggregation, women generally earn lower salaries than males.
- 7.9.2 When age and number of years post qualification experience is taken into account, there is no real difference between the genders for those at the start of their careers. However, the gender/salary difference becomes apparent for those aged 36 and above and for those with over five years’ experience.
- 7.9.3 Some of the salary differences highlighted could be a result of the historically lower numbers of women in the profession, and/or women not progressing into the top earning jobs (either through choice or otherwise). It will be interesting, therefore, to monitor current trainees and those that have recently qualified (i.e. where equal pay appears to be being achieved currently) as they progress through their career to determine if the pay gap typically found later remains or reduces.

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8. EXPERIENCES OF DISCRIMINATION

8.1 Experience of Discrimination

8.1.1 Discrimination was detailed on the questionnaire as:

Discrimination = Treating someone less favourably than someone else – or less favourably than other people – on the basis of a ‘protected characteristic’ from the Equality Act 2010, for example, race, sex, or disability.

8.1.2 Overall, only 15% (n=479) of respondents who currently work within the legal profession have experienced discrimination within a work environment in the last five years. However, when looked at from a segmented level, certain sub groups are more likely to have experienced discrimination (all those listed below are significant at the 95% level as a minimum, except where stated otherwise):

- Women are more likely to have experienced discrimination, 22% in comparison to 8% of males;
- LGBT respondents, 23% of people in the LGBT category compared to 15% of heterosexuals (only weakly significant at the 90% level),
- Those with a disability, 33% compared to 15% of those without a disability;
- Those from a non-white ethnic background, 32% compared to 15% of white Scottish respondents and 17% of those from other white backgrounds;
- Those from a minority religion/faith/belief, 21% compared to 15% of those with no religion and 15% of those from a Christian religion;
- Those in the younger age groups, 16% of those up to the age of 35, 19% of those aged 36-45, compared to 12% of those aged over 45;
- Those that work amended hours, 25% compared to 14% of those that do not work amended hours;
- Those that have children, 18% compared to 14% of those without children; and
- Those that work in-house, 20% compared to 14% of those in private practice.

8.2 Nature of Discrimination Experienced

8.2.1 It should be noted that all differences highlighted in this section are statistically significant at the 95% level as a minimum.

8.2.2 The most commonly reported form of discrimination was sex/gender discrimination (n=247), of which 47% (n=116) have children of pre-school and school going age. This is followed by age (n=150), then pregnancy and maternity (n=94), socio-economic background (n=86), and working amended or flexible working patterns (n=86). All other forms of discrimination were reported by a small number of respondents (38 respondents for race and 10 respondents for disability). No respondents reported any type of discrimination related to transgender/gender reassignment.

8.2.3 Of those currently working in the legal profession, generally more females have experienced discrimination than males. Female respondents are more likely to have

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experienced age discrimination, 6% (n=99) compared to 3% (n=51) of males overall, socio-economic discrimination (3%, n=59, compared to 2%, n=28), and discrimination for working amended hours (5%, n=76, compared to 1%, n=9).

8.2.4 Those who reported being discriminated against because of a disability (n=10) represented around one third (30%) of the sample who have a disability and are currently working in the legal profession (n=33).

8.2.5 Table 29 provides a breakdown of the nature of the discrimination experienced under each form of discrimination.

Table 29. Nature of discrimination experienced by those working in the legal profession

	Age (%)	Disability (%)	Gender (%)	Marriage & Civil Partnership (%)	Pregnancy & Maternity (%)	Race (%)	Religion & Belief (%)	Sexual Orientation (%)	Socio-Economic Background (%)	Amended/Flexible Working Patterns (%)
In undergraduate law study	5	20	2	0	1	18	15	4	19	0
In the Diploma / PEAT 1	4	0	3	3	0	7	0	0	12	0
In securing a traineeship	19	20	8	10	1	24	32	11	59	4
In securing a first NQ job	11	20	7	3	6	16	21	26	20	9
In relation to salary	24	10	33	18	29	16	8	7	13	29
Left out of communication	19	0	19	5	28	17	11	19	8	21
Not considered for promotion	34	0	27	23	42	28	19	24	20	46
In relation to selection for redundancy	7	0	5	8	8	10	4	0	6	6
Not considered for training	12	0	4	0	7	5	3	4	5	8
Allocation of work	11	0	17	12	21	14	7	9	9	24
Allocation of flexi-time	4	10	5	11	5	0	0	0	0	7
Allocation of leave	5	0	2	24	3	0	0	0	0	5
Allocation of other benefits	5	0	7	3	5	0	5	0	2	10
Bullying	16	20	19	8	10	39	18	16	5	14
Harassment	10	30	15	11	7	24	30	8	8	14
In relation to social activities	10	0	13	5	5	13	5	24	11	12
In relation to networking	13	0	27	8	15	22	18	29	21	19
Other	6	20	6	3	11	11	8	16	3	4
Sample	150	10	247	28	94	38	28	23	86	86

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8.2.6 A total of 150 respondents indicated that they had suffered some form of **age** discrimination. The most common way that this discrimination had manifested itself was in not having been considered for promotion (34%), in relation to salary (24%), being left out of communication (19%), and in securing a traineeship (19%).

8.2.7 There was little difference in the proportions of respondents in each age group that had experienced at least one form of age discrimination. Those aged under 25 experienced the highest instances, with 8% of those in this age group identifying some form of age discrimination; 5% of those in the 25-35, 36-45 and 56-65 age groups experienced age discrimination; while 3% of those aged 36-45 did, and only 1% of those aged 66-72.

“In today's buyer's market for legal services (and lawyers), big firms (and those who aspire to be big firms) seek young staff who will work for little pay and prospects and reflect the partners' mental image of how they'd like to be seen.” (Male, 56-65, Private Practice)

“Trained with another trainee who was a mature student. Senior staff treated us differently - older trainee not expected to hand-deliver documents, make bundles, etc.” (Female, 25-35, Private Practice)

8.2.8 Those who had suffered from some type of discrimination due to **disability** (n=10) had generally experienced some form of harassment (30%) and bullying (20%), as well as at various points in their training (20% during their undergraduate law study, 20% in securing a traineeship and 20% in securing a first NQ job).

“History of mental illness used as unstated reason not to promote.” (Female, 36-45, Private Practice)

8.2.9 A total of 247 respondents (currently employed in the legal profession) felt discriminated against on the grounds of **gender**. Of these, 66% (n=164) work in private practice, while 33% (n=81) work in-house. Around a third felt they had been discriminated against in terms of salary (33%), although this appears to be more prevalent in private practice than in-house, with 36% of those in private practice indicating they had suffered in this way compared to 22% of those working in-house. Of the 27% who had not been considered for promotion, again, this was slightly more prevalent in private practice, where 29% had suffered this compared to 23% of those working in-house. In addition, 27% felt they had suffered in relation to networking, while 19% had been left out of communication; there was little difference in these elements between private practice and in-house. Overall, 19% had suffered bullying, however this appears to be more prevalent for those working in-house, with 26% suffering this compared to 15% of those in private practice.

“Despite doing the same job as two male colleagues, I discovered I was paid for less.” (Female, 25-35, Private Practice)

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“Have been working in a male dominated industry for over 7 years. The women in our industry (including me) are often left out of social events with focus on golf and pubs. Invites are not extended or only golf is offered as a networking opportunity.” (Female, 36-45, Not currently working in the legal profession)

“I feel law firms to be very sexist in their attitudes to women. There are a lot of sexist jokes and banter and gender stereotyping.” (Female, 36-45, In-house)

“It was an uphill struggle, as a man, to be able to get part-time for child care purposes.” (Male, 36-45, Private Practice)

“Men in the organisation do not view women, no matter how senior, who have children as either 'serious' about their jobs or committed to them.” (Female, 36-45, Private Practice)

“Criticised for taking paternity leave by female boss and asking for reduced hours. Subjected to sexually discriminating remarks by female colleagues.” (Male, 36-45, Private Practice)

“Work in non-fee earning role which is one undertaken by more women than men. As non-fee earner almost impossible to gain entry to promotion programme.” (Female, 46-55, Private Practice)

8.2.10 Only small numbers of respondents had experienced discrimination due to **marriage/civil partnership** (n=28). However, the nature of this discrimination included issues with the allocation of leave (24%), not being considered for promotion (23%), and to a lesser extent, in relation to salary (18%).

“As a non-parent I never get first choice of holidays and NEVER get time off during school summer and Easter holidays.” (Female, 25-35, In-house)

“Being a single female without significant "plus one" I am expected to pick up the slack for others with children.”(Female, 25-35, Private Practice)

8.2.11 Of those who have experienced discrimination on the basis of **pregnancy and maternity** (n=94), 65% work in private practice, while 33% work in-house. Overall, 42% feel that they were not considered for promotion for this reason, with the problem being more acute in private practice than in-house (with 48% identifying this in private practice compared to 29% of those working in-house). 29% feel discriminated against in relation to salary, which is again more of an issue for those in private practice (35% compared to 16% of those in-house). Being left out of communication was an issue for 28%, with this element being more prevalent for those in-house, 32% compared to 26% of those in private practice). Meanwhile, 21% felt that they had been discriminated against in terms of the allocation of work, which was again, reported more by those working in-house compared to those in private practice (32% compared to 16% respectively).

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“After I returned from maternity leave I was advised I would not receive a pay increase as I had been on maternity leave. Bullying and harassment by partner I worked for whilst pregnant. After I returned from maternity leave I was told that being a solicitor at a top firm meant being available 24/7 and that I should not be leaving the office at 17:15 to collect my baby from nursery.” (Female, 25-35, Private Practice)

“I essentially had to promise not to become pregnant after I got married in 2011 or I would not have been promoted to Associate.” (Female, 25-35, Private Practice)

“Was informed in a previous job by a Senior Partner that if I wanted partnership as a female then I should delay having children.” (Female, 36-45, Private Practice)

“Employer had policy for maternity leave first 18 weeks at full pay but didn’t have the same for adoption leave - only received statutory minimum.” (Female, 46-55, In-house)

“Men and women with children are given greater flexibility, beyond legal requirements, than men and women without children who are expected to work longer hours.” (Male, 36-45, Private Practice)

8.2.12 The numbers of those that had experienced some form of discrimination based upon their **race/ethnic background** was reasonably low (n=38), however, they experienced reasonably high instances of discrimination at many various stages in their career. Around a quarter had issues in securing a traineeship (24%), while nearly a fifth had experienced issues in their undergraduate law studies (18%), and in securing their first NQ job (16%). Almost two fifths (39%) had suffered bullying, and a quarter (24%) had suffered some form of harassment, 28% had not been considered for promotion, and 22% had experienced issues with networking.

8.2.13 Only small numbers of respondents indicated that they had experienced discrimination based upon their **religion and belief** (n=28). Nearly a third felt it had been a factor when securing a traineeship (32%), and a fifth when securing their first NQ job (21%). Nearly a third had experienced harassment (30%), with a further 18% suffering from bullying. In addition, 19% felt this was the reason they were not considered for promotion, and 18% felt they experienced this in relation to networking.

“In high corporate position I was advised I was not allowed to attend a networking event at a beer festival because "it was not a Muslim event"?! Although I do not drink I am very sociable and other more junior pregnant colleagues were allowed to attend.” (Female, 36-45, In-house)

“I’m a Presbyterian and Sabbatarian and yet there is no protection for my belief. I’m forced travel on Sabbath for distant court appearances.” (Male, 36-45, In-house)

“Subjected to flagrant religious bigotry and remarks.” (Male, 36-45, Private Practice)

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8.2.14 Of those who had experienced discrimination on the grounds of **sexual orientation** (n=23), a quarter had experienced it when securing their first NQ job (25%), a further quarter (24%) had not been considered for promotion because of it. In addition, over a quarter (29%) had experienced issues in relation to networking, while just under a quarter (24%) felt they had been discriminated against in relation to social activities.

8.2.15 Overall, 86 respondents felt that they had been discriminated against due to their **socio-economic background**. This had been most acutely felt in the early stage of their training/career, with 19% experiencing it in their undergraduate law study, 12% in the Diploma/PEAT 1, 59% in securing a traineeship, and 20% when securing their first NQ job. However, the discrimination does also exist in other areas of their work/career as well, with a fifth stating they had not been considered for promotion (20%), or had issues in relation to networking (21%) due to their socio-economic background.

“Some firms only willing to consider students from certain private schools.” (Female, 25-35, Private Practice)

“The diploma at Aberdeen had a negative attitude towards part time working and did not appreciate the need for self-funded students to work.” (Female, Less than 25, Private Practice)

“Previously worked in big city firm: didn't feel like I fitted in with partners due to my poorer socio-economic background.” (Male, 25-35, Private Practice)

8.2.16 Of those that had experienced discrimination due to **working amended hours and/or flexible working patterns** (n=86), 60% work in private practice and 38% in-house. Nearly half of those that have experienced some form of this type of discrimination indicated that they had not been considered for promotion because of it (46%). This appears to be slightly more prevalent for those working in-house, with 52% identifying this as an issue compared to 43% of those working in private practice. In addition, 29% overall felt they had been discriminated against in terms of their salary, however this was far more of an issue for those working in private practice, where 43% identified this compared to only 9% of those working in-house. Around a quarter (24%) had experienced issues in the allocation of work, with no real differences in the results here by private practice and in-house. Finally, 21% had been left out of communication, which was more of an issue for those in private practice than those in-house (25% and 15% respectively).

“In a previous firm it was made clear to me that my choice of taking reduced hours rather than a pay cut showed a lack of commitment - it made me more susceptible to redundancy.” (Male, 36-45, Private Practice)

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8.3 Changes in Prevalence of Discrimination Over Time

8.3.1 Table 30 below outlines the prevalence of each form of discrimination experienced by respondents as detailed in the 2006 Society survey and the current research.

Table 30. Prevalence of Types of Discrimination Within the Profession

	2006		2013	
	Number of respondents	% of Sample	Number of respondents	% within Profession
In undergraduate law study	-	-	41	1.3%
In the Diploma / PEAT 1	-	-	26	0.8%
In securing a traineeship	-	-	115	3.7%
In securing a first NQ job	-	-	79	2.6%
In relation to salary	-	-	190	6.1%
Left out of communication	251	8.3%	142	4.6%
Not considered for promotion	310	10.3%	222	7.2%
Related to redundancy selection	-	-	50	1.6%
Not considered for training	118	3.9%	55	1.8%
Allocation of work	235	7.8%	134	4.3%
Allocation of flexi-time	54	1.2%	34	1.1%
Allocation of leave	76	2.5%	46	1.5%
Allocation of other benefits	107	3.5%	51	1.6%
Bullying	171	5.7%	142	4.6%
Harassment	129	4.3%	108	3.5%
In relation to social activities	159	5.3%	78	2.5%
In relation to networking	203	6.7%	133	4.3%
Other	-	-	46	1.5%
Sample (n)	3017		3095	

8.3.2 Whilst there are slight differences in the samples this disaggregation is based on (the 2006 data shows the prevalence within the entire sample whilst the 2013 data is based on the prevalence within the profession only), results show that, in almost all cases there has been a reduction in the numbers of people affected by each type of discrimination.

8.4 Conclusion

8.4.1 Overall, it would appear that there are very low levels of discrimination being experienced both within the undergraduate law degrees and in the Diploma/Peat 1, but discrimination becomes more prevalent when securing a traineeship and first NQ job.

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8.4.2 Most commonly, respondents feel they are discriminated against for one reason or another when they are not considered for promotion followed by their salary. Other common areas where respondents feel they are being discriminated include being left out of communication and in relation to networking.

8.4.3 Significant proportions of those who reported each type of discrimination indicated that they had experienced harassment and/or bullying within the work environment within the last five years. Acknowledging that individual respondents may have experienced discrimination due to a combination of characteristics (e.g. age, gender, ethnicity), Table 30 above outlines those individuals that have at least one experience of each form of discrimination (i.e. removing multiple instances). This shows that, overall 142 respondents have experienced some form of bullying, which represents 4.6% of those are currently working in the law profession, while 108 respondents have experienced some sort of harassment, representing 5.5% of the those within the profession.

“When previously in private practice there was a definite bullying culture whereby individuals were targeted purely at the whim of certain management (was not due to any change in working practices/ability), this was very difficult as staff affected had no avenues for assistance within the company.” (Female, 25-35, Not currently working in the legal profession)

8.4.4 Although any instance of discrimination is unacceptable and will cause those involved a degree of distress, encouragingly, it would appear that the overall prevalence of discrimination within the profession is slowly reducing.

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9. APPLYING FOR JUDICIAL OFFICE

9.1 Introduction

9.1.1 In October 2009, the Judicial Appointments Board for Scotland (JABS) published findings of a survey in which the entire legal profession in Scotland was asked for its views and perceptions of judicial office and the Boards appointment processes. One of the aims of the survey was to identify factors which were perceived as either encouraging or discouraging to those who might consider applying for judicial office. As such, JABS were interested in comparing the responses from the 2009 report with the findings from this research and so a small number of questions were included in the questionnaire that relate to judicial office and the appointments process, with results summarised briefly in this chapter.

9.1.2 All respondents were asked if they had ever applied for judicial office through the JABS process. Of the 3340 respondents who provided an answer, only 4% (n=138) had applied for judicial office through this process, while most (95%, n=3,189) had not.

9.1.3 It is worth noting that, although the numbers of respondents applying for judicial office may appear low this is to be expected. Those who apply for the office of sheriff through the JABS process have to meet the eligibility criteria of having been legally qualified for at least 10 years, thereby reducing the eligible pool from our total sample. Also, some of those in the eligible pool (ie with 10+ years' experience) will have self-selected themselves out as they feel they do not have the relevant experience, for example those who have their main area of work as conveyancing (one in five of the total respondents work in areas of commercial conveyancing (23%) and domestic conveyancing (22%)). Finally, the current judicial complement, many of whom will have successfully applied for judicial office in recent years, were not invited to respond to the survey as they are no longer members of the Society.

9.2 Main considerations which would lead/have led to applications for judicial office

9.2.1 Those respondents that had previously applied for judicial office specified their main considerations when applying to have included:

- More career opportunities and greater experience in the future (39 respondents);
- Believe they have the appropriate experience, skills and knowledge for the position (14 respondents);
- The nature of the job is very challenging (9 respondents);
- High pension arrangements (8 respondents);
- Job security (6 respondents);
- Job satisfaction (6 respondents); and
- The flexibility of working hours (4 respondents).

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9.2.2 Those that had not previously applied for judicial office specified very similar considerations if they were to apply, i.e. pension arrangements, more career opportunities, flexible working hours, etc.

9.3 Main considerations which would discourage/have discouraged applications for judicial office

9.3.1 The main reasons given for discouraging applications for judicial office included:

- Lack of experience: many respondents felt that they lack the experience required to apply for such a position.

“A belief that a litigation solicitor with no appearance [in court] experience would not be perceived to be a good candidate” (Female, 25-35, Private Practice)

“Considering I was not sufficiently qualified and experienced” (Female, 46-55, Private Practice)

“Fulfilment in my current position in University teaching and research however a negative consideration is lack of court experience, which would have referred me.” (Female, 56-65, In-house)

- Age constraints: it has been observed that age, both in terms of perceiving themselves to be too old or too young, can prevent respondents from applying for judicial office.

“Stage of career - it is something I may consider at a later date, but focus now is on current role and developing business/management experience & maintaining work/life” (Male, 25-35, In-house)

“Age, status, lack of anyone under 40 taking office. No point in applying.” (Male, 25-35, Private Practice)

- Lack of knowledge and skills: several respondents felt that they have insufficient knowledge of criminal law or they were specialised in different areas.

“I do not believe I have the skills or the knowledge of criminal law or other aspects of civil law in areas in which I do not practise.” (Female, 36-45, Private Practice)

“My specialism in law would not/has not allowed me to broaden my legal knowledge such that I would be useful in judicial office.” (Male, 36-45, Private Practice)

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- Family constraints: many feel that they would have to sacrifice their family time or feel that the family commitments are more valuable than any type of career.

“Challenging job at present and value my time with my family.” (Male, 36-45, In-house)

“Requires full time commitment which prefer not sign up for because of family commitments” (Female, 25-35, In-house)

- Lack of interest: additionally, many participants have different career paths and they are not interested in judicial office.

“I am more interested in other areas of law.” (Female, 66-72, In-house)

“I am not a litigation lawyer and assume only litigation lawyers are of interest” (Male, 36-45, In-house)

- The application process: there were complaints about the confidentiality and the length of the judicial application form. Those respondents who had previously applied for judicial office identified more problems regarding the application system and process than those who had never applied for judicial office. Particularly, 12 respondents who have previously applied (around 8%) complained about the length of the application form, the complexity of the process, its lack of transparency and the nature of the required work examples. They believed that the process is too time consuming without being provided with any feedback in case of unsuccessful applications. Most were uncertain about the extent to which certain factors would or should influence the outcome. It is worth mentioning that 75% of the applicants who had applied before for a judicial office job were aged 46-65 and 85% of them had completed their traineeship before 21-40 years ago. There is no evidence when they had applied for the above role and therefore, the application process may have changed since then. On the other hand, of those who had never applied for judicial office there were only a few (around 2%) who felt that the whole application process should be more transparent and simple encouraging them to apply for the role.

“There is a lack of confidence in success. Application not being treated confidentially and becoming known” (Male, 46-55, In-house)

“Lengthy application process, inexperience” (Male, 36-45, In-house)

“The application form and the nature of the required work examples, which can be difficult for some people to provide” (Male, 46-55, In-house)

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- Lack of confidence: another preventive factor could be their lack of confidence in dealing with different areas of law.

“Having specialised in one area since 1996 on qualifying, I have no confidence in dealing in other areas of law.” (Female, 36-45, private Practice)

“Lack of confidence in having required skills and experience” (Female, 36-45, Private Practice)

“Lack of confidence and concern about ability to make hard decisions (as distinct from difficult legal decisions)” (Male, 46-55, Private Practice)

- More responsibilities: the level of responsibilities is extremely high and therefore “a fear of failure” can possibly be an undesirable result for the participants.

“Lack of experience. Too much responsibility. Fear of failure.” (Female, 25-35, Private Practice)

“Extra responsibility in my life” (Female, 46-55, Private Practice)

- Flexibility: there was also felt to be a reduction in the flexible working hours which can influence family and other personal commitments.

“Lack of flexibility in working days and hours reduced income” (Male, 56-65, Private Practice)

“Not having relevant skills and experience, poor pay, inflexibility of working” (Female, 25-35, Not currently working in legal professional)

- High pressure: it has also been observed that high pressure and stress of working in a new position can affect their work quality and productivity.

“Extra pressures and lack of time” (Female, 36-45, Private Practice)

“I imagine pressure/workload would be disadvantage - esteem of being in judicial office would appeal” (Male, 25-35, Private Practice)

- Salary levels: salary plays an important role for the respondents. The low levels of salary can decrease the job security and increase the financial risk.

“Low salary and perceived repetitive nature” (Male, 36-45, Private Practice)

“Salary lower; deception of decreasing job security” (Male, 46-55, Private Practice)

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- Time commitment: the role seems to be time consuming and they are required to commit more time in their new role. Eventually, there would be a lack of free time for other commitments like family, friends, and quality time for themselves etc.

“Very time consuming process” (Male, 46-55, Private Practice)

“Time commitment with young family” (Female, 36-45, Private Practice)

- Discrimination: some stated that there is an important level of discrimination through the application process.

“Old boys' network (or perception) system, lack of true representation of society (few/no LGBT members).” (Male, 25-35, In-house)

“Sexism still appears a posh old boys club to me, then women on the bench are sometimes harder on other women! Can't win!” (Female, 25-35, Private Practice)

“Old boys network - In England coroner positions are not advertised - you need to find one who will employ you as an assistant” (Female, 36-45, Private Practice)

9.4 Fulfilment of statutory duty

9.4.1 Respondents were also asked to provide suggestions on how JABS might better fulfil its statutory duty “to encourage diversity in the range of individuals available for selection to be recommended for appointment to a judicial office”.

9.4.2 The main issues that were discussed by respondents are summarised below.

- The majority of participants emphasised on the fact that **application should be based mostly on merit rather than on diversity** considerations:

“Appoint people who are competent and diversity will take care of itself. The appointment of persons where diversity seems to be the driving consideration results in bad appointments and does the commitment to diversity a great disservice.” (Male, 56-65, Private Practice)

“Don't advance "diversity" over merit” (Male, 25-35, Private Practice)

“I disagree with positive discrimination such as this, it should be on merit , ability, honesty not diversity.”” The only "diversity" necessary is for the best candidate to be awarded the post. Accordingly the aim would be fulfilled by avoiding artificially constructed advantages for certain groups and treat everyone equally based on ability and merit.” (Male, 46-55, Private Practice)

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- Some mentioned that choosing the most talented people based on their ability, capability, skills etc. for those vacancies is more important and effective:

“Choose the best people ignoring diversity.” (Male, 56-65, In-house)

“Don't know but they should appoint the best candidates regardless of diversity.” (Male, 46-55, In-house)

“It has got nothing to do with diversity. You need to appoint smartest and best people - the colour of neither your skin nor your religious persuasion is relevant.” (Male, 56-65, Private Practice)

“They can only choose from available applicants. Entry to profession should be open to all who are suitable and employment in the profession should not have barriers to diversity. Not in favour of positive discrimination.” (Male, 56-65, In-house)

- A **more transparent and clearer process** was recommended as follows:

- clear approach of the criteria that applicants should meet;
- detailed presentation of the qualifications and experience required - a professional training course for the applicants was recommended by some respondents
- clear, flexible hours outlined making the application process easier for potential candidates;
- provision of the selection parameters; and
- precise demonstration of a career path.

“Make application process/criteria more transparent” (Female, 36-45, Private Practice)

“More transparent process, target underrepresented groups” (Female, 46-55, In-house)

“There should be more transparent process, more female applications, flexible hours, job share and easier application process.” (Female, 56-65, Private Practice)

- Another common theme amongst respondents was **better advertisement patterns** regarding:

- Job roles and vacancies;
- Criteria;
- Candidates;
- Flexible working hours; and
- Fair process.

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Respondents suggested that wider and more open advertising of available posts and entry criteria requirements by organising an induction day could be an effective idea. It was considered important that the benefits of judicial office (considered to include attractive salary and pension package, flexible working arrangements, being supported as a unique member of a team, and a varied and interesting workload) is presented to potential candidates as this will help them in deciding whether or not this role is suitable for them. A few suggested that advertising the selection process, mandatory educational background, and future judicial prospects in different journals may promote diversity and improve the JABS selection process.

- Finally, **encouraging people or firms** from different backgrounds to apply for judicial office, plus emphasis on the advantages and the prospects of the profession could be of great importance.

“Encourage applications from wider circles.” (Female, 46-55, Private Practice)

“Encourage firms to encourage staff from diverse backgrounds at early stages in their careers.” (Female, 56-65, Private Practice)

“Encourage those from different backgrounds to study law and help disadvantaged people to do so, and then encourage them to apply for judicial office. Identify role models from these backgrounds and give their work publicity so law students and the general public can aspire to follow in their pioneering footsteps.” (Male, 25-35, In-house)

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10. CONCLUSIONS

- 10.1.1 The questionnaire achieved a good response rate overall, and above that achieved in other similar previous studies with the profession.
- 10.1.2 The achieved sample is reasonably representative of the profile of the profession, and allows for a high level of confidence in the associated results.

10.2 Change in Profile Over Time

- 10.2.1 The 2013 Society data was looked at in conjunction with the findings from the 2006 Society survey and the findings from the 2009 JABS survey in order to get an understanding of the change over time in the profile of respondents.

Demographic Profile

- 10.2.2 Overall, it appears that the profile of the profession has remained relatively static in recent years. Although increased numbers of women have been entering the profession, it appears that the overall gender profile has remained static. The profile in relation to ethnicity, sexual orientation, and marital status have all remained relatively static. There has, however, been a very slight increase in the proportions of disabled respondents since 2006. There has also been a slight decline in the proportions of younger people within the profession, and a slight decline in those with Christian beliefs and a corresponding increase in those with no religious beliefs.
- 10.2.3 Encouragingly, when compared to the results of the 2005 Women in the Legal Profession in Scotland report, there appears to have been a move towards seeing child care responsibilities as being more a joint responsibility rather than solely a mothers responsibility. However, women are still largely expected to take time off when a child is sick, although the gap here has also narrowed slightly.

Occupational Profile

- 10.2.4 There were some difference between the three surveys in terms of the age at which respondents qualified as solicitor. With just over half of the samples in 2006 and 2009 indicating that they had qualified whilst under the age of 25, while in the 2013 survey the majority of respondents (46%, n=1554) qualified between the ages of 25 to 30. Despite this recent increase in the age of qualification however, qualification age has remained reasonably stable across respondents of all age groups indicating more stability over the longer term.
- 10.2.5 The occupational profile of the profession has also remained stable since 2006, with very similar numbers of respondents in the 2006 and 2013 surveys working in each category of private practice and in-house. Within private practice there has been a decline in the proportion of equity partners, associates and assistants with an increase in senior associates which perhaps suggest that individuals have been promoted as far as senior associates but no further in recent years, perhaps due to the current economic climate.

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10.3 Work Motivations

- 10.3.1 Of those working in, or planning to move back into private practice, 39% indicated that achieving partnership status is ‘very important’ or ‘important’ to them. Males were more likely than females to consider it very important, while disabled respondents were less interested in becoming partner, with nearly half stating this was not at all important to them.
- 10.3.2 The time taken to achieve partnership status however, varied by gender, with males achieving this status earlier than females. However, once women do apply, there is no real difference in the number of applications before being successful in becoming a partner.
- 10.3.3 Salary, quality of work, and work/life balance were most often chosen as important day-to-day work motivations. Slight variations did exist between male and female respondents, with males more likely to value a management role, while female respondents are more likely to value a supportive manager.
- 10.3.4 Higher salary, improved work/life balance, and promotion feature heavily in terms of future career aspirations. Female respondents were more likely than male respondents to value promotions and being appreciated for the role they do.

10.4 Satisfaction with Work

- 10.4.1 There is a culture of working additional hours throughout the profession, most of which is not remunerated. In addition, although the facilities exist for many to work from home and/or remotely, few avail of these facilities with any regularity. As such, the majority of respondents are happy with their current pattern of *contracted* hours, however, a lower proportion indicated that they are happy with their *actual* working hours, and over a third would prefer to reduce their *actual* working hours.
- 10.4.2 Few respondents currently work amended hours, although, females are more likely than males to do so. Nearly half of those working amended hours felt that this has had a negative impact upon their career however, with most indicating that they will either not achieve a promotion and/or that their career prospects have been curtailed.
- 10.4.3 Despite these issues, most respondents felt that they were achieving a reasonable work-life balance.

10.5 Impact of Flexible Working Patterns

- 10.5.1 Respondents identified a number of positives/advantages of working amended hours and/or flexible working patterns, both for themselves personally, and for the team more generally. These benefits included better work-life balance, the flexibility and convenience of arranging working hours to suit other needs, reducing travel needs/commuting and therefore costs, having the ability to work from home, it being less stressful, and contributes to staff retention.

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10.5.2 Some negative aspects were also noted by respondents however, both in terms of for themselves personally and for the team. Those negative aspects for them personally included having lower interaction with colleagues, employers and clients causing inconvenience and in some cases isolation, some have encountered limited access to IT services causing problems, others feel this makes them too contactable and that work life intrudes too much into family time/commitments. Negative impacts on the team included colleagues not being available, it can create a stressful environment and puts more pressure on other people, problems with continuity issues, work not being completed or delays in work being completed, and the difficulties created in trying to cover colleagues work.

10.5.3 No relationship was found between whether respondents work amended hours and the length of time taken to achieve partnership status. However, those that take career breaks of more than six months appear to have been negatively affected, with the length of additional time required at lower grades being significantly longer than the time taken out of their career. As such, this is likely to have a greater impact on women’s careers, and supports the earlier findings which showed that women take longer to achieve partnership status.

10.6 Equal Pay

10.6.1 Nearly two thirds of respondents have salaries up to £55,000, with only a few earning the largest salaries of over £150,000 per annum.

10.6.2 In general, male respondents are largely receiving higher salaries than females. Women are more prevalent in the £15,001 to £45,000 salary brackets compared to men, while men are more prevalent in the £65,001 to more than £150,000 than women.

10.6.3 Women typically earn lower salaries in both private practice and in-house environments, and also across all private practice firm sizes compared to their male counterparts. Likewise, women who work amended hours appear to generally earn less than those males that work amended hours.

10.6.4 When age and number of years post qualification experience is taken into account, there is no real difference between the genders for those at the start of their careers. However, the gender difference becomes apparent for those aged 36 and above and for those with over five years’ experience.

10.6.5 Some of the salary differences could be a result of the historically lower numbers of women in the profession, and/or women not progressing into the top earning jobs (either through choice or otherwise). It will be interesting, therefore, to monitor current trainees and those that have recently qualified (i.e. where equal pay appears to be being achieved currently) as they progress through their career to determine if the pay gap typically found later remains or reduces.

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10.7 Discrimination

- 10.7.1 Only 16% of respondents have experienced discrimination within a work environment in the last five years, however, those from minority groups, women, younger respondents, those that work amended hours, those with children, and those that work in-house are all more likely to have experienced this.
- 10.7.2 The most common types of discrimination reported were sex/gender discrimination (n=271), age (n=161), then pregnancy and maternity (n=103), socio-economic background (n=97), and working amended or flexible working patterns (n=93).
- 10.7.3 Most commonly, respondents feel they are discriminated against for one reason or another when they are not considered for promotion, followed by their salary. Other common areas where respondents feel they are being discriminated include being left out of communication and in relation to networking. More worryingly, many indicated that they had been subject to harassment and bullying within the work environment within the last five years.
- 10.7.4 Encouragingly, however, the overall numbers of those working within the profession that have suffered from some form of discrimination appears to have decreased when compared to the results of the 2006 Society survey.

10.8 The Future

- 10.8.1 The research has highlighted a number of elements worthy of ongoing/future monitoring:
- to ensure that the young women entering the profession now and in recent years are encouraged to remain within the profession and that the gendered pay gap reduces over time;
 - it is also important to build further understanding and to address the barriers that appear to exist throughout the profession (either real or perceived) that those working amended hours, and/or more flexibly, and those that take career breaks are not held back in their careers and denied promotion;
 - it may be interesting to monitor whether more members take-up the facilities offered to allow them to work from home/remotely as time goes on and technology makes this seem more 'normal', and whether this is considered to be a benefit or an imposition on personal time;
 - it will be important to continue to monitor instances of discrimination within the profession and for steps to be taken to reduce/eliminate this;
 - although relatively low across the profession as a whole, the incidence of active bullying and harassment may be of concern to the profession; and
 - the small numbers in relation to certain protected characteristics make statistical conclusions difficult, therefore, it may be worthwhile considering alternative approaches to ensure the needs of these groups are understood.

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Report Appendix A

SURVEY QUESTIONNAIRE

PROFILE OF THE PROFESSION

Study for the Law Society of Scotland

This questionnaire should take around 10 minutes to complete, and seeks the following information:

- a). your professional background, whether you are currently working, and if so in what role;
- b). details of your current working patterns, including your hours of work, any flexible working arrangements and use of any career breaks;
- c). your experiences of any form of discrimination within the profession in Scotland; and
- d). demographic information which will be used to monitor diversity within the profession.

The covering letter you should have received with this, also available on our website, explains why gaining this information from as many solicitors as possible is vital, and we thank you in advance for your help.

In Section B we are going to ask you about your contracted hours (including any 'flexi-time'), additional hours you work, your access to technology and the places you work from to allow us to build a profile of the working patterns of solicitors and how this may link to career progression.

We use '**amended working hours**' to mean a contractual change to your hours of work i.e. where your contractual hours are reduced from the standard full time contracted hours of your employer (often referred to as 'part time') and/or where the days you are contracted to work are varied (such as condensing 35 or 40 hours a week into four days or working only during 'term time').

We use '**flexible working**' as a term to describe measures which allow employees to adjust the start and end times of their working day e.g. to avoid peak hours congestion, to allow for children to be dropped off/picked up from school or to fit with other activities. It also includes the ability to work from home or from offices or locations other than your 'normal place of work'. We also wish to explore whether your working patterns are being influenced by the use of technology.

A box is provided on the last page should you have further comments or require additional space for responses. If necessary, please also use additional pages and attach these to the end of the questionnaire. Please include the relevant question number at the start of any additional/extended responses.

YOUR PARTICIPATION AND RESPONSES WILL BE TREATED CONFIDENTIALLY, AND INDIVIDUALS WILL NOT BE IDENTIFIED FROM THE RESULTS.

The questionnaire is **also available online** at www.mvasurvey.com/LawSocietyofScotland or can be accessed through the Law Society's website at www.lawscot.org.uk/profile.

Please direct any queries or concerns you may have about this survey to:

Elaine Wilson Smith, MVA: ewilsonsmith@mvaconsultancy.com (Ph: 0131 220 6966).

Neil Stevenson, The Law Society of Scotland: neilstevenson@lawscot.org.uk (Ph: 0131 476 8360).

Returning the questionnaire:

Please use the postage paid envelope provided with this form to return the questionnaire by **30 June**. Alternatively the questionnaire can be returned to:

MVA Consultancy
78 St Vincent Street
Glasgow
G2 5UB



SECTION A: CAREER INFORMATION

1. How many years ago did you complete your traineeship (whether you have worked in law since or not)? *(Please tick one option only.)*

- | | | | | | |
|--------------------------|--------------------------|---|-------------|--------------------------|---|
| I am currently a trainee | <input type="checkbox"/> | 1 | 16-20 years | <input type="checkbox"/> | 6 |
| Less than 1 year | <input type="checkbox"/> | 2 | 21-30 years | <input type="checkbox"/> | 7 |
| 1-5 years | <input type="checkbox"/> | 3 | 31-40 years | <input type="checkbox"/> | 8 |
| 6-10 years | <input type="checkbox"/> | 4 | 41 + years | <input type="checkbox"/> | 9 |
| 11-15 years | <input type="checkbox"/> | 5 | | | |

2. Are you currently employed within the legal profession (e.g. in a law firm, an in-house legal team, legal academic, legal researcher, or carrying out substantive legal work.)?

- Yes ₁ (GO TO Q3) No ₂ (GO TO Q12a)

3. Which description below best describes your main employment/employer? *(Please tick one option only.)*

- | | | | |
|------------------|--|--------------------------|----|
| | Sole Practitioner | <input type="checkbox"/> | 1 |
| | Private Practice – 5 or fewer partners | <input type="checkbox"/> | 2 |
| Private Practice | Private Practice – 6-10 partners | <input type="checkbox"/> | 3 |
| | Private Practice – 11-15 partners | <input type="checkbox"/> | 4 |
| | Private Practice – 16 or more partners | <input type="checkbox"/> | 5 |
| ----- | | | |
| | Local Government | <input type="checkbox"/> | 6 |
| | Central Government | <input type="checkbox"/> | 7 |
| | Crown Office and Procurator Fiscal Service (COPFS) | <input type="checkbox"/> | 8 |
| Other Sectors | Other Public Body | <input type="checkbox"/> | 9 |
| | Charity Sector | <input type="checkbox"/> | 10 |
| | Commercial Organisation | <input type="checkbox"/> | 11 |
| | Higher or Further Education | <input type="checkbox"/> | 12 |
| | Other (please specify)..... | <input type="checkbox"/> | 13 |

4. What areas of law do you currently work in? *(Please tick all that apply.)*

- | | | | | | |
|---------------------------------|--------------------------|---|---------------------------|--------------------------|----|
| Criminal Law | <input type="checkbox"/> | 1 | Personal Injury | <input type="checkbox"/> | 8 |
| Employment Law | <input type="checkbox"/> | 2 | Administrative/Public Law | <input type="checkbox"/> | 9 |
| Child, Family & Matrimonial Law | <input type="checkbox"/> | 3 | Private Client | <input type="checkbox"/> | 10 |
| Commercial or Banking Law | <input type="checkbox"/> | 4 | In-House Legal Advisor | <input type="checkbox"/> | 11 |
| Corporate Law | <input type="checkbox"/> | 5 | Agricultural Law | <input type="checkbox"/> | 12 |
| Commercial Conveyancing | <input type="checkbox"/> | 6 | Other (please specify) | <input type="checkbox"/> | 13 |
| Domestic Conveyancing | <input type="checkbox"/> | 7 | | | |

5. In which Sheriffdom(s) or geographical area(s) do you work? *(Please tick all that apply.)*

- | | | | | | |
|--|--------------------------|---|----------------------|--------------------------|----|
| Glasgow and Strathkelvin | <input type="checkbox"/> | 1 | England and/or Wales | <input type="checkbox"/> | 7 |
| Grampian, Highland and Islands | <input type="checkbox"/> | 2 | Northern Ireland | <input type="checkbox"/> | 8 |
| Lothian and Borders | <input type="checkbox"/> | 3 | EU/EEA Country | <input type="checkbox"/> | 9 |
| North Strathclyde | <input type="checkbox"/> | 4 | International | <input type="checkbox"/> | 10 |
| South Strathclyde, Dumfries and Galloway | <input type="checkbox"/> | 5 | | | |
| Tayside, Central and Fife | <input type="checkbox"/> | 6 | | | |

6. What is your current salary/earnings per annum? *If you are not full time please provide the full time equivalent of your current salary/earnings.*

- | | | | |
|--------------------|--------------------------|------------------------------------|--------------------------|
| Less than £10,000 | <input type="checkbox"/> | £50,001 to £55,000 | <input type="checkbox"/> |
| £10,001 to £15,000 | <input type="checkbox"/> | £55,001 to £60,000 | <input type="checkbox"/> |
| £15,001 to £20,000 | <input type="checkbox"/> | £60,001 to £65,000 | <input type="checkbox"/> |
| £20,001 to £25,000 | <input type="checkbox"/> | £65,001 to £70,000 | <input type="checkbox"/> |
| £25,001 to £30,000 | <input type="checkbox"/> | £70,001 to £80,000 | <input type="checkbox"/> |
| £30,001 to £35,000 | <input type="checkbox"/> | £80,001 to £90,000 | <input type="checkbox"/> |
| £35,001 to £40,000 | <input type="checkbox"/> | £90,001 to £100,000 | <input type="checkbox"/> |
| £40,001 to £45,000 | <input type="checkbox"/> | £100,001 to £150,000 | <input type="checkbox"/> |
| £45,001 to £50,000 | <input type="checkbox"/> | More than £150,000 | <input type="checkbox"/> |
| | | Prefer not to answer this question | <input type="checkbox"/> |

7. What are (a) your day-to-day work motivations and (b) your future career aspirations?
(We know you will have many motivations and aspirations but we wish to focus on the most important.)

Please select your top 3 options only from lists (a) and (b) below.

a. Day-to-day motivations *(tick 3 options)*

- Salary
- Possibility of promotion
- Quality of work
- Variety of work
- Level of responsibility
- Seniority
- Management role
- Client facing role
- Work is close to home
- Flexibility in work locations
- Length of commute
- Work-life balance
- Job security
- Good working conditions
- Included in decision making
- Access to training and development
- Supportive manager
- Colleagues you work with
- Appreciated for role you do
- Opportunities to help others
- Other, please specify

.....

b. Future career aspirations *(tick 3 options)*

- Higher salary
- Promotion
- Greater quality of work
- Greater variety of work
- Greater responsibility
- Seniority
- Managing a team
- Client facing role
- Work closer to home
- Greater flexibility in work locations
- Reduced commute
- Improved work-life balance
- Improved job security
- Better working conditions
- To be more included in decision making
- Better access to training and development
- To work for a more supportive manager
- To work with a new set of colleagues
- To be more appreciated for role you do
- More opportunities to help others
- Setting up on my own
- Becoming an Advocate
- Gaining Judicial Office
- Other, please specify

.....

8. What is your current position within your firm/organisation? *(Please tick one option only.)*

- | | | |
|------------------|--------------------------------------|---|
| | Trainee | <input type="checkbox"/> ₁ (GO TO Q9) |
| | Assistant | <input type="checkbox"/> ₂ (GO TO Q9) |
| | Associate | <input type="checkbox"/> ₃ (GO TO Q9) |
| | Senior Associate | <input type="checkbox"/> ₄ (GO TO Q9) |
| Private Practice | Salaried Partner | <input type="checkbox"/> ₅ (GO TO Q10) |
| | Equity Partner | <input type="checkbox"/> ₆ (GO TO Q10) |
| | Consultant | <input type="checkbox"/> ₇ (GO TO Q9) |
| | PSL (Professional Support Lawyer) | <input type="checkbox"/> ₈ (GO TO Q9) |
| | Other (please specify) | <input type="checkbox"/> ₉ (GO TO Q9) |
| <hr/> | | |
| | Trainee | <input type="checkbox"/> ₁₀ (GO TO Q9) |
| | Solicitor team member, or equivalent | <input type="checkbox"/> ₁₁ (GO TO Q9) |
| Other Sectors | Senior team member, or equivalent | <input type="checkbox"/> ₁₂ (GO TO Q9) |
| | Team manager, or equivalent | <input type="checkbox"/> ₁₃ (GO TO Q9) |
| | Director, or equivalent | <input type="checkbox"/> ₁₄ (GO TO Q9) |
| | Other (please specify) | <input type="checkbox"/> ₁₅ (GO TO Q9) |

9a. If working in private practice or planning to move back to private practice, how important is achieving partner status to you? *(Please circle one number only.)*

Not at all important					Very Important	Don't Know	Not Applicable
1	2	3	4	5	6	7	

9b. If you rated Q9a as 1 or 2, please explain why you consider achieving partnership status to be of low importance.

.....

.....

.....

.....

9c. Have you previously applied for partnership but were rejected/not supported?

Yes ₁ (GO TO Q9d) No ₂ (GO TO Q11)

9d. If you have been rejected/not supported in an application for partnership, what do you think the reasons were? *(Please detail below then go to Q11.)*

.....

.....

.....

.....

10a. If you are a partner, how many years were you a senior associate (or other level below partner) before becoming a partner?.....

10b. How many times did you put yourself forward before you were successful in becoming a partner?.....

11. Do you feel there is transparency in the criteria to become a partner in your firm?

Yes _1 No _2 Don't Know _3 Not Applicable _4

SUMMER/HOLIDAY PLACEMENTS AND YOUR TRAINEESHIP

12a. How many summer or holiday placements did you complete prior to gaining a traineeship?

0 _0 (GO TO Q13)
1 _1 2 _2 3 _3 4 or more _4

12b. Were these paid?

Yes, all _1 Yes, some _2 No _3

12c. Were you offered a traineeship with one or more of the firms or employing organisations you did a summer/holiday placement with?

Yes, and I accepted the offer _1 Yes, but I took another offer _2 No _3

SECTION B: WORK PATTERNS

Please read the text box which appears on the front cover of this questionnaire for an explanation of the background to this section and definitions of some of the terms used here.

HOURS WORKED

13. Do you currently work: *(Please tick all that apply; if you do not recognise terms it is likely they don't apply.)*

- | | | | |
|---------------------|-----------------------------|--|------------------------------|
| Full time | <input type="checkbox"/> _1 | Extended annual leave entitlement | <input type="checkbox"/> _8 |
| Part time | <input type="checkbox"/> _2 | Job share | <input type="checkbox"/> _9 |
| Condensed hours | <input type="checkbox"/> _3 | Locum | <input type="checkbox"/> _10 |
| Monthly hours | <input type="checkbox"/> _4 | Temporary contract | <input type="checkbox"/> _11 |
| Annualised hours | <input type="checkbox"/> _5 | Have more than one substantive paid employment | <input type="checkbox"/> _12 |
| Zero hours contract | <input type="checkbox"/> _6 | Other (please specify) | <input type="checkbox"/> _13 |
| Term time working | <input type="checkbox"/> _7 | | |

14. How many hours per week are you CONTRACTED to work in your MAIN paid employment?..... Don't Know _0

15. How frequently do you work additional hours in your MAIN paid employment?

- | | | | |
|---|--|---------------------------|-----------------------------|
| Never | <input type="checkbox"/> _0 (GO TO Q19a) | Once per week | <input type="checkbox"/> _3 |
| Seldom | <input type="checkbox"/> _1 (GO TO Q18) | Two or three times a week | <input type="checkbox"/> _4 |
| Only during peak periods in the year e.g. during deals, end of financial year | <input type="checkbox"/> _2 | Every day | <input type="checkbox"/> _5 |

16a. Approximately, how many additional hours do you work per week in your MAIN paid employment IN THE OFFICE OR 'AT WORK'?.....

16b. Are these additional hours remunerated over and above your contracted salary?

Always _1 Sometimes _2 Never _3

17a. In your MAIN paid employment, approximately, how many additional hours do you work per week FROM HOME or another location which is not 'at work'?.....

17b. Are these additional hours remunerated over and above your contracted salary?

Always _1 Sometimes _2 Never _3

18. How often do you work the following as additional hours either in the office or at home? (Please circle one number per row.)

	Never	Seldom	Once a week	Two or three times a week	Every day	N/A*
a. Commence work before 7am	1	2	3	4	5	6
b. Commence work before 8am	1	2	3	4	5	6
c. Commence work before 9am	1	2	3	4	5	6
d. Work lunch breaks	1	2	3	4	5	6
e. Continue to work after 5pm	1	2	3	4	5	6
f. Restart or continue to work after 6pm	1	2	3	4	5	6
g. Restart or continue to work after 7pm	1	2	3	4	5	6
h. Restart or continue to work after 8pm	1	2	3	4	5	6
i. Work on a Saturday	1	2	3	4	5	6
j. Work on a Sunday	1	2	3	4	5	6
k. Work any non-contracted weekdays	1	2	3	4	5	6
l. Work while on annual leave	1	2	3	4	5	6

* N/A = Not Applicable

19a. Are you currently allowed to do the following during your contracted working hours, whether this is a formal or informal agreement?

- a. Work from home** Yes ₁ No ₂
- b. Mobile/remote working** Yes ₁ No ₂

19b. How frequently do you work from home or remotely during your contracted working hours?

- Never ₁ Two or three times a week ₄
- Seldom ₂ Every day ₅
- Once per week ₃

20a. Do you or could you have access to emails and/or office systems and files on any of the following when out of the office? (Please tick all that apply.)

	Emails	Office Systems and Files
On a mobile phone (e.g. blackberry, iphone)	<input type="checkbox"/> ₁	<input type="checkbox"/> ₅
On a tablet (e.g. ipad)	<input type="checkbox"/> ₂	<input type="checkbox"/> ₆
On a laptop/netbook	<input type="checkbox"/> ₃	<input type="checkbox"/> ₇
On a desktop PC	<input type="checkbox"/> ₄	<input type="checkbox"/> ₈

20b. If yes to any of the above, are you EXPECTED to access emails, office systems or files 'out of hours'?

- Yes – evenings ₁ Yes – main holidays ₄
- Yes – weekends ₂ No – do not check out of hours ₅
- Yes – days off ₃ No – have chosen not to activate these options ₆

AVAILABILITY OF FLEXI-TIME

21a. Do you have access to flexi-time (the ability to vary hours on a day-to-day basis to some extent)?

- Yes ₁ (GOTO Q21b) No ₂ (GO TO Q22a) Don't Know ₃ (GO TO Q22a)

21b. Does this flexi-time allow you to take additional half-days or days off work?

- Yes ₁ No ₂ Don't Know ₃

26. How supportive is your firm/employer in relation to your current working pattern?

Very unsupportive					Very supportive	Don't know/ Not applicable
1	2	3	4	5	6	

27. Do you plan to continue to work on amended working hours for the rest of your career?

Yes	<input type="checkbox"/> ₁	Not sure	<input type="checkbox"/> ₃
Only for a period/until my priorities change	<input type="checkbox"/> ₂	No	<input type="checkbox"/> ₄

28a. Since you have been working amended hours do you feel it has had any potential negative impact on your career progression?

No	<input type="checkbox"/> ₁ (GO TO Q29)
Yes – but temporary, will be partially remedied when working full-time again	<input type="checkbox"/> ₂ (GO TO Q28b)
Yes – but temporary, will be fully remedied when working full-time again	<input type="checkbox"/> ₃ (GO TO Q28b)
Yes – lasting	<input type="checkbox"/> ₄ (GO TO Q28b)

28b. If yes, please provide details of these impacts:

.....

.....

.....

.....

29. Are there employee groups you feel are given priority in requests for amended working hours?

(Please tick all that apply.)

Not applicable, no one in firm works/firm does not allow amended hours	<input type="checkbox"/> ₀		
Specific members (not specified)	<input type="checkbox"/> ₁	Friendly with senior staff	<input type="checkbox"/> ₉
Certain departments	<input type="checkbox"/> ₂	Certain positions (i.e. not front line)	<input type="checkbox"/> ₁₀
Senior staff	<input type="checkbox"/> ₃	Staff in lower grades	<input type="checkbox"/> ₁₁
Long term employees	<input type="checkbox"/> ₄	Women	<input type="checkbox"/> ₁₂
Hard workers	<input type="checkbox"/> ₅	Men	<input type="checkbox"/> ₁₃
Those with elder care responsibilities	<input type="checkbox"/> ₆	Other (please specify)	<input type="checkbox"/> ₁₄
Those with children	<input type="checkbox"/> ₇	
Staff with illnesses	<input type="checkbox"/> ₈	Do not feel that any groups are given priority	<input type="checkbox"/> ₁₅

CAREER BREAKS

30a. How many times have you taken maternity/paternity/adoption leave?

None	<input type="checkbox"/> ₀ (GO TO Q31a)				
Once	<input type="checkbox"/> ₁	Twice	<input type="checkbox"/> ₂	Three times	<input type="checkbox"/> ₃
				Four or more times	<input type="checkbox"/> ₄

30b. What period, in weeks, did you take off on the most recent three occasions of maternity/paternity/adoption leave? (Please start with the MOST RECENT.)

Most Recent	<input type="text"/>	2 nd Most Recent	<input type="text"/>	3 rd Most Recent	<input type="text"/>
-------------	----------------------	-----------------------------	----------------------	-----------------------------	----------------------

36. Whatever your work pattern, please list (a) three positives and (b) three negatives for YOU around amended working and/or flexible working and/or remote access whether you use these or not?

a. Positives

- 1
- 2
- 3

b. Negatives

- 1
- 2
- 3

37a. If you work in a team with some staff working on amended hours or with increased flexibility are there any POSITIVE consequences for THE TEAM? (Please tick all that apply.)

- Not applicable/do not work in a team where some people work flexibly 0
- Less stressful 1
- Everyone treated the same 2
- Convenient 3
- Keeps valued members of staff 4
- Better work-life balance for colleague 5
- Knowing that flexible working is an option 6
- Allows business flexibility 7
- Allows me to work flexibly 8
- Colleagues have more job satisfaction/work harder 9
- Allows staff flexibility 10
- Better working atmosphere 11
- None 12
- Other (please specify) 13

37b. If you work in a team with some staff working on amended hours or with increased flexibility are there any NEGATIVE consequences for THE TEAM? (Please tick all that apply.)

- Not applicable/do not work in a team where some people work flexibly 0
- Work not completed/delays in work being completed 1
- Low staff morale 2
- Stressful/puts more pressure on other people 3
- Restriction in holidays/time off 4
- Continuity issues 5
- Staff shortages/staff unwilling to cover 6
- Cover colleagues' work 7
- Increased workload/varied workload 8
- Colleagues not available 9
- Lack of interaction between staff 10
- None 11
- Other (please specify) 12

SECTION C: EXPERIENCE OF DISCRIMINATION

Discrimination = Treating someone less favourably than someone else – or less favourably than other people – on the basis of a 'protected characteristic' from the Equality Act 2010, for example, race, sex, or disability.

38. Do you feel you have been discriminated against within a work environment in the last five years?

Yes ₁ (GO TO Q39) No ₂ (GO TO Q41)
 Prefer not to answer this question ₃ (GO TO Q41)

39. Please fill out the table below. Across the top are broad groups of issues which are often the focus of discrimination. Follow each column down and tick all the boxes which describe the types of discrimination that you feel you have experienced. You can tick as many or as few as apply.

	Age	Disability	Gender/Sex	Marriage/Civil Partnership	Pregnancy & Maternity	Race	Religion or Belief	Sexual Orientation	Transgender/Gender Reassignment	Socio-Economic Background	Amended/Flexible Working Patterns	Other
In undergraduate law study												
In the Diploma / PEAT 1												
In securing a traineeship												
In securing a first NQ job												
In relation to salary												
Left out of communication												
Not considered for promotion												
In relation to selection for redundancy												
Not considered for training												
Allocation of work												
Allocation of flexi-time												
Allocation of leave												
Allocation of other benefits												
Bullying												
Harassment												
In relation to social activities												
In relation to networking												
Other, please specify below												

Please specify:

40. Would you be willing to share below a longer description of any issues of discrimination which you believe you have faced? This may help in the development of policy and/or training as well as fostering a better understanding of the issues facing solicitors.

Please provide details:

SECTION D: DEMOGRAPHIC INFORMATION

41. Age: Please tick the appropriate box.

- | | | | |
|--------------|---------------------------------------|------------------------------------|---------------------------------------|
| Less than 25 | <input type="checkbox"/> ₁ | 56 to 65 | <input type="checkbox"/> ₅ |
| 25 to 35 | <input type="checkbox"/> ₂ | 66 to 72 | <input type="checkbox"/> ₆ |
| 36 to 45 | <input type="checkbox"/> ₃ | 73 and older | <input type="checkbox"/> ₇ |
| 46 to 55 | <input type="checkbox"/> ₄ | Prefer not to answer this question | <input type="checkbox"/> ₀ |

42. What age were you when you fully qualified as a solicitor?

(i.e. age when you fully completed your traineeship/apprenticeship).....

43. What is your sex?

- Male ₁ Female ₂ Prefer not to answer this question ₀

44. Would you consider yourself to be transgender?

- Yes ₁ No ₂ Prefer not to answer this question ₀

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

- | | | | |
|-----------------------|---------------------------------------|------------------------------------|---------------------------------------|
| Heterosexual/straight | <input type="checkbox"/> ₁ | Bi-sexual woman | <input type="checkbox"/> ₅ |
| Gay man | <input type="checkbox"/> ₂ | Other (please specify): | <input type="checkbox"/> ₆ |
| Lesbian | <input type="checkbox"/> ₃ | | |
| Bi-sexual man | <input type="checkbox"/> ₄ | Prefer not to answer this question | <input type="checkbox"/> ₀ |

46. What is your ethnic group? Please tick the box you feel best describes your ethnic group.

White

- Scottish ₁
 Other British ₂
 Irish ₃
 Gypsy/Traveller ₄
 Polish ₅
 Other white ethnic group (please specify) ₆

Mixed or multiple ethnic groups

- (please specify) ₇

Asian, Asian Scottish or Asian British

- Pakistani, Pakistani Scottish or Pakistani British ₈
 Indian, Indian Scottish or Indian British ₉
 Bangladeshi, Bangladeshi Scottish or Bangladeshi British ₁₀
 Chinese, Chinese Scottish or Chinese British ₁₁
 Other (please specify) ₁₂

African

- African, African Scottish or African British ₁₃
 Other (please specify) ₁₂

Caribbean or Black

- Caribbean, Caribbean Scottish or Caribbean British ₁₃
 Black, Black Scottish or Black British ₁₄
 Other (please specify) ₁₅

Other Ethnic Group

- Arab, Arab Scottish or Arab British ₁₆
 Other (please specify) ₁₇

- Prefer not to answer this question ₀

47a. Do you consider yourself to have a disability?

Section 6 of the Equality Act 2010 sets out the circumstances in which a person is considered 'disabled'. It says:
A person (P) has a disability if:
(a) P has a physical or mental impairment, and
(b) the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities.

Yes ₁ (GO TO Q47b) No ₂ (GO TO Q48)
I would prefer not to answer this question ₀ (GO TO Q48)

47b. If yes, which best describes the type(s) of condition(s) you have? (Please tick all that apply.)

- Deafness or partial hearing loss ₁
- Blindness or partial sight loss ₂
- Learning disability (e.g. Down's Syndrome) ₃
- Learning difficulty (e.g. dyslexia) ₄
- Developmental disorder (e.g. Autistic Spectrum Disorder or Asperger's Syndrome) ₅
- Physical disability ₆
- Mental health condition ₇
- Long-term illness, disease or condition ₈
- Other (please specify): ₉
- I would prefer not to answer this question ₀

47c. Were you disabled when you initially applied for your traineeship?

Yes ₁ (GO TO Q47d) No ₂ (GO TO Q47e)
I would prefer not to answer this question ₀ (GO TO Q47e)

47d. Did you declare your disability/condition in your applications for a traineeship?

Yes ₁ No ₂
I would prefer not to answer this question ₀

47e. If you have requested any adjustments within your workplace, were these provided?

- Not requested an adjustment ₁ Requested, and it was provided ₃
- Requested, but it was not provided ₂ I would prefer not to answer this question ₀

47f. If an adjustment was provided, what was the adjustment?

.....
.....

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

- None ₀ Sikh ₆
- Church of Scotland ₁ Jewish ₇
- Roman Catholic ₂ Hindu ₈
- Other Christian ₃ Other (please specify): ₉
- Muslim ₄
I would prefer not to answer this question ₀
- Buddhist ₅

49. What is your legal marital or same-sex civil partnership status?

- Never married and never registered a same-sex civil partnership 1
- Married 2
- In a registered same-sex civil partnership 3
- Separated, but still legally married 4
- Separated, but still legally in a same-sex civil partnership 5
- Divorced 6
- Formerly in a same-sex civil partnership which is now legally dissolved 7
- Widowed 8
- Surviving partner from a same-sex civil partnership 9
- I would prefer not to answer this question 0

50a. Do you have any dependants? (*Dependants would include children aged 16 or under whether or not they live with you; children aged 17-25 in full-time education whether or not they live with you; people other than children for whom you have significant caring responsibilities, e.g. an elderly relative or a disabled adult.*)

Yes 1 (GO TO Q50b) No 2 (GO TO Q51)

50b. If yes, please indicate type of dependant/s: (*Please tick all that apply*)

- Pre-school child/children 1
- Child/children at primary school 2
- Child/children at secondary school 3
- Child/children at university 4
- Disabled adult 5
- Elderly parent/relative (your direct relative) 6
- Elderly parent/relative (current partner's relative) 7
- Elderly parent/relative (other) 8
- Other (please specify)..... 9

50c. Who is their primary caregiver?

- Self 1
- Partner 2
- Fairly evenly split between self and partner 3
- Someone else (please specify)..... 4

50d. Who primarily takes time off work when a child or other dependant is ill?

- Partner does not work so not an issue 1
- Self 2
- Partner 3
- Fairly evenly split between self and partner 4
- Someone else (please specify)..... 5

51. Did you attend a state or private school for secondary school?

State School 1 Private School 2 I would prefer not to answer this question 0

52a. What were the occupations (or most recent occupations) of your parents/main carers at the time you started studying for your law degree or professional exams? *By parents we are interested in the two people who had the main responsibility for your upbringing. This may include step-parents or a parent's partner, foster parents, or any other combination of carers.*

	a. Father/Carer 1 <i>Please tick</i>	b. Mother/Carer 2 <i>Please tick</i>
Unemployed	<input type="checkbox"/> ₁	<input type="checkbox"/> ₁
Unskilled	<input type="checkbox"/> ₂	<input type="checkbox"/> ₂
Skilled	<input type="checkbox"/> ₃	<input type="checkbox"/> ₃
Self-employed	<input type="checkbox"/> ₄	<input type="checkbox"/> ₄
Professional	<input type="checkbox"/> ₅	<input type="checkbox"/> ₅
Managerial	<input type="checkbox"/> ₆	<input type="checkbox"/> ₆
Executive	<input type="checkbox"/> ₇	<input type="checkbox"/> ₇
Legal – Solicitor	<input type="checkbox"/> ₈	<input type="checkbox"/> ₈
Legal – Advocate	<input type="checkbox"/> ₉	<input type="checkbox"/> ₉
Legal – Other (please specify)	<input type="checkbox"/> ₁₀	<input type="checkbox"/> ₁₀
Full-time parent/carer	<input type="checkbox"/> ₁₁	<input type="checkbox"/> ₁₁
Other (please specify)	<input type="checkbox"/> ₁₂	<input type="checkbox"/> ₁₂
Deceased	<input type="checkbox"/> ₁₃	<input type="checkbox"/> ₁₃
Not Known	<input type="checkbox"/> ₁₄	<input type="checkbox"/> ₁₄
I would prefer not to answer these questions	<input type="checkbox"/> ₀	

52b. Did your parents attend university?

Both parents did	<input type="checkbox"/> ₁	Neither attended university	<input type="checkbox"/> ₄
Father only	<input type="checkbox"/> ₂	Don't Know	<input type="checkbox"/> ₅
Mother only	<input type="checkbox"/> ₃	Prefer not to answer this question	<input type="checkbox"/> ₀

Judicial Appointments Board Questions

In October 2009 the Judicial Appointments Board for Scotland (JABS) published findings of a survey in which the entire legal profession in Scotland was asked for its views and perceptions of judicial office and the Board's appointment processes. One of the aims of the survey was to identify factors which were perceived as either encouraging or discouraging to those who might consider applying for judicial office. JABS would be interested to compare the response from the 2009 report with the findings from this survey.

1. Have you ever applied for judicial office through the JABS process?

Yes ₁ No ₂ Don't Know ₃

2. What are the main considerations which would lead/have led you to apply for judicial office?

.....

3. What are the main considerations which would discourage/have discouraged you from applying for judicial office?

.....

4. How might JABS better fulfil its statutory duty "to encourage diversity in the range of individuals available for selection to be recommended for appointment to a judicial office"?

.....

The Society would like to conduct further, more detailed research into members' views and experiences of some of the topics covered here. If you would be interested/willing to be contacted about this further research, please provide your preferred contact details below. Thank you.

.....

THANK YOU FOR YOUR TIME. THE BOXES BELOW PROVIDE AN OPPORTUNITY FOR YOU TO ADD ANY ADDITIONAL INFORMATION YOU FEEL IS RELEVANT/IMPORTANT.

Please use the box below to describe what you think are the key challenges and opportunities around changing patterns of work.

If you need additional space for answers to any of the questions within this questionnaire, please use the box below. Alternatively, please attach additional sheets to this questionnaire. Please clearly mark which question each response relates to. Likewise, if there is any additional information you would like to add, anything you don't think has been covered, or any comments on the questionnaire, again, please use the box below or attach additional sheets.

PLEASE NOW RETURN YOUR QUESTIONNAIRE USING THE REPLY PAID ENVELOPE PROVIDED OR RETURN TO MVA CONSULTANCY, 78 ST VINCENT STREET, GLASGOW, G2 5UB.

Report Appendix B

Table 1. Type of disability or impairment

	Percentage of total sample	Percentage of those currently employed in legal profession
Deafness or partial hearing loss	19%	17%
Blindness or partial sight loss	4%	5%
Learning disability (e.g. Down's Syndrome)	0%	0%
Learning difficulty (e.g. dyslexia)	10%	11%
Developmental disorder (e.g. Autistic Spectrum Disorder or Asperger's Syndrome)	1%	0%
Physical disability	21%	20%
Mental health condition	13%	11%
Long-term illness, disease or condition	37%	38%
Other	13%	11%
Sample (n)	119	93

Table 2. Religion

	N	%
None	1566	46%
Church of Scotland	1033	30%
Roman Catholic	378	11%
Other Christian	197	6%
Muslim	23	1%
Buddhist	<10	<1%
Sikh	<10	<1%
Jewish	11	<1%
Hindu	11	<1%
Other	66	2%
Not disclosed	112	3%
Sample	3,408	100%

Note: due to the very small numbers of Buddhist and Sikh respondents this has been reported as less than 10 respondents to avoid identifying individuals.

Table 3. Areas of law respondents currently work in

	Male	Female	Total	Sig.
Criminal Law	15%	10%	13%	***
Employment Law	15%	11%	13%	**
Child, Family & Matrimonial Law	15%	17%	16%	
Commercial or Banking Law	18%	13%	16%	***
Corporate Law	18%	11%	14%	***
Commercial Conveyancing	27%	19%	23%	***
Domestic Conveyancing	25%	18%	22%	***
Personal Injury	14%	12%	13%	.
Administrative/Public Law	10%	9%	9%	
Private Client	26%	19%	23%	***
In-House Legal Advisor	15%	16%	16%	
Agricultural Law	6%	4%	5%	***
Other	22%	23%	23%	
Sample	1532	1563	3095	

Significance codes: 0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' ' 1

Table 4. Current position in firm/organisation by gender and post-qualification experience (PQE)

		Private Practice (%)									In-House (%)							
		Trainee	Assistant	Associate	Senior Associate	Salaried Partner	Equity Partner	Consultant	PSL	Private Practice Other	Sample (n)	Trainee	Solicitor Team Member, or Equivalent	Senior Team Member, or Equivalent	Team Manager, or Equivalent	Director or Equivalent	Other Sectors: Other	Sample (n)
Trainee	Male	99	1								80	100						4
	Female	99	1								143	100						9
1-5 Years	Male	1	76	17	1	2	3			1	171		74	9	6	0	11	53
	Female	1	79	14	1	2	1			4	317		74	11	3	1	11	93
6-10 Years	Male		14	35	24	11	11	0	0	6	84		42	38	9	9	2	53
	Female		21	43	18	8	4	1	1	5	175		44	34	13	4	5	79
11-20 Years	Male		4	15	13	16	43	2	2	5	232		17	25	26	24	8	102
	Female		7	24	18	17	24	<1	2	8	209		39	24	20	9	9	127
21-30 Years	Male		2	5	3	11	69	5	1	4	241		14	22	25	26	13	92
	Female		11	18	9	15	39	3	1	4	160		22	26	33	9	9	96
31+ Years	Male		3	1	1	9	59	22	1	5	338		16	10	9	40	24	67
	Female		5	15	1	12	48	10	0	7	91		24	12	18	16	29	49

Table 5. Working Patterns

	Never	Seldom	Once a week	Two or three times a week	Everyday	N/A*	Total
Commence work before 7am	59%	31%	4%	2%	2%	2%	2490
Commence work before 8am	24%	38%	12%	12%	12%	2%	2653
Commence work before 9am	5%	13%	9%	19%	52%	2%	2737
Work lunch breaks	2%	13%	13%	41%	30%	1%	2882
Continue to work after 5pm	2%	8%	7%	23%	59%	1%	2892
Restart or continue to work after 6pm	12%	24%	14%	26%	22%	2%	2650
Restart or continue to work after 7pm	17%	34%	18%	21%	8%	2%	2689
Restart or continue to work after 8pm	23%	38%	17%	16%	4%	2%	2684
Work on a Saturday	27%	60%	10%	1%	2%	1%	2803
Work on a Sunday	27%	55%	13%	1%	2%	1%	2818
Work any non-contracted weekdays	26%	28%	6%	2%	2%	37%	2675
Work while on annual leave	37%	40%	8%	9%	4%	3%	2826

Table 6. Access emails and/or office files 'out of hours'

	Male	Female	Total	Sig.
Yes – evenings	55%	42%	49%	***
Yes – weekends	44%	32%	38%	***
Yes – days off	39%	35%	37%	*
Yes – main holidays	29%	20%	25%	***
No – do not check out of hours	28%	36%	32%	***
No – have chosen not to activate these options	15%	16%	15%	
Sample	1337	1300	2636	

Significance codes: 0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' ' 1

Table 7. Positive Consequences for the Team

Positive consequences	Male	Female	Total	Sig.
Not applicable/do not work in a team where some people work flexibly	34%	26%	30%	***
Less stressful	8%	8%	8%	
Everyone treated the same	7%	8%	7%	
Convenient	10%	10%	10%	
Keeps valued members of staff	26%	35%	31%	***
Better work-life balance for colleague	30%	39%	35%	***
Knowing that flexible working is an option	14%	26%	20%	***
Allows business flexibility	10%	12%	11%	
Allows me to work flexibly	8%	15%	12%	***
Colleagues have more job satisfaction/ work harder	14%	21%	18%	***
Allows staff flexibility	19%	22%	21%	.
Better working atmosphere	14%	22%	18%	***
None	6%	6%	6%	
Other	1%	1%	1%	
Sample	1688	1720	3408	

Table 8. Negative Consequences for the Team

Negative consequences	Male	Female	Total	Sig.
Not applicable/do not work in a team where some people work flexibly	33%	26%	29%	***
Work not completed/delays in work being completed	16%	20%	18%	**
Low staff morale	2%	3%	2%	*
Stressful/puts more pressure on other people	19%	23%	21%	**
Restriction in holidays/time off	7%	13%	10%	***
Continuity issues	20%	19%	19%	
Staff shortages/staff unwilling to cover	8%	11%	9%	**
Cover colleagues work	14%	19%	17%	***
Increased workload/varied workload	8%	10%	9%	*
Colleagues not available	22%	27%	24%	***
Lack of interaction between staff	9%	10%	10%	
None	10%	9%	10%	
Other	1%	2%	2%	*
Sample	1688	1720	3408	

Table 9. Salary/Earning per annum by Gender

	Male	Female	Total	Sig.
£0 to £15,000	2%	2%	2%	
£15,001 to £25,000	8%	13%	11%	***
£25,001 to £35,000	13%	21%	17%	***
£35,001 to £45,000	15%	23%	19%	***
£45,001 to £55,000	12%	15%	14%	*
£55,001 to £65,000	9%	9%	9%	
£65,001 to £80,000	11%	7%	9%	***
80,001 to £100,000	9%	4%	6%	***
£100,001 to £150,000	11%	4%	7%	***
More than £150,000	11%	2%	6%	***
Sample (n)	1439	1506	2945	

Significance codes: 0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' ' 1

Table 10. Salary by PQE and Gender

	Trainee			Up to 5 Years			6-10 Years			11-20 Years			21-30 Years			31+ Years		
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
Up to £15,000	10%	8%	8%	<1%	<1%	<1%	3%	<1	1%	2%	1%	1%	<1%	1%	1%	2%	3%	2%
£15,001 to £25,000	86%	90%	89%	6%	10%	9%	0%	1%	1%	1%	2%	2%	3%	1%	2%	5%	4%	4%
£25,001 to £35,000	4%	1%	2%	49%	51%	50%	10%	14%	13%	4%	9%	7%	4%	10%	7%	10%	10%	10%
£35,001 to £45,000	1%	1%	1%	27%	27%	27%	24%	29%	27%	13%	21%	17%	11%	24%	17%	11%	20%	13%
£45,001 to £55,000				6%	6%	6%	27%	29%	29%	14%	22%	18%	12%	15%	14%	12%	17%	13%
£55,001 to £65,000				3%	1%	2%	14%	13%	13%	14%	16%	15%	10%	15%	12%	8%	12%	9%
£65,001 to £80,000				4%	2%	3%	6%	7%	7%	14%	12%	13%	16%	11%	14%	13%	9%	12%
£80,001 to £100,000				1%	1%	1%	8%	4%	5%	9%	5%	7%	12%	8%	10%	12%	9%	10%
£100,001 to £150,000				2%	<1%	1%	4%	2%	3%	15%	7%	11%	15%	5%	10%	16%	9%	14%
More than £150,000							4%	<1%	2%	15%	3%	9%	15%	7%	13%	13%	6%	11%
Sample (n)	83	150	233	222	411	633	132	251	383	318	322	640	313	241	554	366	130	496

1. SUMMARY OF ADDITIONAL COMMENTS

1.1 Key Challenges & Opportunities around Changing Patterns of Work

1.1.1 Around 650 respondents provided additional comments regarding the key challenges and opportunities around changing patterns of work.

1.1.2 One of the key challenges discussed by respondents is **work-life balance**. More than 70 respondents seemed to support that a more balanced working culture, based on the business, whilst also providing understanding, personal growth and mental well-being will lead to more satisfied and productive employees. However, they also agreed that work-life balance can be characterised as an opportunity as well, as providing the right level of work-life balance could result in happier employees and better working environment.

“For people at managerial and professional level, the job is not 9-5 and I do not think it ever will be. It is irrelevant therefore to consider core contracted hours - the requirement is to get the job done. The challenge therefore is to balance this with the need to have an outside life, in a difficult economic climate”. (Female, 46-55, not currently working within the profession)

“Trying to achieve an acceptable balance between work and home life especially for those bringing up children, unless flexibility is accepted by all employers and understood by all clients a parent will find working life very inefficient”. (Female, 56-65, Private Practice)

1.1.3 Respondents also discussed issues around the ability to work **flexibly**. More than 100 respondents commented on this issue, however there was a mix of views. A large proportion felt that employers do not support flexible working times especially when parents needs further time to take care of their children. They largely felt that the legal profession should be constantly adapting to the new and changing needs of its workforce and offer greater opportunities to their staff. From an employer perspective, however, it was considered in some cases that flexible working can have a detrimental effect on companies as they may not be able to operate effectively and competitively in the current market.

“The legal profession as a whole is outdated and out of touch with society. I left law completely and have a much more rewarding and satisfying career with excellent work patterns and flexibility. You need to engage more with your members as a Society”. (Male, 25-35, not currently working within the profession)

“As a childless woman, I have covered more maternity leaves for colleagues than I would care to count and am currently required to work harder to cover the flexible working arrangements of those who work part-time because of child-care commitments. This is not appreciated by colleagues, or in society at large, and I think that more flexibility is needed to reward those who commit more to the workplace, just as more recognition is needed, by working mothers, that they should not be entitled to take out what they don't put in. Sabbaticals for those of us who have never enjoyed a paid absence from work for a prolonged period would be a step in the right direction”. (Female, 46-55, In-House)

“From an employee’s perspective flexibility is favourable. However, small businesses cannot function effectively and competitively if the employees are given too much flexibility. Business is paying for work and should be entitled to get what it pays for. If flexibility becomes a right their businesses are discouraged from expanding and employing certain types of people e.g. women. It is a generalisation, but women tend to want more flexibility for childcare and maternity. To the employer, women of 20-40 are seen as a bad bet for training and investment. The solution is not to give more rights to women”. (Female, 36-45, Not currently working within the profession)

- 1.1.4 Some of the respondents highlighted that greater efficiency and productivity in a company could be achieved through the appropriate **use of technology**. It was felt that advances in technology could result in better management of workloads, making amended work patterns viable, and reducing management costs.

“The main challenge is to harness technology and manage time in order to deliver legal services in a manner consistent with the requirements of the technologically-savvy consumers. Changing work patterns provide the opportunity to communicate with clients in line with their expectations, rather than imposing on them the limitations of the 9-5 Mon-Fri working week, and the systems which are designed for the benefit of the solicitor. If that challenge can be met, it will reduce the likelihood of clients being attracted to other options for fulfilling their need for legal services”. (Male, 56-65, Private Practice)

“Technology is changing work patterns and client expectations in terms of response time, quality of work, and cost (down). However, the only constant is change. We should embrace it and get on with it- or get out”. (Male, 56-65, Private Practice)

- 1.1.5 Nearly 40 participants reported that **discrimination and inequality** should be eliminated from the field. Particularly, discrimination in relation to gender appears to be one of the most common types experienced. The principal reason appears to be that women are more likely than men to work part-time due to child care responsibilities. However, discrimination against older male solicitors was also indicated.

“Men need to continue evening out the balance when it comes to home life so that men and women are sharing the load and have equal opportunities to focus on the careers (and equal limitations on their careers!)”. (Female, 25-35, In-House)

- 1.1.6 There seem to be a general expectation that lawyers who **work long hours** are well rewarded. Participants felt that there is a belief within the profession of long hours being a requirement and not an option anymore.

“We need to change the macho, working long hour’s culture. Client expectations are also an issue though, especially if the clients have the same culture, but expectations can be managed. Another problem is under-resourcing - this may require up-skilling other people in different teams so work can be shared around more fairly and flexibly”. (Female, 36-45, In-house)

“Law firms have a view that people should work long hours and be constantly available. They work by tradition not taking into account changing environments”. (Male, 25-35, not currently working within the profession)

- 1.1.7 Approximately 5% of those who provided additional comments indicated that they felt there is a **high levels of pressure** from employers to satisfy clients’ needs and meet more complex requirements. They considered it obvious that if employees are working

under great levels of pressure that this was likely to result in negative results; reducing employees' productivity and quality of work.

"Law firms are under pressure to satisfy client needs because quality of service is a key differentiating factor between firms. Therefore staff must be aligned with business needs to retain employment. UK legislation needed". (Male, Less than 25, Private Practice)

- 1.1.8 Another key challenge addressed by the respondents was the efficiency to **meet clients' expectations and demands** on a daily basis. Although they acknowledged that it can be difficult to manage and provide adequate client care, they felt that employers should recognise that each employee is able to make an effective contribution to the organisation even if they do not work longer hours. These respondents believe that the highest priority for a company must be its employees needs rather than the clients' expectations.

"Clients need to understand the demands lawyers are under - it is mainly their demands that appear to drive unsociable working hours. Sometimes the firm has to say no to clients to protect their staff -it does not necessarily mean they will lose the business. Courts and others need to understand the immense pressure on those working in law". (Female, 25-35, In-house)

"The demand/expectation of/given to clients that legal services are available 24/7. Clients expect to be able to speak to their lawyer when they want, not when the lawyer is available". (Male, 56-65, not currently working within the profession)

- 1.1.9 Respondents generally place a lot of emphasis on **salary increases and promotion** perspectives, however there were mixed views among respondents. Some felt that there is a lack of promotion opportunities due to either current financial constraints or working fewer hours than employers require. Most however, agreed that the availability of other factors, such as flexibility and working environment are considered to be more important aspects than salary increases.

"I greatly appreciate the fact that my employer is sympathetic and flexible when child care needs arise. I enjoy my work and clients. These factors are more important to me than salary and promotion. However, it would be nice to earn more and feel more appreciated!" (Female, 36-45, Private Practice)

"There is still a perception that, if you want to be taken seriously for promotion etc., that you must work full time (especially if you are male)". (Male, 36-45, Private Practice)

- 1.1.10 The **financial crisis and economic recession** is also seen as contributing negatively to the current key challenges and opportunities around changing work patterns. They indicate that fewer jobs in the field has resulted in more work being done by fewer individuals.

- 1.1.11 Other issues that were also mentioned which were seen as either positively or negatively affecting the existing working patterns included:

- better communication among staff;
- better working environment;
- multi-skilled development;
- profitability;
- redundancy; and
- working routines.

1.2 Any other comments

1.2.1 Around 300 respondents provided comments when asked if they wished to add any further views or opinions. The most prevalent issues discussed are outlined below.

1.2.2 **Maternity leave and childcare** (x16 respondents): Being a parent, and particularly a mother, appears to be seen rather negatively across the profession with many indicating that there is difficulty in accommodating flexible working hours in legal roles. Self-employed women and partners are not technically employees and therefore they have no rights to any maternity leave unless the partnership agreement allows for it. Examples are given of young women who decided to leave their jobs because either law firms did not support mothers or work pressures did not allow mothers to have enough time to be with their family.

“Still a perception that working mothers want flexibility and those without young children carry some of the work. In my experience part time/condensed hours workers can contribute significantly and very often work more efficiently and productively due to reduced hours in the office”. (Female, 36-45, In-house)

“After returning from maternity leave on both occasions I went back to work part time 3 days a week. After about 15 months I had to increase to 4 days a week as I was simply unable to get through my workload and was regularly taking work home at evenings/weekend. I resigned after 6 months as working 4 days a week did not give me any time at home with my children. Every male partner/colleague at work thought I was doing the right thing by deciding to put my kids first, but every female colleague was fairly critical and thought that I was making a mistake”. (Female, 36-45, not currently working within the profession)

1.2.3 **Discrimination, harassment and bullying** (x10 participants): Some respondents felt that many within the profession suffer from some form of discrimination and consequently felt that there is an immediate need for changes in the Society. It was also felt that some employees are likely to be reluctant to complain about any discrimination, bullying or harassment for fear that it may negatively affect their future career prospects.

“Discrimination and bullying is alive and well within firms. It will persist until such time as more is done about discouraging old fashioned and out-dated ideas about constitutes bullying for example. I have witnessed decision making in which a female member of staff was offered a lower salary than that of a male colleague "because she has a husband to support her". And this is from a room of lawyers who should know better. We have a long way to go”. (Male, 46-55, Private Practice)

“I strongly feel that I have not been discriminated against, but I do think colleagues have whether for sex/gender; sexuality; age. I also think that sex discrimination can work for some people if use it to advantage and then see people flirting with more senior management”. (Male, 25-35, Private practice)

1.2.4 **Salary prospects** (x7 participants): Salary prospects, including trainees’ fees were considered to be below some respondents expectations.

“I gave up work after my 3rd child as nursery fees were more than my salary. I had another child who has just started Primary School but have not yet found suitable employment due to lack of jobs and difficulty in flexible hours”. (Female, 46-55, not currently working within the profession)

“The trainee recommended salary is ridiculous. £16,000 for a first year in no way takes in to account the difference in cost of living between Edinburgh and every other city in Scotland”. (Male, 25-35, Private Practice)

1.2.5 Other issues which were discussed by respondents in relation to the topics raised in the questionnaire are listed below:

- Low rewards compared to the excessive levels of responsibilities;
- There seem to be only responsibilities and no rights for employees;
- High levels of pressure;
- Disability may negatively affect a career in the legal profession;
- There are difficulties in finding a job in the law sector;
- There are too many people searching for a traineeship;
- A more transparent application process is required.

1.2.6 Finally, a number of comments were also included regarding the questionnaire itself, most of which provided constructive criticism which will assist the Society when designing future research. These comments included:

- The survey examined only employees’ rather than employers’ perspective;
- It was not relevant to equity partners;
- Questions were not suitable for the self-employed;
- The questionnaire did not seem applicable to those who were retired;
- There were no questions about future prospects in the field;
- The survey did not take into account that some respondents may have moved from private practice to the public sector; and
- In some cases the questionnaire took longer than 10 minutes to complete.



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