



Diversity Data from 2022/23 Practising Certificate (PC) Renewal

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Introduction

Every second practising certificate renewal process, we ingather pseudonymised, optional diversity data from members. The information submitted by members does not form part of their membership information. When a member submits information, it is automatically pseudonymised so we can never see their personal information or answers.

The system as designed in such a way that we could see aggregated data:

- (a) For each question: Whilst we couldn't see that an individual solicitor has selected a particular answer, we could see how many solicitors had selected a given answer (e.g. we would never know that x person had selected 'White – Scottish' as an answer but we would see how many solicitors total had selected 'White – Scottish')
- (b) Including any diversity data we already hold on members (e.g. sex, age).

Moreover, as well as being entirely optional and pseudonymised, members could choose to answer '*Prefer not to say*' to any question; answer 'other' or skip any answer. The numbers choosing '*prefer not to say*' varied significantly between questions suggesting that members are willing to disclose some information but not other information.

The numbers responding in 2022/23 were higher than in 2020/21 (over 9,000 members completed the questions) although the percentage response rate was broadly similar. In both years, around 80% of members completed the data.

We have cross-tabbed in some areas, but in some instances it has not been possible because we may have inadvertently identified someone.

Comparative data sets

Our main comparative data sets are the:

- The Scottish Census 2011
- The *Profile of the Profession* report 2018 (a new report will be issued this year)
- PC renewal data 2020/21

We may undertake another range of comparison when the most up to date Scottish census is published.

Headlines

Only so much change can happen in a two year period, particularly when the majority of the respondents were the same although there were over 1,000 individuals who could have responded for the first time in 2022/23. The broad theme in each area is of progress towards a more representative profession.

Ethnicity

- The profession is now at least 4.01% ethnic minority. Given 8% of members chose '*prefer not to say*' and 1.49% chose '*other*' this figure is likely higher. That is a growth of **0.63%** in two years.
- **10.24%** of solicitors aged 30 and under are from an ethnic minority background. A growth of 3.3% in two years. Comparison data from the LLB and DPLP is not perfect – as numbers are recorded slightly differently at university level – however even with this caveat this compares broadly well with LLB data and very well with DPLP data.
- Progress is not equal. Whilst the number of people from a Pakistani background under the age of 30 has risen from 1.15% two years ago to 5.08% now, there has been minimal progress, and in some instances, regression (e.g. people from Chinese backgrounds under the age of 30 has dipped).

Disability

- More members reported that they were disabled than in 2020/21. The biggest single change was the number of people who indicated they had a learning disability and those indicating they were neurodivergent.

Religion

- The profession appears to be considerably less religious than the Scottish population as a whole was at the 2011 census and that trend is intensifying. For solicitors aged 30 and under, 60% are not religious (e.g. they have no religion, are atheist or agnostic).
- The largest religious denomination in the profession is Church of Scotland (18.1%), although under the age of 30 the largest denomination is Roman Catholicism.

Sexual Orientation

- Census data is unreliable here as outlined below, although this will become a more solid comparator when the most up to date census is published. At least 4.18% of the profession were LGBTQ+, whereas that rose to 6.6% for those aged 30 and under.

Socio-economics

- In 2022/23, at least 67.1% of the solicitor population was state educated. This spikes to at least 72.94% aged under 30.
- In 2020/21 at least 55% of the Solicitor population indicated that at the age of 15 their parents were employed in '*Higher managerial, administrative or professional occupations*'. This had fallen to 51.37% in 2022/23.

Ethnicity

The profession is largely white and likely more white than the population as a whole (although we cannot say for certain until the latest census has been published).

Another matter which makes comparison harder is we allow '*Prefer not to say*' whereas the census does not. Therefore each ethnic group answer below is likely to be a little smaller than the reality (as 8% who preferred not to say will have an ethnicity).

Table A: Comparative ethnicity data: Scottish census 2011; Solicitor population 2020/21 and Solicitor population 2022/23

Ethnic group	Scottish census 2011	Solicitor population 2020/21	Solicitor population 2022/23
White Scottish/White British	91.83%	86.47%	85.07%
Prefer not to say	N/A	7.13%	8.02%
Other	N/A	1.48%	1.49%
White Irish	1.02%	1.24%	1.08%
Pakistani British, Pakistani Scottish or Pakistani	0.93%	0.95%	1.15%
Mixed or multiple ethnic groups	0.37%	0.74%	0.90%
Asian British, Asian Scottish or Asian	0.40%	0.43%	0.49%
Polish	1.16%	0.30%	0.33%
Jewish	N/A	0.29%	0.28%
Indian British, Indian Scottish or Indian	0.62%	0.29%	0.25%
Chinese British, Chinese Scottish or Chinese	0.64%	0.26%	0.38%
Sikh	N/A	0.16%	0.12%
African British, African Scottish or African	0.55%	0.13%	0.16%
Bangladeshi British, Bangladeshi Scottish or Bangladeshi	0.07%	0.06%	0.07%
Arab British, Arab Scottish or Arab	0.18%	0.05%	0.11%
African – not specified	0.01%	0.01%	0.03%
Black British, Black Scottish or Black	0.04%	0.01%	0.05%
Caribbean British, Caribbean Scottish or Caribbean	0.01%	0%	0.02%
Gypsy/Traveller	0.08%	0%	0%
Roma	N/A	0%	0%

Notes and observations

- We try to compare directly with the Scottish census. However, unlike the census, we offer members some answer options that do not appear in the census. We think this allows us to better understand our membership even if it impacts direct comparison (it is likely those who select Jewish, Sikh or Roma would simply select 'Other' if these were not options.)
- The write-in responses to the 'Other' were wide-ranging. Some would be considered ethnic minority backgrounds and we will consider building these categories next time (e.g. Sri Lankan, Kurdish, Kashmiri, Persian). Similarly, a number of respondents noted they were Scots Italian and we may wish to build that in as an ethnic group in future iterations.
- Others noted that the categories we had chosen were not perfect (e.g. *'I am actually Irish/Chinese born in Britain. I am not Chinese Scottish – Chinese British is the closest'*)
- Some people chose 'Other' and outlined their mixed or multiple ethnic groups (e.g. Filipino/British; White and Black African; White and Afro-Caribbean etc). A number of white respondents noted they had mixed heritage (e.g. White Canadian/White Scottish)
- There were many responses which could be considered 'White – Other' (respondents wrote in 'White' and then another descriptor including: German, Romanian, Ukrainian, European, American, Dutch, Slovak, Canadian, Lithuanian, Romanian, Pakeha, Greek Cypriot, Welsh, Georgian, Caucasian, French, Finnish, Non-British amongst others).
- The profession is becoming more diverse. In 2020/21 at least 3.38% of the profession was from an ethnic minority background. That had risen at least 4.01% of the profession in 2022/23. As we know that some ethnic minority members chose 'Other' and some will have said 'Prefer not to say' it is likely that the % is a little higher.
- Table B (below) collapses the headline groups for interest. There is a clear trend towards increasing diversity in the profession.

Table B: Comparative ethnicity data: *Profile of the Profession 2018*; Solicitor population 2020/21; and Solicitor population 2022/23

	POP 2018	% total solicitor population 2020/21	% total solicitor population 2022/23
White (Scottish, British, Irish, Gypsy/Traveller, Roma, Polish)	96%	88.01%	86.48%
Ethnic minority background	4%	3.38%	4.01%
Prefer not to say	N/A	7.13%	8.02%
Other	N/A	1.48%	1.49%

Table C: Solicitor population 2022/23 vs aged 30 and under population 2022/23

	Scottish solicitor population 2022/23	Under age of 31 2022/23
White Scottish/White British	85.07%	78.42%
Prefer not to say	8.02%	2.27%
Other	1.49%	2.59%
White Irish	1.08%	1.73%
Pakistani British, Pakistani Scottish or Pakistani	1.15%	5.08%
Mixed or multiple ethnic groups	0.90%	0.43%
Asian British, Asian Scottish or Asian	0.49%	1.41%
Polish	0.33%	4.11%
Jewish	0.28%	0.64%
Indian British, Indian Scottish or Indian	0.25%	1.19%
Chinese British, Chinese Scottish or Chinese	0.38%	0.10%
Sikh	0.12%	0.32%
African British, African Scottish or African	0.16%	0.22%
Bangladeshi British, Bangladeshi Scottish or Bangladeshi	0.07%	0.22%
Arab British, Arab Scottish or Arab	0.11%	0.43%
African – not specified	0.03%	0.10%
Black British, Black Scottish or Black	0.05%	0.10%
Caribbean British, Caribbean Scottish or Caribbean	0.02%	0%
Gypsy/Traveller	0%	0%
Roma	0%	0%

Notes and observations

- Younger members are more comfortable stating their ethnicity (this was a trend identified at the last renewal also). Only 2.27% of those aged 30 and under preferred not to say compared with 8.02% of the profession as a whole.
- Of those aged 30 and under, at least 10.24% were from an ethnic minority background. Again, some who selected other and some who selected 'prefer not to say' were from an ethnic minority background. This has risen from at least 6.9% of the same cohort in 2020/21.

Table D: Aged 30 and under 2020/21 vs aged 30 and under 2022/23

	Aged 30 and under 2020/21	Aged 30 and under 2022/23
White Scottish/White British	89%	78.42%
Prefer not to say	2.91%	2.27%
Other	1.57%	2.59%
White Irish	0.99%	1.73%
Pakistani British, Pakistani Scottish or Pakistani	1.40%	5.08%
Mixed or multiple ethnic groups	1.05%	0.43%
Asian British, Asian Scottish or Asian	0.70%	1.41%
Polish	0.81%	4.11%
Jewish	0.23%	0.64%
Indian British, Indian Scottish or Indian	0.35%	1.19%
Chinese British, Chinese Scottish or Chinese	0.47%	0.10%
Sikh	0.17%	0.32%
African British, African Scottish or African	0%	0.22%
Bangladeshi British, Bangladeshi Scottish or Bangladeshi	0.17%	0.22%
Arab British, Arab Scottish or Arab	0.11%	0.43%
African – not specified	0%	0.10%
Black British, Black Scottish or Black	0.06%	0.10%
Caribbean British, Caribbean Scottish or Caribbean	0.02%	0%
Gypsy/Traveller	0%	0%
Roma	0%	0%

Notes and observations

- As per Table C, this shows that the population under the age of 30 is increasingly diverse. The major demographic changes are the significant rise in the number of Polish solicitors aged 30 and under (from 0.81% to 4.11%) and Pakistani, Pakistani Scottish and Pakistani British solicitors aged 30 and under (1.40% to 5.08%).

Table E: Gender and ethnicity – collapsed categories

The figures in brackets are those from the 2020/21.

	Women	Men (overall population)	Women aged 30 and under	Men aged 30 and under
BAME	64.8% (61.7%)	35.2% (38.24%)	67.37% (72%)	32.63% (28%)
White	58.61% (56.7% ⁰)	41.39% (43.3%)	65.81% (68%)	34.19% (32%)
Other	58.22% (60%)	41.78% (40%)	87.50% (62%)	12.50% (38%)
Prefer not to say	34.18% (31%)	65.82% (69%)	71.43% (38%)	28.57% (62%)
Total	56.90% (55%)	43.10% (45%)	66.55% (67%)	33.33% (33%)

Notes and observations

- The feminisation of the profession appears to be continuing. This is not a surprise, as each year around 66% of newly admitted members are female. It seems the professions' difficulties in attracting men are even more acute when considering young men from an ethnic minority background (although the percentages are slightly less stark here than two years ago).

Disability

Of the 9,826 who answered the question on disability, 84.23% answered 'no' whereas a further 10.1% answered 'Prefer not to say'.

Table F: Overview of disability comparing Solicitor population 2020/21 vs Solicitor population 2022/23

	% solicitor population 2020/21	% solicitor population 2022/23
Other	130 (1.4%)	157 (1.59%)
Deafness or partial hearing loss	113 (1.2%)	105 (1.08%)
Learning difficulty	64 (0.7%)	71 (0.73%)
Blindness or partial sight loss	32 (0.3%)	35 (0.36%)
Mobility impairment	30 (0.3%)	39 (0.39%)
Learning disability	Fewer than 15	31 (0.31%)
Neurodivergent	Fewer than 15	31 (0.31%)

All other impairments (particularly those who indicated multiple impairments) were too small a population size to report although each of the above had higher numbers when including multiple impairments.

Notes and observations

- Over 10.1% of members selected 'prefer not to say'. This is nearly 2% higher than members who chose 'prefer not to say' for ethnicity.
- Some members selected multiple impairments in their answers, so each of the above is likely slightly higher (e.g. a member may have noted they were blind or have partial sight loss and also deaf or have partial hearing loss).
- We do not know if solicitors indicating that they have certain impairments have disclosed this at work and asked for/received reasonable adjustments.

Religion

Table G: Comparative religion Scottish census v Solicitor population 2020/21 vs solicitor population 2022/23

	Scottish census 2011	% solicitor population 2020/21	% solicitor population 2022/23
Christianity	53.8%	37.5%	35.7%
- Church of Scotland	32.4%	19.25%	18.1%
- Roman Catholic	15.9%	13.41%	13.1%
- Other Christian	5.5%	4.71%	4.5%
Islam	1.4%	1.33%	1.7%
Hinduism	0.3%	0.05%	0.1%
Buddhism	0.2%	0.13%	0.2%
Sikhism	0.2%	0.26%	0.3%
Judaism	0.1%	0.42%	0.4%
No religion	36.7%	46.50%	47.3%
- None	-	38.62%	39.2%
- Atheist	-	5.33%	5.3%
- Agnostic	-	2.81%	2.8%
Other	0.3%	0.77%	0.6%
Religion not stated/prefer not to say	7%	12.83%	13.8%

Notes and observations

- As noted above, the census is now over ten years old and the wider population is becoming more secular. Given this, it is perhaps unsurprising that so many members have reported having no religion (46.50% in 2020/21 and rising to 47.3% in 2022/23). The trend, as we see below, is even stronger for those under the age of 30.
- Again, we largely follow the Scottish census here although offered options for no religion (None, Atheist, Agnostic). Prior to our first diversity data gathering exercise, we did speak to a number of stakeholder groups about whether we should offer additional options for some religions (e.g. specific mention of Baptist or Methodist; including branches of Islam). The advice was that this was not best practice, so we have not pursued that at this stage.

Table H: Solicitor population vs solicitors under the age of 30 (religion)

	% solicitor population 2022/23	% under 30 population
Christianity	35.7%	28%
- Church of Scotland	18.1%	10%
- Roman Catholic	13.1%	15%
- Other Christian	4.5%	3%
Islam	1.7%	3%
Hinduism	0.1%	0%
Buddhism	0.2%	0%
Sikhism	0.3%	0%
Judaism	0.4%	0.1%
No religion	47.3%	60%
- None	39.2%	49%
- Atheist	5.3%	7%
- Agnostic	2.8%	4%
Other	0.6%	0.1%
Religion not stated/prefer not to say	13.8%	8%

Notes and observations

- As above solicitors aged 30 and under are even more likely to have no religion than the solicitor population as a whole. 60% of solicitors aged 30 and under are not religious.

Sexual Orientation

The 2011 Scottish census did not include questions on sexual orientation. A postal survey was completed in 2011 where 4,400 forms were sent to members of the public. In that exercise, 2.2% of the population replied with a non-heterosexual option (i.e. lesbian/gay, bisexual, other). We are aware that sexuality will be included in the next Scottish census. Our only other recent comparator is our own Profile of the Profession research from 2018.

Table I: Comparative sexual orientation data: *Profile of the Profession 2018* vs PC renewal 2020/21 and PC renewal 2022/23

	Profile of the Profession 2018	% solicitor population 2020/21	% solicitor population 2022/23
Heterosexual/Straight	91%	85.54%	83.45%
Prefer not to say	4%	10.76%	12.3%
Gay man	5%	1.83%	1.71%
Gay woman/lesbian		0.64%	0.72%
Bisexual		0.73	1.20%
Other	N/A	0.49%	0.55%
LGBTQ+ total	5%	3.20%	4.18%

- The LGBTQ+ category options were merged in *Profile of the Profession 2018*, as that had been the standard practice in previous surveys due to the fact that low numbers of people in certain categories at PC renewal.
- Over 12% responded with 'prefer not to say' which is significantly higher than any other question.

Table J: Total solicitor population vs those aged 30 and under (sexual orientation)

	% solicitor population 2022/23	% under 30 population
Heterosexual/Straight	83.45%	85.3%
Prefer not to say	12.3%	7.4%
Gay man	1.71%	2.5%
Gay woman/lesbian	0.72%	1.0%
Bisexual	1.20%	3.1%
Other	0.55%	0.7%
LGBTQ+ total	4.18%	6.6%

Socio-economic status

Schooling

Measuring socio-economic background is notoriously difficult. We were guided by recommendations by the UK Civil Service, which suggests asking eight questions. The team behind the PC renewal project noted this was too many (indeed, more than all of the other characteristics combined) and decided to focus on two:

- Schooling
- Parental/carer occupation at the age of about 14-years-old Schooling

The first question was: 'Which type of school did you mainly attend?'. We note that, whilst it is possible for someone to have attended numerous types of schools, this would impact a relatively small number of people hence 'mainly'.

Tabel K: Comparative types of schooling 2020/21 vs 2022/23

	% solicitor population 2020/21	% solicitor population 2022/23
State run (non-selective)	55.1%	56.59%
State run (selective)	11.6%	10.51%
Independent (no bursary)	16.8%	15.36%
Independent (bursary)	3.34%	3%
School outside of the UK	1.9%	2.15%
Prefer not to say	10.9%	11.99%
Other	0.3%	0.37%

Table L: 2023 schooling whole population vs aged 30 and under (schooling)

	% solicitor population 2022/23	% aged 30 and under 2022/23
State run (non-selective)	56.59%	62.37%
State run (selective)	10.51%	10.57%
Independent (no bursary)	15.36%	15.04%
Independent (bursary)	3%	1.8%
School outside of the UK	2.15%	3.43%
Prefer not to say	11.99%	6.16%
Other	0.37%	0.54%

Table M: 2020/21 aged 30 and under vs 2022/23 aged 30 and under

	% aged 30 and under 2020/21	% aged 30 and under 2022/23
State run (non-selective)	62.01%	62.37%
State run (selective)	9.8%	10.57%
Independent (no bursary)	17.5%	15.04%
Independent (bursary)	1.9%	1.8%
School outside of the UK	2.55%	3.43%
Prefer not to say	5.9%	6.16%
Other	0.3%	0.54%

Table N: Comparative types of schooling 2020/21 vs 2022/23 (collapsed)

	% solicitor population 2020/21	% solicitor population 2022/23
State educated	66.7%	67.1%
Independent	20.14%	18.36%
School outside UK	1.9%	2.15%
Prefer not to say	10.9%	11.99%
Other	0.3%	0.37%

Table O: School types whole population vs aged 30 and under (2022/23) (collapsed)

	% solicitor population 2022/23	% aged 30 and under 2022/23
State educated	67.1%	72.94%
Independent	18.36%	16.84%
School outside UK	2.15%	3.43%
Prefer not to say	11.99%	6.16%
Other	0.37%	0.54%

Parental occupation

To assist us with our understanding of the socio-economic status of the profession, we also chose to look at the occupation of the main or highest earner in a person's household when they were aged around 14 years old.

The following options were given (again, we used the UK Civil Service options as the basis for this question): -

- Clerical and intermediate occupations e.g. secretary, PA, clerical worker, call centre agent, nursery nurse
- Manager or publican
- Middle manager or junior manager e.g. office manager, retail manager, bank manager, restaurant manager, warehouse manager
- Modern professional occupations e.g. teacher/lecturer, nurse, physiotherapist, social worker, welfare officer, artist, musician, police officer (sergeant or above), software designer
- Other
- Retired
- Routine manual and service occupations e.g. HGV driver, van driver, cleaner, porter, packer, sewing machinist, messenger, labourer, waiting staff/bar staff
- Semi-routine manual and service occupations e.g. postal worker, machine operative, caretaker, farm worker, catering assistant, receptionist, sales assistant
- Senior managers and administrators usually responsible for planning, organising and co-ordinating work and/or finance e.g. finance manager, chief executive
- Technical and craft occupations e.g. motor mechanic, fitter, plumber, printer, tool maker, electrician, gardener, train driver
- Traditional professional occupations e.g. accountant, solicitor, medical practitioner, scientist, civil/mechanical engineer
- Long-term unemployed (claimed Jobseeker's Allowance or earlier unemployment benefit for more than a year)
- Not applicable
- Don't know
- Prefer not to say

The Office of National Statistics suggests collapsing these varied categories into three broader categories to aid with analysis. These are: (a) Higher managerial, administrative and professional occupations (b) Intermediate occupations (c) Routine and manual occupations. This does not include the retired, long-term unemployed, other, don't know and prefer not to say.

Table P: Comparative parental occupation 2020/21 population vs 2022/23 population comparison

	% solicitor population 2020/21	% solicitor population 2022/23
Higher managerial, administrative and professional occupations	55.70%	51.37%
Intermediate occupations	14.88%	15.07%
Routine occupations	8.73%	9.34%

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