



Law Society
of Scotland

Racial Inclusion Survey

Analysis of survey results

January 2022



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Executive summary – Key results

- 216 respondents completed the survey
- 73% of all respondents identified as BAME (157 out of 216)
- 60% of all respondents who answered the question on bias said they had experienced some form of bias based on their race on the route to qualification or as a member of the legal profession (110 out of 182)
- Two thirds of BAME respondents said they had experienced some form of bias on account of their race on the route to qualification or as a member of the legal profession (103 out of 155)
- Just over 50% of all respondents who said they had experienced some form of bias during their route to qualification or legal career were solicitors or solicitor advocates (57 out of 110)
- Almost one half of all respondents who answered the question on when the most recent incident of bias took place said they had experienced some form of bias within the last year (48 out of 106)
- Three quarters of respondents who said they had experienced some form of bias had experienced it within the last two years (80 out of 106)
- More than one quarter of BAME respondents who answered the question on when the most recent incident of bias took place said they had experienced some form of bias within the last year (44 out of 155)
- Almost one half of BAME respondents said they had experienced some form of bias within the last two years (74 out of 155)
- More than 40% of BAME respondents who said they had experienced some form of bias within the last year were solicitors or solicitor advocates (19 out of 44)
- One in five respondents who said they had experienced bias at some point during their route to qualification were law students (23 out of 110)
- More than 50% of respondents said they had experienced some form of bias based on their race whilst at university (54 out of 106) and whilst accessing a traineeship (62 out of 106)
- More than 50% of BAME respondents said they had experienced some form of bias based on their race whilst accessing a traineeship (59 out of 99). Almost 50% said they had experienced bias whilst at university (49 out of 99)
- Just over one third of all respondents said that the Society should consider making equality and diversity training a mandatory part of CPD

1. Introduction and interpretation

Introduction

The Law Society of Scotland formed its Racial Inclusion Group (RIG) in early 2021. RIG sought to better understand the lived and professional experiences of Black, Asian, and Minority Ethnic (BAME) members of the profession.

To meet its remit, RIG asked solicitors, solicitor advocates, trainee solicitors, current law students and recent graduates to share their experiences in an online survey. The survey was open throughout the month of May 2021.

The results from this survey build upon previous research undertaken on behalf of the Society to better shape RIG's views and priorities. Prior to this survey, in 2011, the Society commissioned research into experiences of solicitors from an ethnic minority background. The [Blake Stevenson Report](#) focused on the experience of those from an ethnic minority background at each stage of their legal career and provided a number of conclusions and recommendations in order to improve approaches to equality across the legal profession and demonstrate our commitment towards diversity.

More recently, in December 2018, the Society published its latest [Profile of the Profession](#) report. This report had a particular focus on equality and diversity in the Scottish solicitor profession. However, among its findings, there continued to be issues related to both gender and ethnicity.

Interpretation of the survey results

As none of the questions in the Racial Inclusion Survey were compulsory, each respondent was able to select which questions to answer. As a result, the number of respondents who answered each question varies throughout the survey. The opportunity to analyse the results of a question based on a respondent's answer to a different question was not always possible.

Where possible, comparisons were made with data held by the Society for the profession generally and BAME solicitors specifically. The data on BAME solicitors comes from the questions asked of solicitors during the annual practice certificate renewal process, which the Society collected for the first time for the practice year 2020/2021. The diversity questions were completed by around 80% of solicitors (9,593 solicitors), which included solicitors who selected 'prefer not to answer'.

We analysed the total response from all individuals and separately analysed the specific responses from BAME members. It is important to note that, where the results between the groups appear to be similar, this does not necessarily mean that the overall population of respondents to this survey has had similar experiences to BAME respondents. BAME solicitors and law students completed the survey in greater numbers than white solicitors and law students. As a result, BAME respondents make up a significant percentage of the overall respondent population.

In instances where the number of respondents who selected an answer option was small, we have taken steps to protect the identity of those respondents. This may be through using fractions or percentages rather than response numbers, not including specific answer options or providing commentary only. For example, to protect the identity of solicitors and solicitor advocate respondents, where appropriate, they have been combined.

Some analysis will include specific respondents, for example graduates seeking a traineeship and trainee solicitors, to ascertain whether those respondents had a different experience to other respondents.

Some respondents may have been excluded for a particular analysis (for example, respondents who did not give a BAME response to ethnicity where comparisons are made on this characteristic).

Ideally, this report would have liked to explore any variations in the experiences of different ethnic minority groups. It has been reported on where possible. However, due to small respondent numbers and to therefore ensure individuals are not identifiable, this has not always been possible throughout the report.

In some instances, due to rounding, percentages will not add up to exactly 100%.

The viewpoints expressed in this report are those which were submitted to the Racial Inclusion Survey and do not necessarily reflect the views of the Society or the members of RIG.

2. Profile of respondents

The intention of the survey was to reach as many members of the legal profession, law students and graduates as possible. To allow us to understand who responded to the survey, questions on who each respondent was were asked.

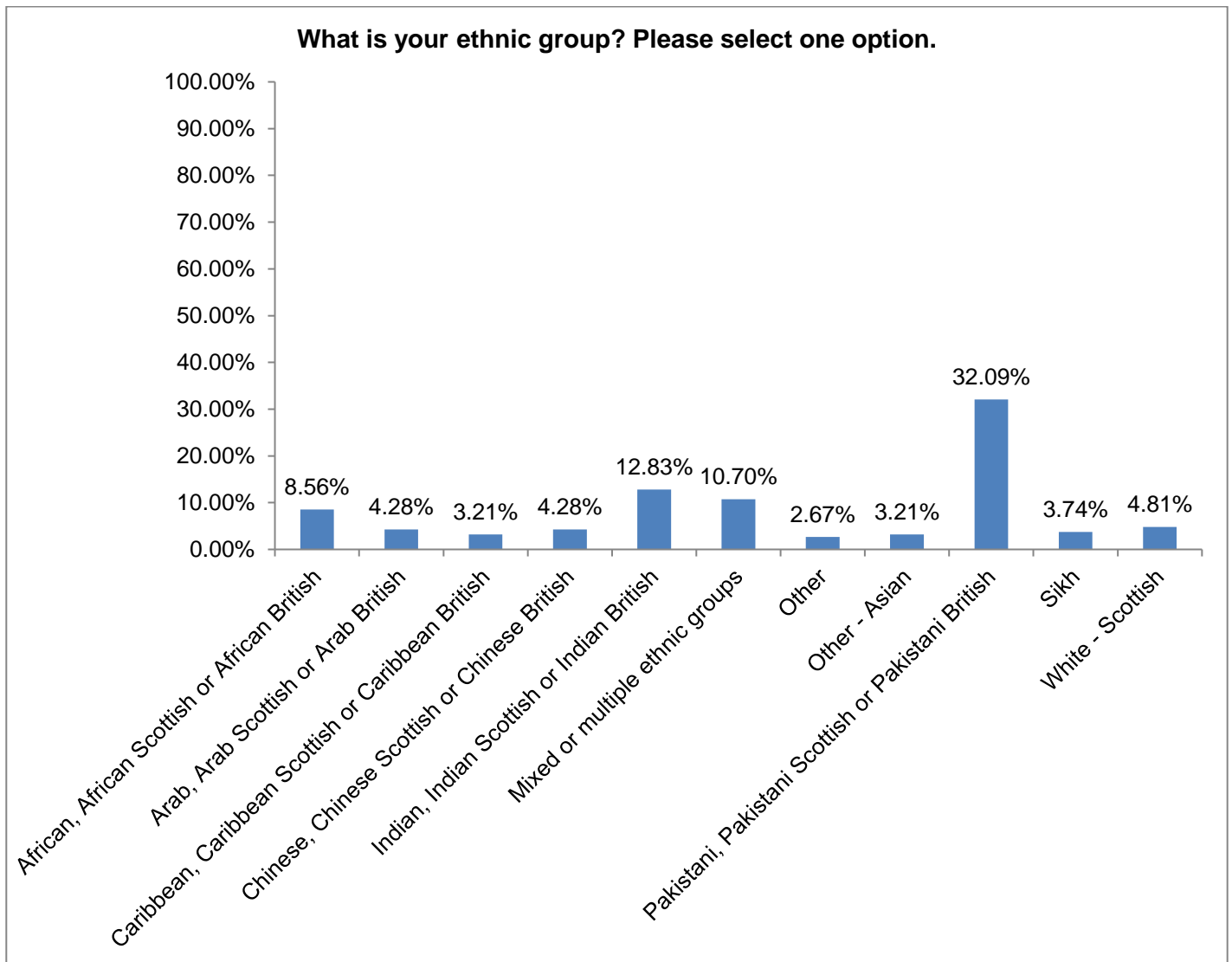
A total of 216 individuals responded to the survey. In this report, the profile of respondents was analysed by:

- Ethnicity
- Gender identity
- Stage of career
- Sector
- Size of legal team
- Area or areas of law
- Sheriffdom
- School attended

Ethnicity

There were 22 answer options to the question of ‘*what is your ethnic group?*’. 187 respondents answered this question. In order to protect the identity and confidentiality of respondents, only the answer options which five or more respondents selected have been included in the table and chart below. This represents 169 respondents. As the number of respondents for some of the answer options was small, we have presented the results in the table below in percentages only rather than whole numbers.

Answer Options	Responses
African, African Scottish, or African British	8.56%
Arab, Arab Scottish, or Arab British	4.28%
Caribbean, Caribbean Scottish or Caribbean British	3.21%
Chinese, Chinese Scottish or Chinese British	4.28%
Indian, Indian Scottish, or Indian British	12.83%
Mixed or multiple ethnic groups	10.70%
Other	2.67%
Other – Asian	3.21%
Pakistani, Pakistani Scottish or Pakistani British	32.09%
Sikh	3.74%
White - Scottish	4.81%



For completeness, the other answer options were:

- Bangladeshi, Bangladeshi Scottish or Bangladeshi British
- Black, Black Scottish, or Black British
- Gypsy/Traveller
- Jewish
- Other - African
- Other – white
- Roma
- White – Irish
- White – Other British
- White – Polish
- Prefer not to say

BAME respondents

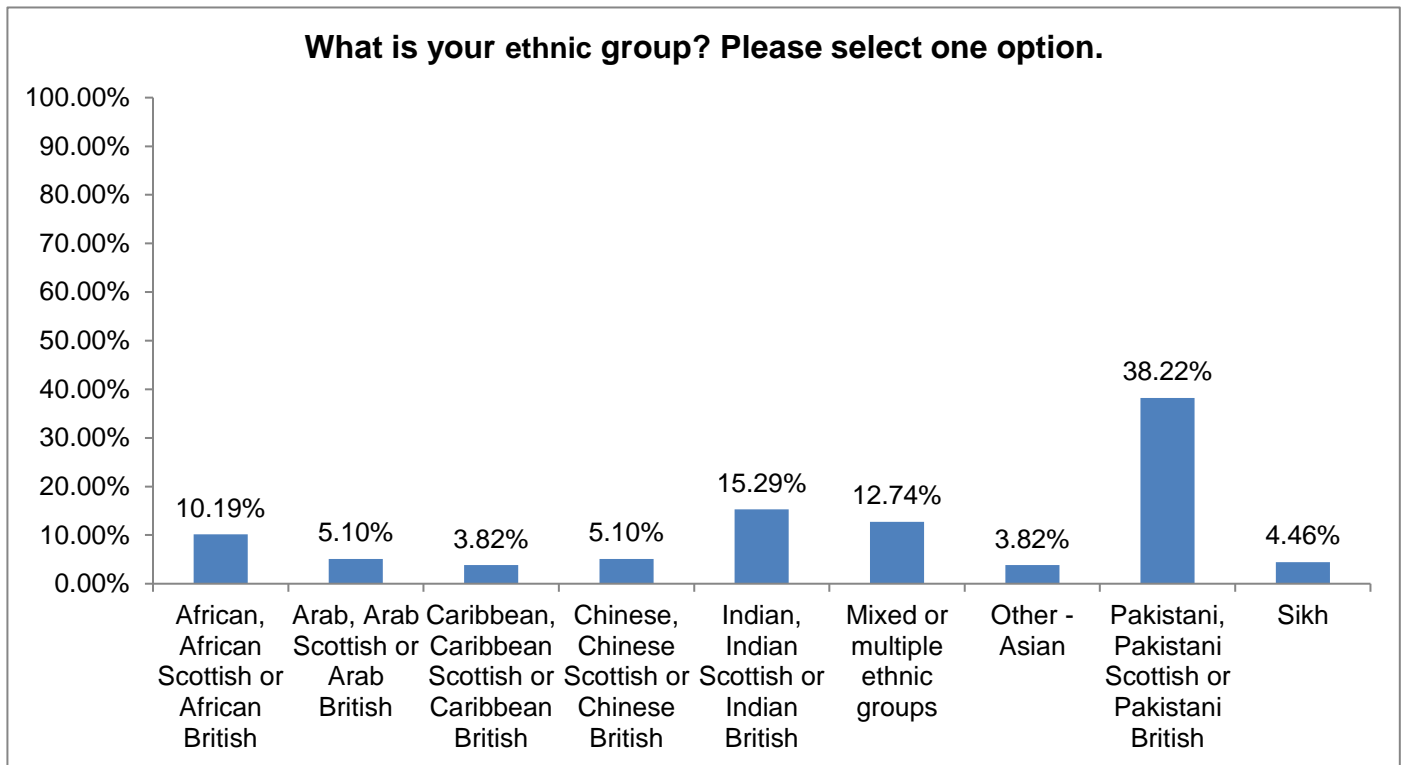
The following ethnic groups have been included in this report's definition of BAME. This definition is used as part of the Society's practising certificate renewal analysis and is largely based on the answer options in the Scottish Census.

Definition of BAME:

- African, African Scottish, and African British
- Arab, Arab Scottish, or Arab British
- Bangladeshi, Bangladeshi Scottish or Bangladeshi British
- Black, Black Scottish, or Black British
- Caribbean, Caribbean Scottish or Caribbean British
- Chinese, Chinese Scottish, Chinese British
- Indian, Indian Scottish, or Indian British
- Jewish
- Mixed or multiple ethnic groups
- Other – African
- Other – Asian
- Pakistani, Pakistani Scottish or Pakistani British
- Roma
- Sikh

157 respondents identified as BAME, which was 73% of all respondents. Again, in order to protect the identity and confidentiality of respondents, only the answer options which five or more respondents selected have been included in the table and chart below. The answer options in the table below therefore total 155 respondents.

Answer Options	Responses	
African, African Scottish, or African British	10.19%	16
Arab, Arab Scottish, or Arab British	5.10%	8
Caribbean, Caribbean Scottish or Caribbean British	3.82%	6
Chinese, Chinese Scottish or Chinese British	5.10%	8
Indian, Indian Scottish, or Indian British	15.29%	24
Mixed or multiple ethnic groups	12.74%	20
Other - Asian	3.82%	6
Pakistani, Pakistani Scottish or Pakistani British	38.22%	60
Sikh	4.46%	7



It is challenging to identify the number of BAME respondents across the legal sector, graduates who are seeking a position in the legal profession and students collectively. As outlined in 'The Report of the Racial Inclusion Group', it is estimated somewhere between 420 and 480 practising solicitors are from a BAME background.

81 BAME respondents identified as a solicitor or solicitor advocate, which represents:

- 52% of BAME respondents to the survey; and
- 25% of solicitor members who identified as BAME during the Society's 2020/2021 practising certificate renewal process. This represents a significant percentage of BAME solicitor and solicitor advocate members.

With reference to the Scottish solicitor profession overall, we believe that the actual number of BAME solicitor members is higher than the number who selected a BAME ethnicity during the renewal process as:

- some solicitors selected the 'other' answer option and provided details of an ethnicity that was not listed.
- solicitors were able to select the answer option of 'prefer not to say'. 684 solicitors selected the 'prefer not to say' answer option. It is possible that some of these solicitors may be BAME.

In order to provide context on some of these response rates, we have analysed the two most popular answer options against the responses received during practising certificate renewal.

Ethnicity	Number of survey respondents	Number of solicitor or solicitor advocate survey respondents	Practising certificate renewal response	% of solicitor or solicitor advocate survey respondents against practising certificate renewal response
Pakistani, Pakistani Scottish or Pakistani British	60	34	91	37.36%
Indian, Indian Scottish, or Indian British	24	15	28	53.57%

Whilst it is likely there are more solicitors in the profession who are of these ethnicities these response rates provide reliable insight. Whilst the percentage of respondents for other ethnicities may be higher when compared with the responses to the practising certificate renewal process, in many instances the total numbers are small. Any differences in experience can therefore be overstated as a result.

Gender identity

Respondents were asked to confirm their gender identity. 187 respondents answered this question, and 29 respondents chose not to. A detailed breakdown of all the results from this question has not been included due to a risk of identifying respondents.

Almost two-thirds of respondents indicated that they were female and almost one third of respondents identified as male. A small number of respondents selected the other answer options of intersex, non-binary, prefer not to say and 'I prefer to use a different term'.

Whilst the number of female respondents overall is significant, this position changes and also corresponds with current data held by the Society, when only solicitors and solicitor advocates are analysed. 105 respondents were solicitors or solicitor advocates, with 94 of them responding to this question. 56 of those respondents identified as female, which represents 53.33% of all solicitor and solicitor advocate respondents to the survey. As of 1 August 2021, 55.66% of all practising solicitors identified as female.

All 157 BAME respondents answered this question. To protect the identity of respondents, a full breakdown of the results has not been included. Two-thirds of respondents identified as female and almost 30% of respondents identified as male. The other respondents selected other answer options.

81 BAME respondents were solicitors or solicitor advocates. 62.96% of these respondents identified as female and 30.86% of these respondents identified as male. The remaining respondents selected other answer options. This corresponds closely to the results from the 2020/2021 practising certificate renewal process, where 61.73% of BAME solicitors and solicitor advocates who provided their gender identity were female with 38.27% identifying as male.

Stage of career

Respondents were asked two similar questions relating to stage of career and current position within a firm or organisation. As not all respondents answered both questions, this report focuses on stage of career as almost all the respondents completed it.

At what stage of your career are you?

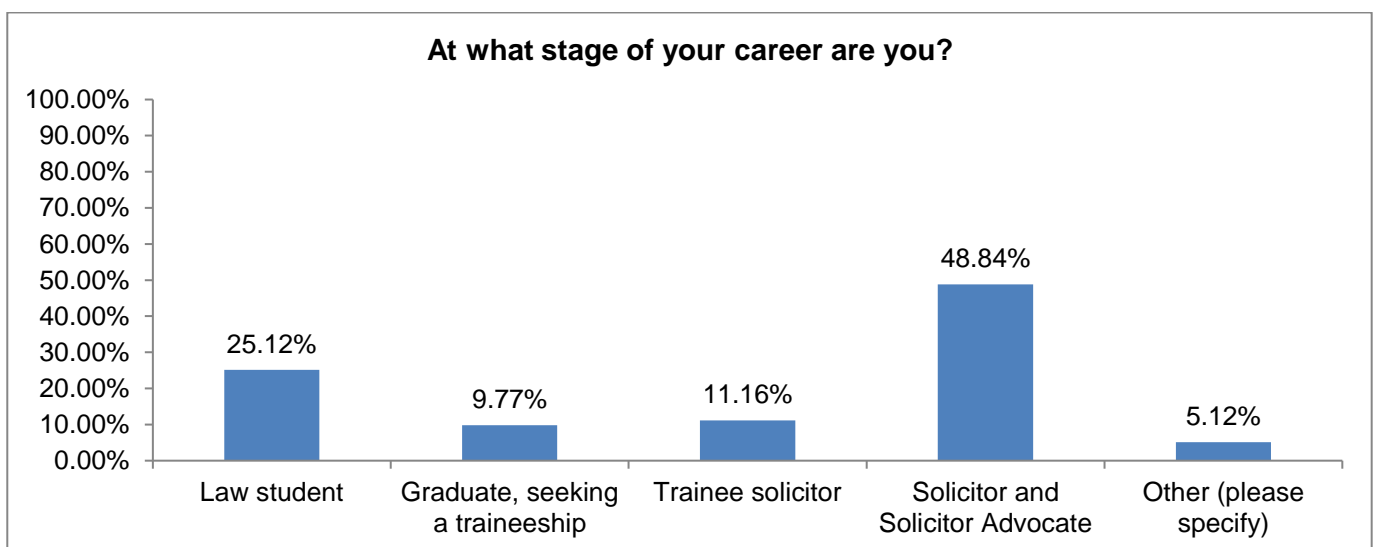
The largest respondent group was those working as solicitors and solicitor advocates at 48.84%.

77.14% (81) of the 105 solicitors and solicitor advocates identified as BAME. 77.22% (39) of the 54 law students identified as BAME.

Answer Options	Responses	
Law student	25.12%	54
Graduate, seeking a traineeship	9.77%	21
Trainee solicitor	11.16%	24
Solicitor and solicitor advocate	48.84%	105
Other (please specify)	5.12%	11
	Answered	215
	Skipped	1

Responses in the 'Other (please specify)' category included:

- Advocate
- General Counsel
- Paralegal
- Legal assistant



Sector

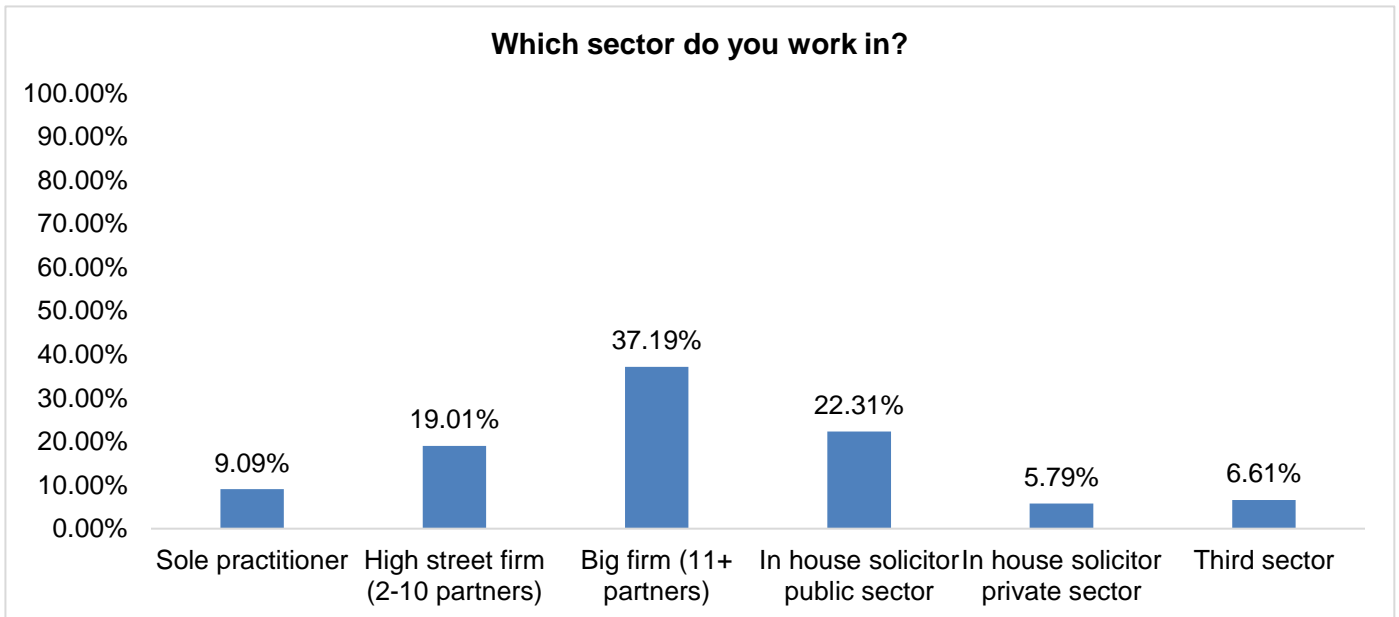
Respondents were asked where they worked. 121 respondents answered this question.

37% of all respondents indicated that they worked in firms or organisations with 11 or more partners.

Answer Options	Responses	
Sole practitioner	9.09%	11
High street firm (2-10 partners)	19.01%	23
Big firm (11+ partners)	37.19%	45
In house solicitor public sector	22.31%	27
In house solicitor private sector	5.79%	7
Third sector	6.61%	8
	Answered	121
	Skipped	95

Information held by the Society provides context on these results for practice units in private practice and highlights the number of solicitors at big firms and employed in-house. 536 solicitors were also registered at their home address or unemployed.

	Number of practice units	Number of solicitors
Sole practitioner	589	1118
2-10 partners	499	2869
11+ partners	37	4066
In-house public sector		1938
In-house private sector		1567

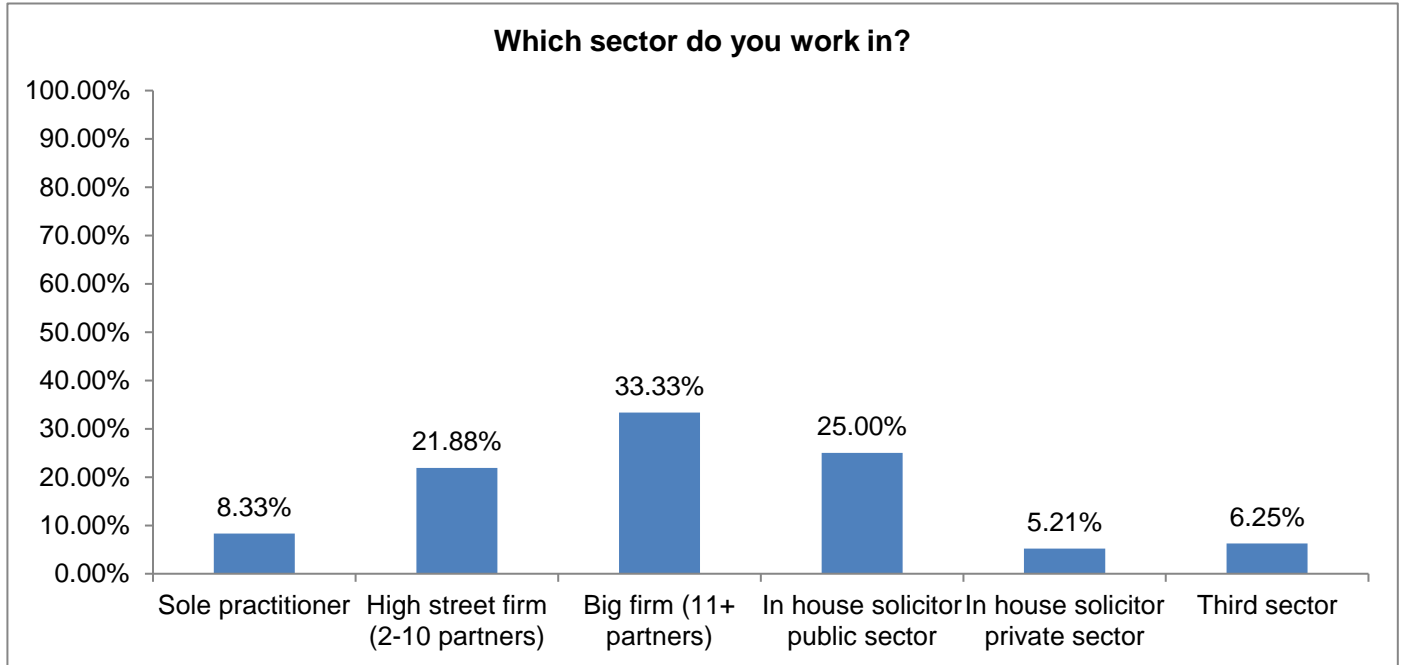


BAME respondents

When evaluating BAME respondents, the results were as follows:

- 96 BAME respondents completed this question
- all respondents were trainee solicitors, solicitors, or solicitor advocates (as was to be expected)

Answer Options	% of BAME respondents who answered question (96)	Responses
Sole practitioner	8.33%	8
High street firm (2-10 partners)	21.88%	21
Big firm (11+ partners)	33.33%	32
In house solicitor public sector	25.00%	24
In house solicitor private sector	5.21%	5
Third sector	6.25%	6
Total	100%	96



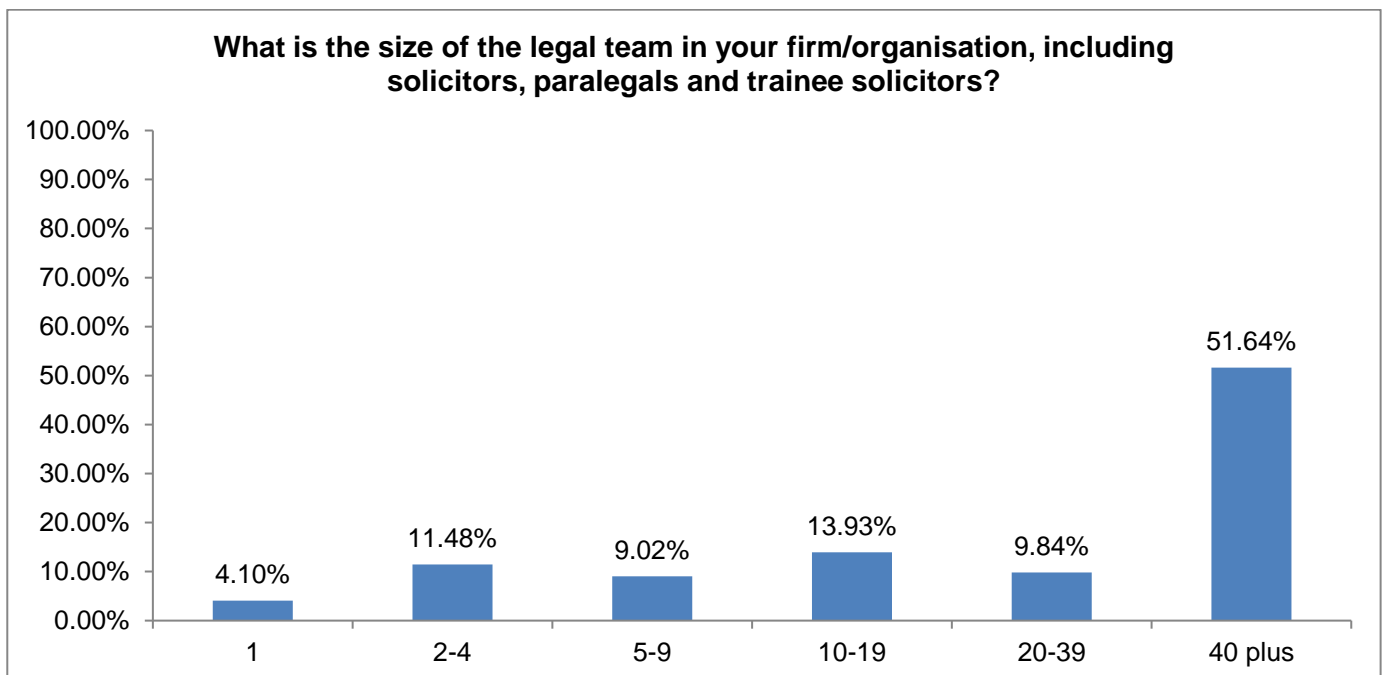
61 BAME respondents did not answer this question. 39 respondents were law students; 15 respondents were graduates seeking a traineeship and 7 respondents selected the 'other' answer option, which has not been listed to preserve anonymity.

Size of legal team

Respondents were asked to provide information on the size of the legal team in their firm or organisation, including solicitors, paralegals, and trainee solicitors. 122 respondents answered this question.

Just over one half of respondents advised that there are 40 or more individuals in their legal team.

Answer Options	Responses	
1	4.10%	5
2-4	11.48%	14
5-9	9.02%	11
10-19	13.93%	17
20-39	9.84%	12
40 plus	51.64%	63
	Answered	122
	Skipped	94



BAME respondents

When evaluating BAME respondents, the results were as follows:

- 96 BAME respondents completed this question
- all respondents were trainee solicitors, solicitors, or solicitor advocates (as was to be expected)
- 52% of respondents worked in legal teams with 40 or more solicitors, paralegals, and trainee solicitors

- 3% of respondents worked in legal teams with only one person
- The number of responses to the other answer options of 2-4, 5-9, 10-19 and 20-39 were similar and ranged between 9 and 14 respondents each

A detailed analysis has not been included as there is a risk of identifying respondents.

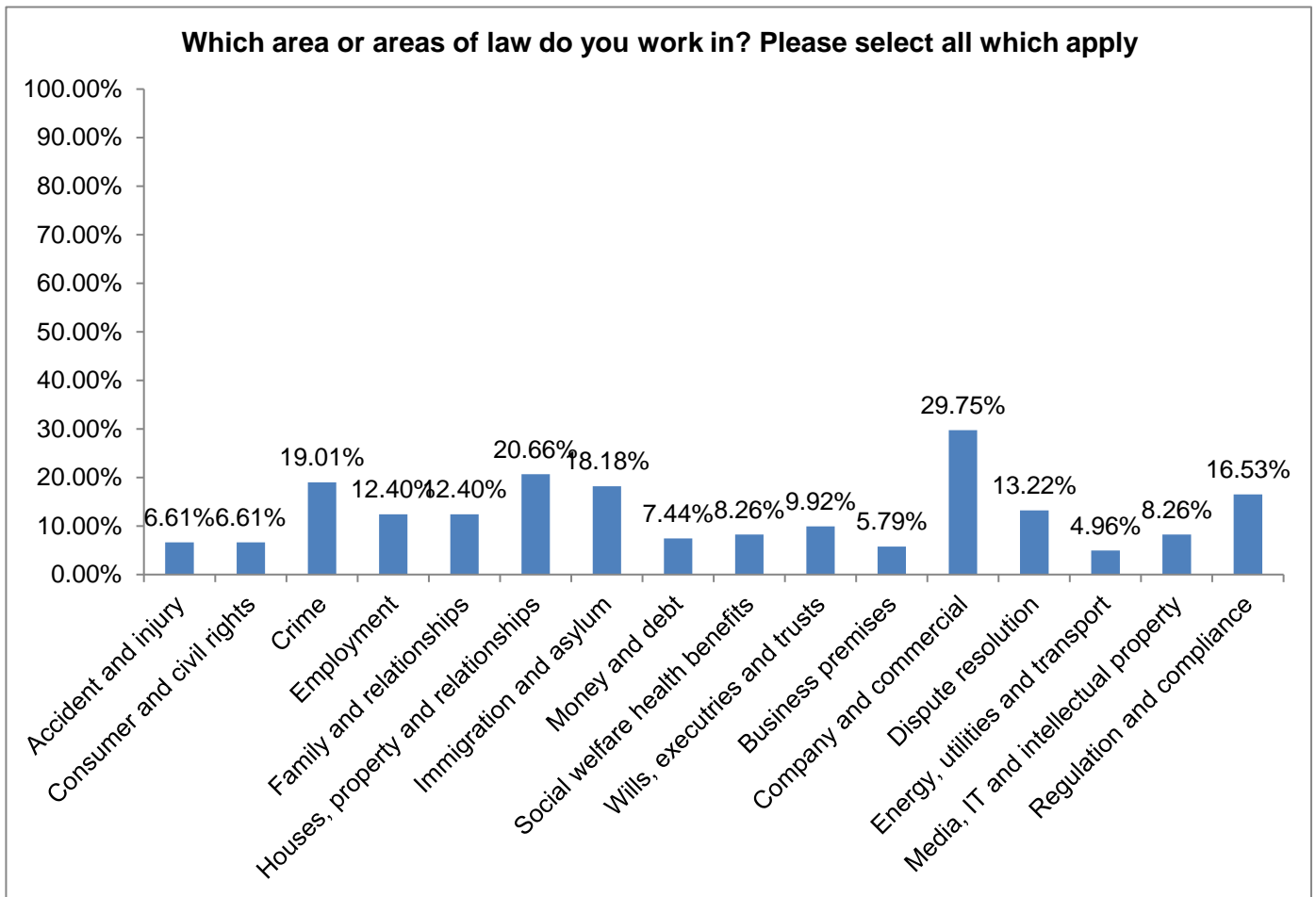
As was noted in the 'sector' heading above, 61 BAME respondents did not answer this question. 39 respondents were law students; 15 respondents were graduates seeking a traineeship and 7 respondents selected the 'other' answer option, which has not been listed to preserve anonymity.

Area or areas of law – currently worked in

Respondents were asked which area or areas of law they worked in. Respondents were able to select all of the answer options that applied. 121 respondents answered this question. All of the respondents were trainee solicitors, solicitors, or solicitor advocates.

The practice area of company and commercial received the highest percentage of responses at almost 30%. Just under 5% of all responses selected energy, utilities, and transport.

Answer Options	Responses	
Accident and injury	6.61%	8
Consumer and civil rights	6.61%	8
Crime	19.01%	23
Employment	12.40%	15
Family and relationships	12.40%	15
Houses, property, and relationships	20.66%	25
Immigration and asylum	18.18%	22
Money and debt	7.44%	9
Social welfare health benefits	8.26%	10
Wills, executries and trusts	9.92%	12
Business premises	5.79%	7
Company and commercial	29.75%	36
Dispute resolution	13.22%	16
Energy, utilities, and transport	4.96%	6
Media, IT, and intellectual property	8.26%	10
Regulation and compliance	16.53%	20
	Answered	121
	Skipped	95



BAME respondents

When evaluating BAME respondents, the results were as follows:

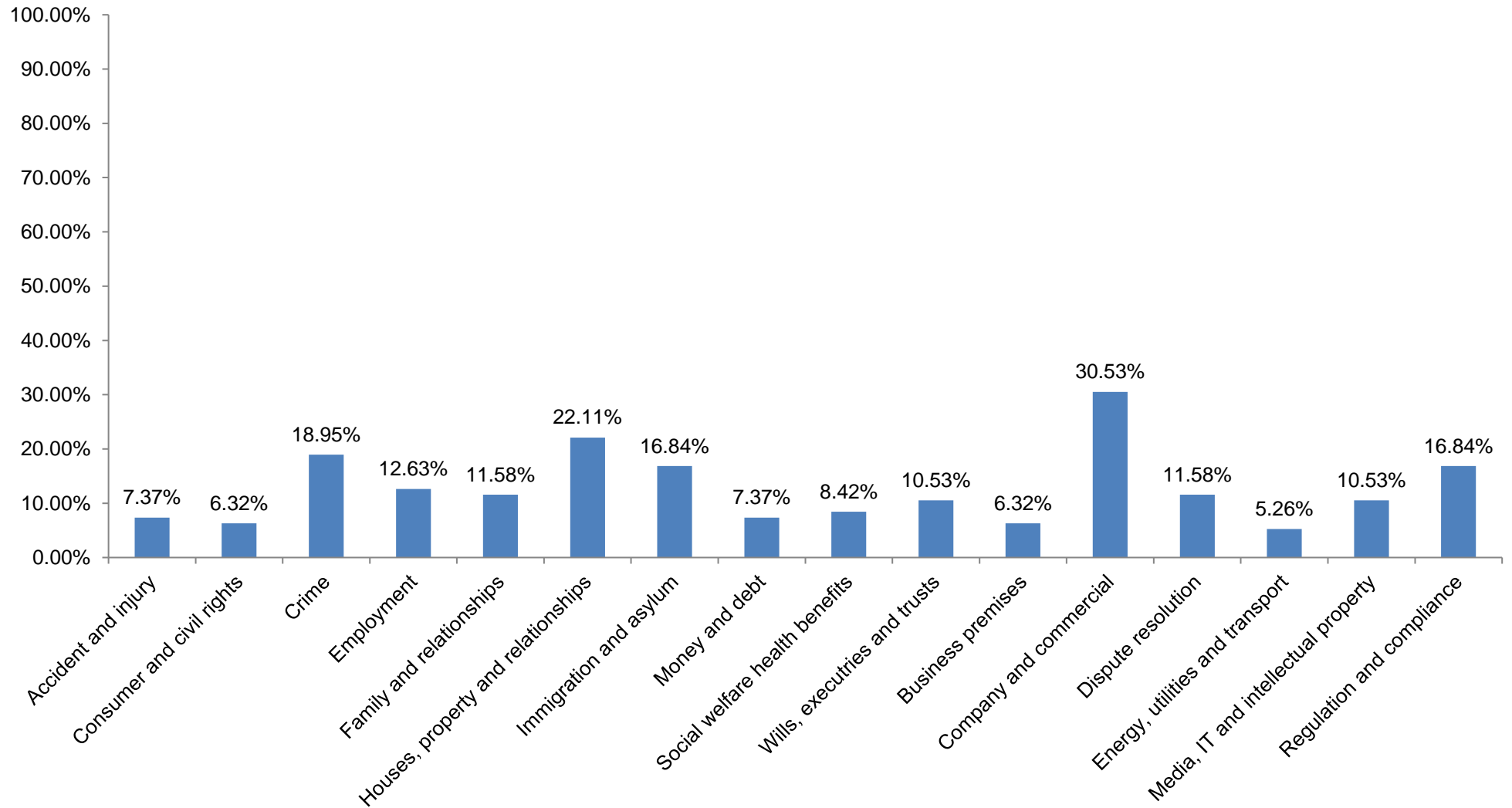
- 95 BAME respondents completed this question
- all respondents were trainee solicitors, solicitors, or solicitor advocates (as was to be expected)

Answer Options	Responses from BAME respondents	
Accident and injury	7.37%	7
Consumer and civil rights	6.32%	6
Crime	18.95%	18
Employment	12.63%	12
Family and relationships	11.58%	11
Houses, property, and relationships	22.11%	21
Immigration and asylum	16.84%	16
Money and debt	7.37%	7
Social welfare health benefits	8.42%	8
Wills, executries and trusts	10.53%	10
Business premises	6.32%	6

Company and commercial	30.53%	29
Dispute resolution	11.58%	11
Energy, utilities, and transport	5.26%	5
Media, IT, and intellectual property	10.53%	10
Regulation and compliance	16.84%	16
	Answered	95
	Skipped	62

The results for BAME solicitors matched the results for all solicitor respondents with the highest number of responses for company and commercial (31%) and the fewest number of responses for energy, utilities, and transport (5%). 62 BAME respondents did not answer this question.

Which area or areas of law do you work in? Please select all which apply.



Area or areas of law – would like to work in

Respondents were asked which area or areas of law they would like to work in. All respondents, including those who were not currently trainee solicitors, solicitors, or solicitor advocates, were able to provide information on which area of law they would like to work in. Respondents were able to select all of the answer options that applied. 183 respondents answered this question.

The practice area of company and commercial received the highest percentage of responses at almost 40%, followed by immigration and asylum at 31%. The practice area of money and debt was the least popular answer option.

Answer Options	Responses	
Accident and injury	13.11%	24
Consumer and civil rights	19.13%	35
Crime	26.23%	48
Employment	24.59%	45
Family and relationships	23.50%	43
Houses, property, and relationships	15.30%	28
Immigration and asylum	31.15%	57
Money and debt	7.10%	13
Social welfare health benefits	10.38%	19
Wills, executries and trusts	12.57%	23
Business premises	14.21%	26
Company and commercial	38.80%	71
Dispute resolution	22.95%	42
Energy, utilities, and transport	11.48%	21
Media, IT, and intellectual property	21.31%	39
Regulation and compliance	21.31%	39
	Answered	183
	Skipped	33

BAME respondents

150 BAME respondents answered this question.

Answer Options	Responses	
Accident and injury	14.00%	21
Consumer and civil rights	20.67%	31
Crime	24.67%	37
Employment	28.00%	42
Family and relationships	26.00%	39
Houses, property, and relationships	16.00%	24
Immigration and asylum	33.33%	50
Money and debt	6.00%	9
Social welfare health benefits	10.67%	16
Wills, executries and trusts	12.67%	19
Business premises	14.67%	22
Company and commercial	40.67%	61
Dispute resolution	24.00%	36
Energy, utilities, and transport	12.00%	18
Media, IT, and intellectual property	24.67%	37
Regulation and compliance	20.67%	31
	Answered	150
	Skipped	7

The results for BAME respondents again matched the results for all respondents. The highest number of respondents would like to work in company and commercial at 41%, followed by immigration and asylum at 33%. Again, the practice area of money and debt was the least popular answer option at 6%.

Sheriffdom

Respondents were asked which sheriffdom they mainly worked or studied in. To protect the identity of respondents, a detailed analysis of the overall and BAME responses is not included.

187 respondents answered this question with almost one-half of respondents indicating that they worked or studied within Glasgow and Strathkelvin and just over a quarter of all respondents indicating that they worked or studied in Lothian and Borders.

All 157 BAME respondents completed this question. Almost one-half of BAME respondents worked or studied in Glasgow and Strathkelvin and almost 30% of BAME respondents worked or studied in Lothian and Borders.

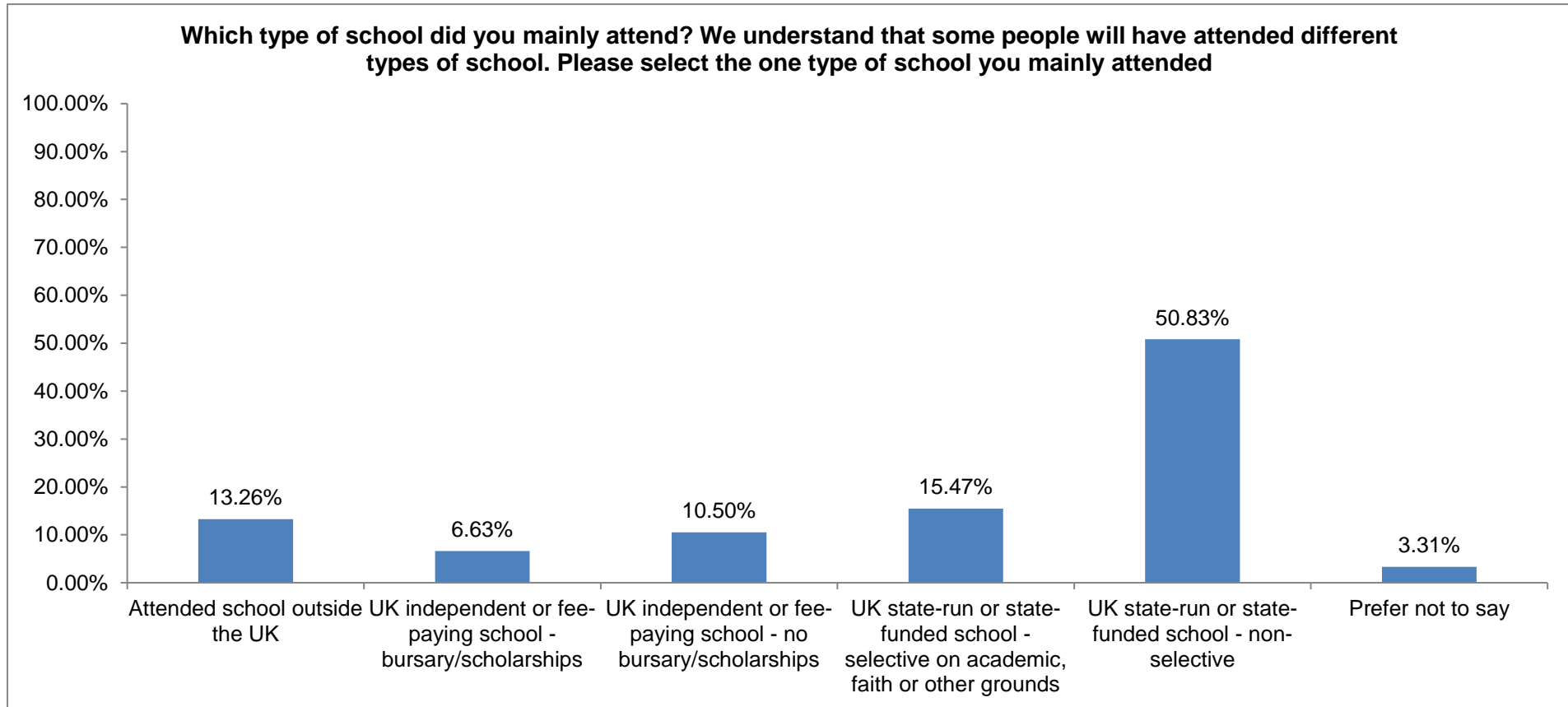
When analysing the results for the 94 solicitors and solicitor advocates who answered this question, there were only two sheriffdoms which a significant number of respondents selected. Out of the 94 solicitor and solicitor advocate respondents, 43 selected Glasgow and Strathkelvin (46%) and 31 selected Lothian and Borders (33%).

School attended

Respondents were asked which type of school they mainly attended. Some respondents may have attended different types of schools but were asked to select one answer option only.

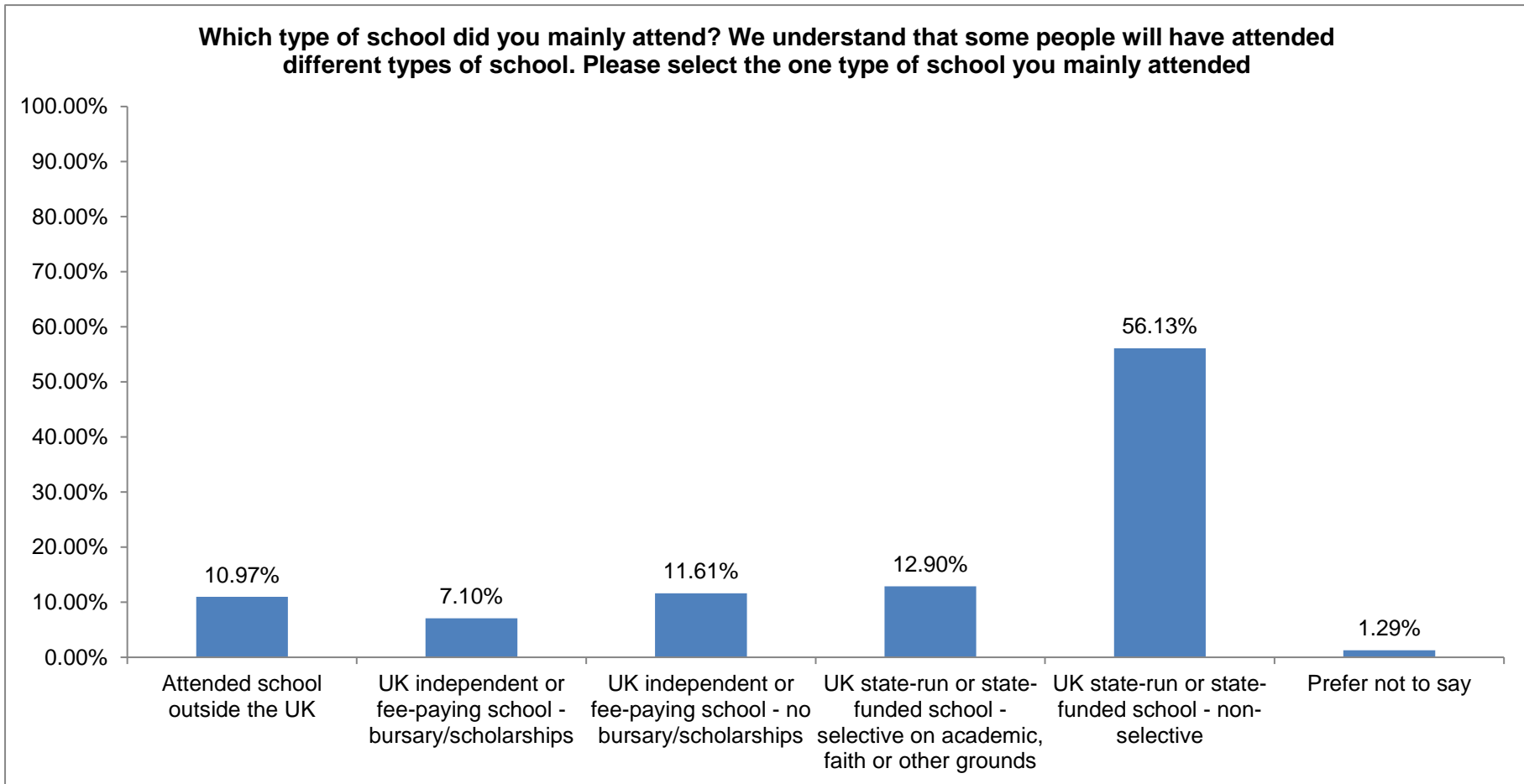
181 respondents answered this question. 50% of respondents attended a UK state-run or state funded school, which was non-selective.

Answer Options	Responses	
Attended school outside the UK	13.26%	24
UK independent or fee-paying school - bursary/scholarships	6.63%	12
UK independent or fee-paying school - no bursary/scholarships	10.50%	19
UK state-run or state-funded school - selective on academic, faith or other grounds	15.47%	28
UK state-run or state-funded school - non-selective	50.83%	92
Prefer not to say	3.31%	6
	Answered	181
	Skipped	35



155 BAME respondents answered this question. More than 50% of BAME respondents mainly attended a UK state-run or state funded school, which was non-selective.

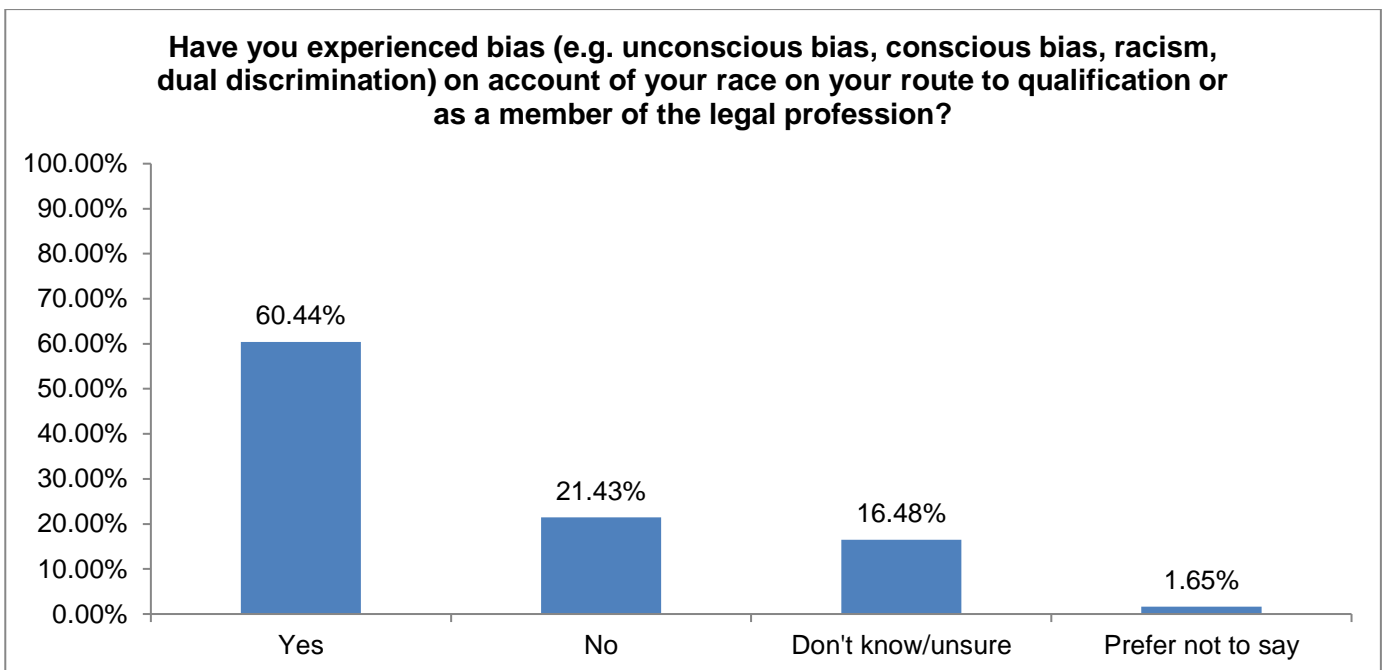
Answer Options	Responses	
Attended school outside the UK	10.97%	17
UK independent or fee-paying school - bursary/scholarships	7.10%	11
UK independent or fee-paying school - no bursary/scholarships	11.61%	18
UK state-run or state-funded school - selective on academic, faith or other grounds	12.90%	20
UK state-run or state-funded school - non-selective	56.13%	87
Prefer not to say	1.29%	2
	Answered	155
	Skipped	2



3. Experience of bias

The survey asked respondents whether they had experienced some form of bias based on their race on the route to qualification or as a member of the legal profession. The survey question included examples of the forms this bias could take such as unconscious bias, conscious bias, racism, and dual discrimination. When a respondent answered this question, we do not know to which of those they were referring.

Answer Options	Responses	
Yes	60.44%	110
No	21.43%	39
Don't know/unsure	16.48%	30
Prefer not to say	1.65%	3
	Answered	182
	Skipped	34

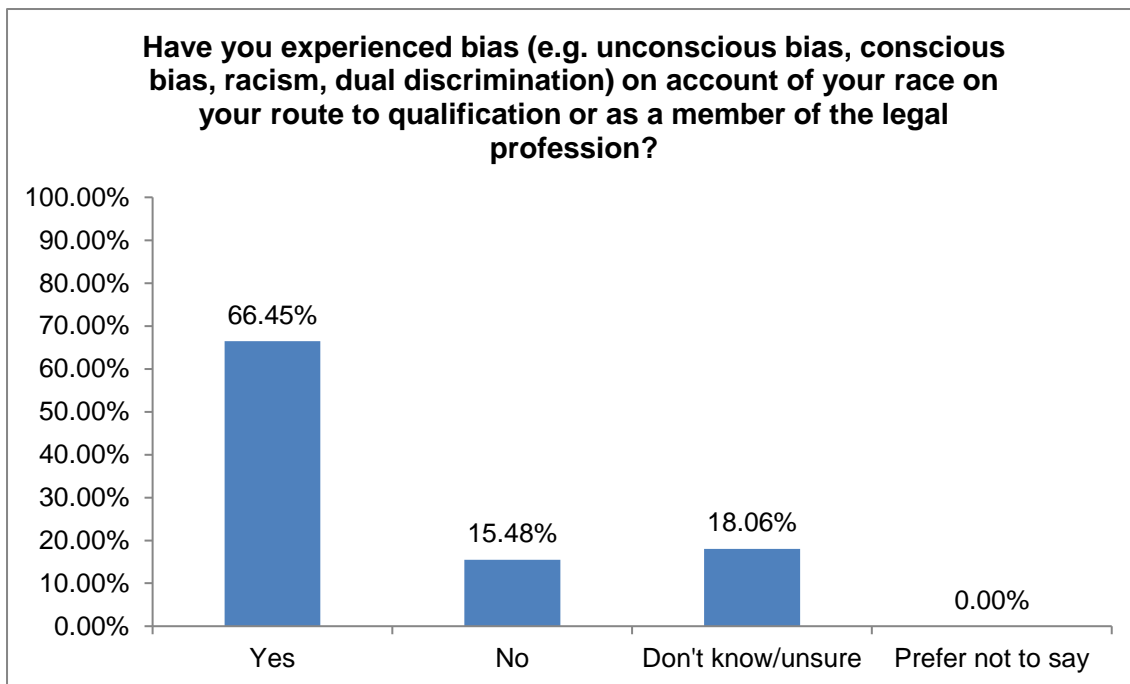


60% of the 182 respondents that answered this question confirmed that they have experienced some form of bias as a result of their race on the route to qualification or as a member of the legal profession.

BAME respondents

Two thirds of BAME respondents (103 out of 155) indicated that they have experienced some form of bias on account of their race on their route to qualification or as a member of the legal profession.

Answer Options	Responses	
Yes	66.45%	103
No	15.48%	24
Don't know/unsure	18.06%	28
Prefer not to say	0.00%	0
	Answered	155
	Skipped	2

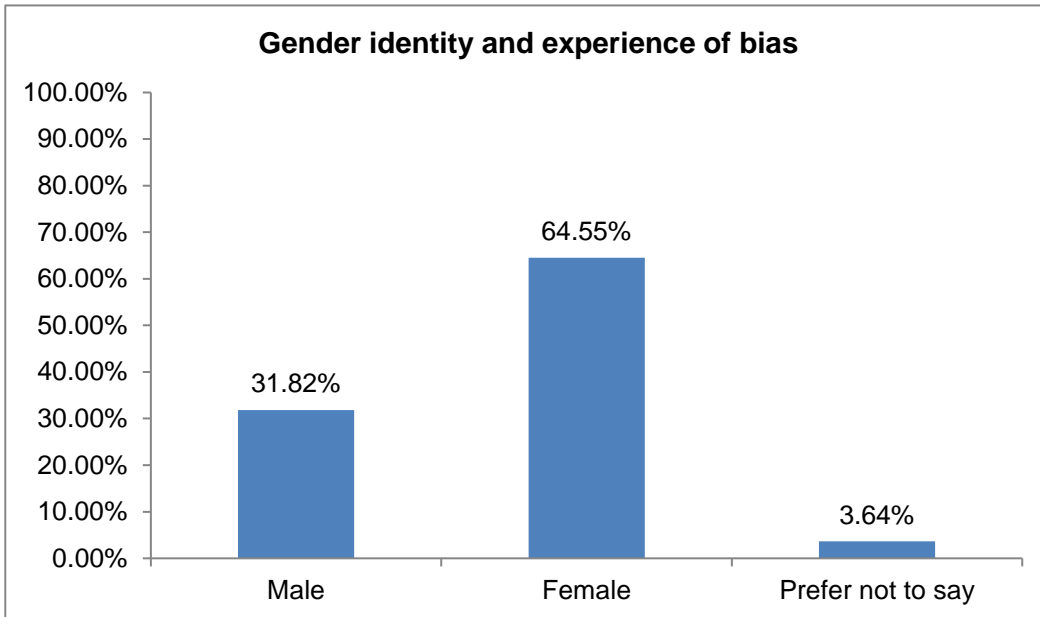


Analysis of all respondents who had experienced bias by gender

Almost two thirds of all respondents who told us that they had experienced some form of bias were female.

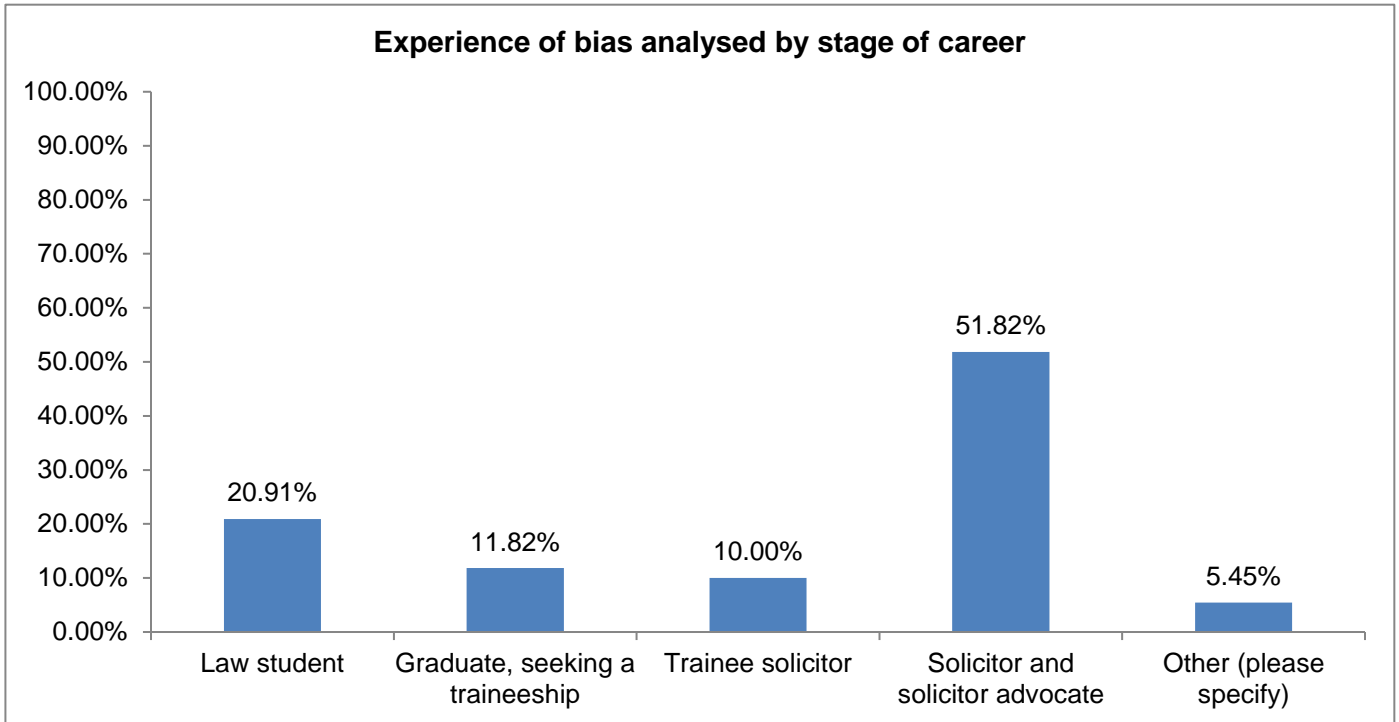
Answer Options	Responses	
Male	31.82%	35
Female	64.55%	71
Prefer not to say	3.64%	4
	Answered	110
	Skipped	0

No respondents selected the answer options of intersex, non-binary or 'I prefer to use a different term'.



Analysis of all respondents who had experienced bias by stage of career

Answer Options	Responses	
	Law student	20.91%
Graduate, seeking a traineeship	11.82%	13
Trainee solicitor	10.00%	11
Solicitor and Solicitor Advocate	51.82%	57
Other (please specify)	5.45%	6
	Answered	110
	Skipped	0



Just over 50% of respondents who answered that they had experienced some form of bias at some point during their career were solicitors or solicitor advocates at the time of completing the survey. One in five respondents who answered they had experienced some form of bias at some point during their route to qualification, were law students.

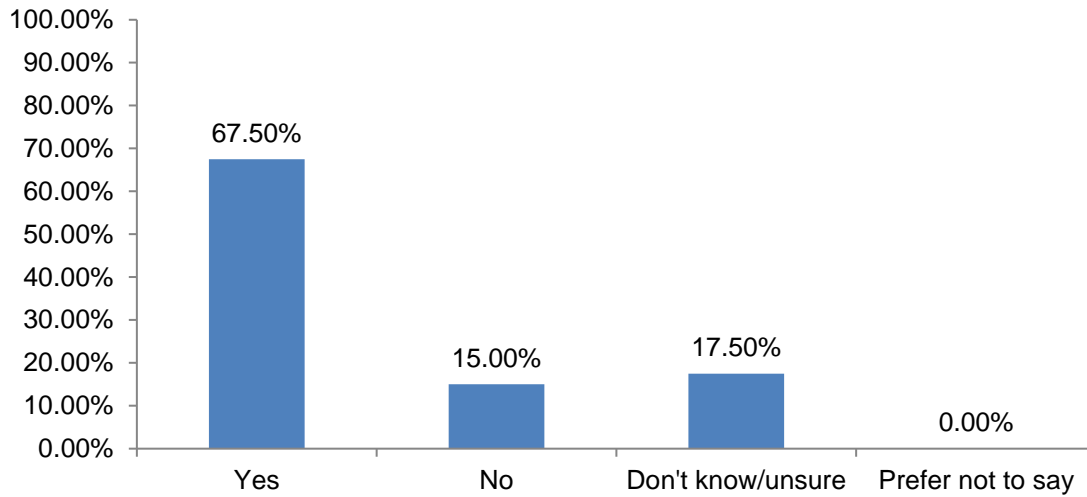
BAME solicitors and solicitor advocates who had experienced bias

More than two-thirds of BAME solicitors and solicitor advocates (54) said they had experienced some form of bias at some point during their route to qualification or career as a solicitor.

Answer Options	Responses	
Yes	67.50%	54
No	15.00%	12
Don't know/unsure	17.50%	14
Prefer not to say	0%	0
	Answered	80
	Skipped	1



Have you experienced bias (e.g. unconscious bias, conscious bias, racism, dual discrimination) on account of your race on your route to qualification or as a member of the legal profession?



Where had you experienced bias based on your race?

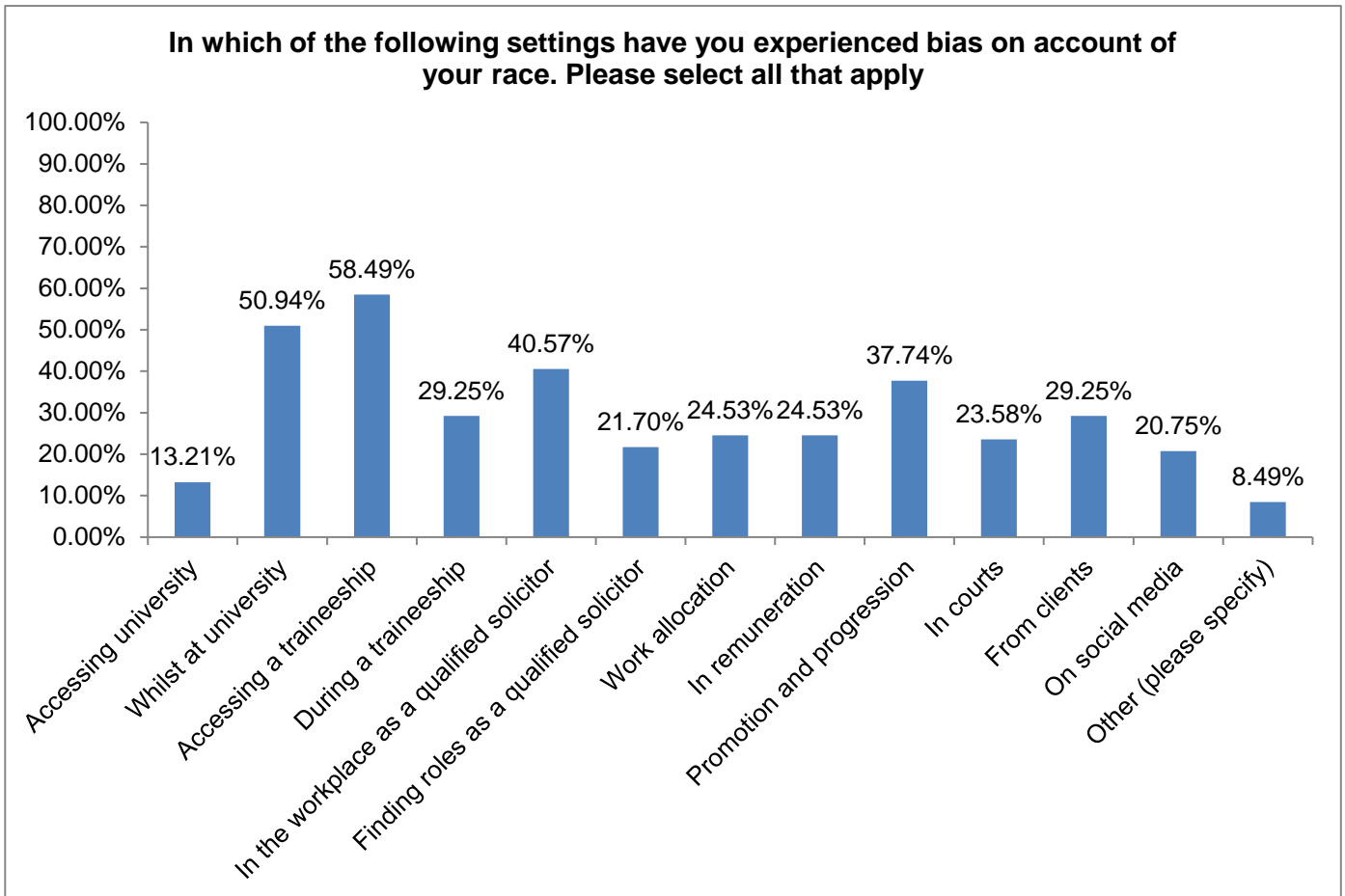
Respondents were asked where they had experienced some form of bias based on their race.

Respondents were able to select one or more answer options. 106 respondents answered this question.

This question asked all respondents about their experiences over their studies and career to date, without reference to a specific time frame.

More than 50% of respondents who answered this question indicated that they had experienced some form of bias based on their race whilst at university and whilst accessing a traineeship.

Answer Options	Responses	
Accessing university	13.21%	14
Whilst at university	50.94%	54
Accessing a traineeship	58.49%	62
During a traineeship	29.25%	31
In the workplace as a qualified solicitor	40.57%	43
Finding roles as a qualified solicitor	21.70%	23
Work allocation	24.53%	26
In remuneration	24.53%	26
Promotion and progression	37.74%	40
In courts	23.58%	25
From clients	29.25%	31
On social media	20.75%	22
Other (please specify)	8.49%	9
	Answered	106
	Skipped	110



BAME respondents

Answer options	Responses	
Accessing university	14.14%	14
Whilst at university	49.49%	49
Accessing a traineeship	59.60%	59
During a traineeship	27.27%	27
In the workplace as a qualified solicitor	41.41%	41
Finding roles as a qualified solicitor	21.21%	21
Work allocation	25.25%	25
In remuneration	24.24%	24
Promotion and progression	38.38%	38
In courts	23.23%	23
From clients	27.27%	27
On social media	21.21%	21
Other (please specify)	9.09%	9
	Answered	99
	Skipped	58

The results for BAME respondents appear to correspond with those for all respondents who answered this question. More than 50% of BAME respondents who answered this question indicated that they had experienced some form of bias based on their race whilst accessing a traineeship and almost 50% of respondents indicated that they had experienced some form of bias whilst at university.

Where all respondents had experienced bias analysed by their stage of career

Answer Options	Law students 23 respondents	Graduates seeking a traineeship 12 respondents	Trainee solicitors 10 respondents	Solicitors and solicitor advocates 55 respondents	Other 6 respondents
Accessing university	6	0	2	5	1
Whilst at university	16	6	5	23	4
Accessing a traineeship	7	11	9	34	1
During a traineeship	N/A	N/A	4	25	2
In the workplace as a qualified solicitor	N/A	N/A	N/A	40	3
Finding roles as a qualified solicitor	N/A	N/A	2	19	2
Work allocation	2	2	3	17	2
In remuneration	1	1	4	18	2
Promotion and progression	2	1	3	29	5
In courts	N/A	1	1	22	1
From clients	2	1	2	24	2
On social media	7	5	3	7	0
Other (please specify)	1	1	1	3	2

Each category of respondent highlights the challenges experienced at each stage of the route to qualification and then as a solicitor or solicitor advocate once qualified.

It is interesting to note that, when answering this question:

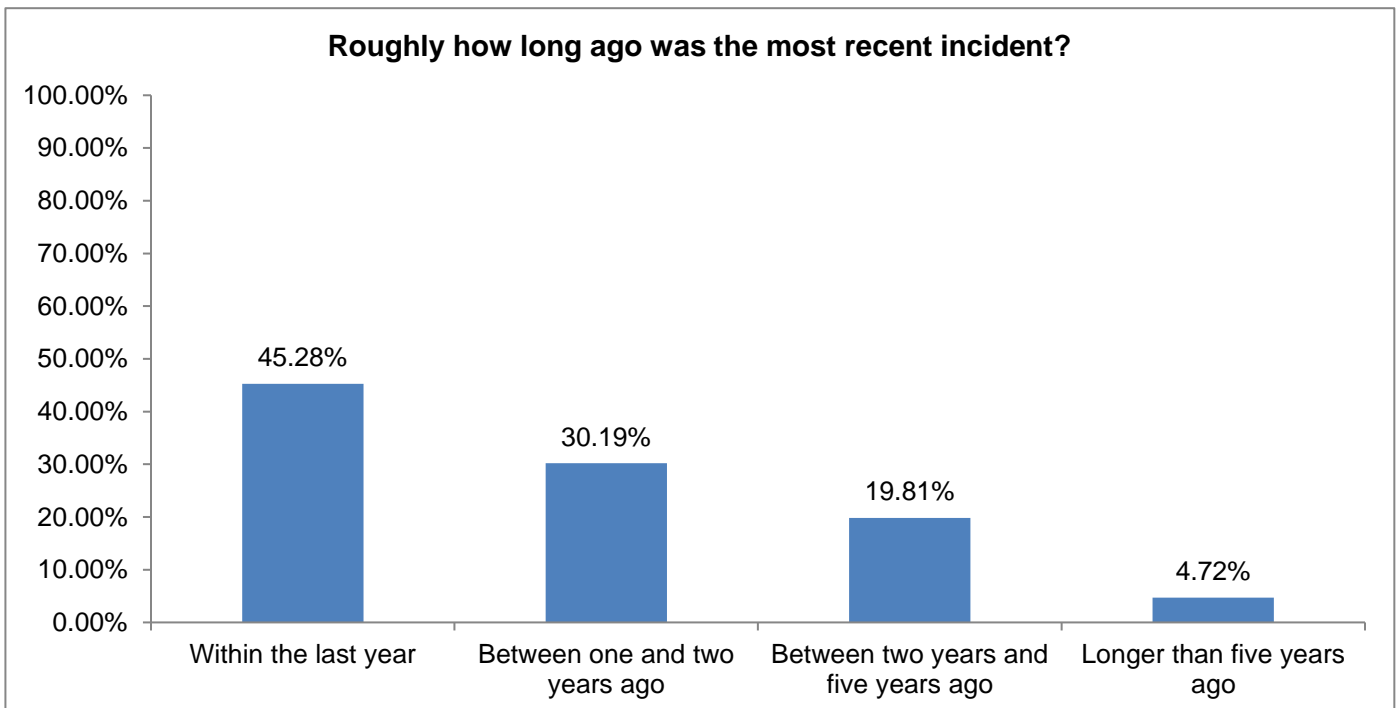
- almost 70% (16 out of 23) of law student respondents had experienced some form of bias while at university
- almost all (11 out of 12) of the graduates seeking a traineeship had experienced some form of bias while accessing a traineeship
- solicitor and solicitor advocate respondents have experienced some form of bias in many ways.
- Over 70% (40 out of 55) of those respondents said that they have experienced some form of bias in the workplace as a qualified solicitor, while just over 50% (29 out of 55) of them stated they have experienced some form of bias in relation to promotion and progression.

Respondents were not asked when these specific experiences took place, and some incidents may be in the past. That is not to diminish the experience rather to note that we do not know when the incidents highlighted occurred. It is possible that a number of respondents were experiencing some form of bias at the time of completing the survey or in the recent past.

When was the most recent incident of bias?

Respondents were asked when they most recently experienced some form of bias. 106 respondents answered this question with almost one half (45%) indicating that they had experienced some form of bias within the last year. Three quarters of respondents indicated that they had experienced some form of bias within the last two years (a combination of within the last year and between one and two years ago - May 2019 to May 2021).

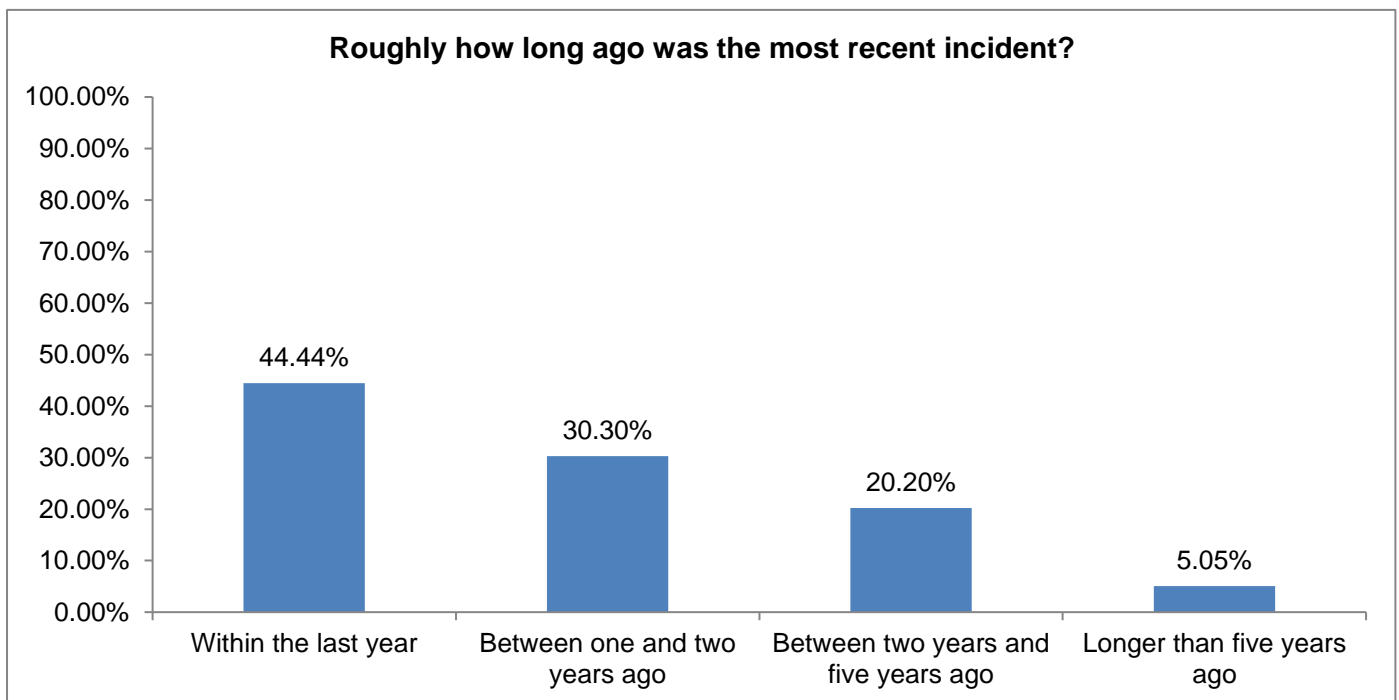
Answer Options	Responses	
Within the last year	45.28%	48
Between one and two years ago	30.19%	32
Between two years and five years ago	19.81%	21
Longer than five years ago	4.72%	5
	Answered	106
	Skipped	110



BAME respondents

More than one quarter (44) of BAME respondents said that they had experienced some form of bias within the last year. Almost one half (74) of BAME respondents said that they had experienced some form of bias within the last two years.

Answer Options	Responses	
Within the last year	44.44%	44
Between one and two years ago	30.30%	30
Between two years and five years ago	20.20%	20
Longer than five years ago	5.05%	5
	Answered	99
	Skipped	58



Experiences of bias within the last year (all 48 respondents)

Experiences of some form of bias within the last year should be viewed in the context of lockdowns and working from home restrictions as a result of the Covid 19 pandemic. Whilst that context is unusual, it provides a different background from which to consider the results as some respondents may have had less face-to-face contact with, or more online contact with, colleagues and clients than pre-pandemic.

It is interesting to analyse the number of respondents who had experienced some form of bias in the last year as a percentage of all respondents who had experienced some form of bias broken down by the stage of their career each respondent was at when completing the survey.

Stage of career	Number of respondents who had experienced bias within the last year (48 respondents)	% of all respondents who had experienced bias within the last year (48 respondents)	Number of respondents who had experienced bias at any point in their careers (110 respondents)	% of respondents who had experienced bias in the last year (from those who had experienced bias at any stage during their legal career)
Law students	11	22.92%	23	47.83%
Graduates seeking a traineeship	9	18.75%	13	69.23%
Trainee solicitors	4	8.33%	11	36.36%
Solicitors and solicitor advocates	21	43.75%	57	36.84%
Other	3	6.25%	6	50%

More than 40% of respondents who had experienced bias within the last year were solicitors and solicitor advocates. Whilst the respondent numbers were not large for graduates seeking a traineeship, it is concerning to note that almost 70% of those respondents who answered they had experienced some form of bias said that the most recent incident had been within the last year.

The table below shows the gender breakdown of the 48 respondents who had experienced bias within the last year.

Gender	Number of respondents
Female	29
Male	17
Prefer not to say	2

Experiences of bias within the last year (44 BAME respondents)

More than 40% (19 out of 44) of BAME respondents who had experienced bias within the last year were solicitors or solicitor advocates. Over one in five BAME law student respondents have experienced bias in the last year, with one in five BAME graduates seeking a traineeship having experienced bias in the last year as well. The remaining respondents selected other answer options.

A full breakdown of the results has not been included to protect the identity of respondents.

The table below shows the gender breakdown of BAME respondents who had experienced bias within the last year.

Gender	Number of respondents
Female	27
Male	15
Prefer not to say	2

A full breakdown by ethnicity is not possible as there is a risk of identifying respondents. 19 respondents selected Pakistani, Pakistani Scottish or Pakistani British and seven respondents selected Indian, Indian Scottish, or Indian British.

Comments relating to bias

Respondents were invited to provide accounts and information on the bias they had experienced. The responses ranged from challenges when applying for roles and a lack of support from an employer to racist comments and behaviour. The comments covered incidents or accounts that may have occurred at any time during their route to qualification or during their legal career. Respondents were not asked to specify when or where an experience of bias occurred in order not to identify anyone involved.

A summary of some of the accounts received are outlined below to protect the anonymity of respondents and any other individuals who may have been identifiable from the accounts provided:

Inappropriate use of language and physical contact (18 examples given by respondents)

- racist comments and behaviour made and witnessed from their time at university to working in law firms and organisations
- inappropriate focus on personal appearance, including negative comments on hair and skin colour, and touching of hair
- Name bias against names that are not viewed as traditionally Scottish, including mispronunciation and incorrect spelling of names of people from ethnic minority backgrounds. This was believed by some respondents to have adversely affected job prospects
- Negative assumptions about an individual, their name or their background based on race
- Stereotypes that group all individuals from an ethnic minority background as having had the same experience

Equal opportunities (25 examples given by respondents)

- Not being seen as 'local' or an inference that the respondent was not from Scotland or the UK
- Challenging to compete for placements when other students know solicitors in that firm or organisation
- Challenges when applying for positions or securing an interview, whether for trainee solicitor positions or for solicitor roles due to:
 - 'deeply rooted nepotism'
 - Inappropriate questions asked at interviews
 - A lack of feedback from unsuccessful job applications and interviews
 - Being pigeon-holed into certain practice areas
- Comments that roles were awarded as a result of someone's ethnic background
- Perceived limitations with job progression and promotion
- Perceived unfairness in work allocation and management from seat allocations during traineeship to work as a qualified solicitor
- Challenges with feeling part of the firm or organisation and a lack of a sense of belonging. This included not feeling part of the 'team' in terms of work and social activities
- Ability or capabilities questioned and a belief that individuals from ethnic minority backgrounds have to work considerably harder to succeed

Equal treatment and a lack of support (23 examples given by respondents)

- By clients who have made racist comments, preferred to speak to a more junior white colleague or questioned the ability of an ethnic minority solicitor
- By senior members of a firm or organisation which included not being supported by an employer when managing others or challenging racist comments
- By colleagues, such as mis-identifying individuals from ethnic minority backgrounds as other colleagues
- By education providers, such as university diploma programmes
- An assumption on the part of the client that the ethnic minority individual is not a solicitor or the manager and that a more junior white colleague is more senior
- Appearance of disparity in remuneration and failure to have transparent pay structures
- Perception that white colleagues would be treated differently if making the same request to an employer
- Perception of judicial bias
- Assumption that the respondents were interpreters when attending court or a note taker for meetings
- One respondent highlighted two distinct processes at the Society where they perceived they had experienced bias on account of their race

4. Views on future actions by the Society and others

Respondents were asked to rank the importance to them of a list of actions that the Society may consider taking to improve racial inclusion within the profession. 145 respondents answered this question.

The table below shows the results for what all respondents felt was the most important action that the Society could take. Just over one-third of respondents believed that this should be making equality and diversity training a mandatory part of CPD.

Possible actions	% of respondents
Making equality and diversity training a mandatory part of CPD	34.56%
Offering leadership skills training programmes for solicitors from ethnic minority backgrounds	15.33%
Create a specialised mentoring network focused on law students/trainees from ethnic minority backgrounds	11.11%
Create a group for solicitors from ethnic minority backgrounds within the Law Society of Scotland	5.19%
Change how the Society regulates around equality and diversity	8.51%
Set targets for the numbers of solicitors and lay people from ethnic minority backgrounds on the Society's committees	1.47%
Require a minimum percentage of ethnic minority solicitors at partner/board level of every firm with more than 25 employees	18.52%
Recording, and publishing where possible, data at key certain points	5.04%
Work with in-house solicitors to promote racial inclusion to firms they instruct	2.19%

BAME respondents – most important action

The most popular answer for BAME respondents was making equality and diversity training a mandatory part of CPD, with one-third respondents selecting this answer option.

Possible actions	% of respondents
Making equality and diversity training a mandatory part of CPD	33.05%
Offering leadership skills training programmes for solicitors from ethnic minority backgrounds	16.67%
Create a specialised mentoring network focused on law students/trainees from ethnic minority backgrounds	12.71%
Create a group for solicitors from ethnic minority backgrounds within the Law Society of Scotland	5.93%
Change how the Society regulates around equality and diversity	7.32%
Set targets for the numbers of solicitors and lay people from ethnic minority backgrounds on the Society's committees	1.68%
Require a minimum percentage of ethnic minority solicitors at partner/board level of every firm with more than 25 employees	18.49%
Recording, and publishing where possible, data at key certain points	3.31%
Work with in-house solicitors to promote racial inclusion to firms they instruct	2.48%

Solicitor and Solicitor Advocates – most important action

Solicitor and solicitor advocate respondents also agreed that making equality and diversity training a mandatory part of CPD was the most important action that the Society could take, with almost 40% solicitor and solicitor advocates selecting it.

Possible actions	% of respondents
Making equality and diversity training a mandatory part of CPD	38.57%
Offering leadership skills training programmes for solicitors from ethnic minority backgrounds	15.07%
Create a specialised mentoring network focused on law students/trainees from ethnic minority backgrounds	6.94%
Create a group for solicitors from ethnic minority backgrounds within the Law Society of Scotland	8.45%
Change how the Society regulates around equality and diversity	9.46%
Set targets for the numbers of solicitors and lay people from ethnic minority backgrounds on the Society's committees	0.00%
Require a minimum percentage of ethnic minority solicitors at partner/board level of every firm with more than 25 employees	14.29%
Recording, and publishing where possible, data at key certain points	5.48%
Work with in-house solicitors to promote racial inclusion to firms they instruct	1.41%



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