



The Law Society
of England and Wales

INTERNATIONAL WOMEN AND THE LAW PROGRAMME

1st ROUNDTABLE REPORT

30 October 2017



1. Executive Summary

Gender inequality stems from power imbalances between men and women. Changing mind-set is therefore essential to catalyse social changes that puts an end to this disparity, which is only possible through a multi-pronged approach (e.g. economic, social, legal, and political). Gender inequality undermines the role of both men and women in society, which paradoxically not only increases social and economic pressure on men; but also prevents women from achieving their potential. The absence of women in leadership and in decision making positions also prevents the adoption of appropriate policies that are responsive to women's needs. Consequently, confronting gender inequality would positively impact on both men and women, regardless of the sector, and would allow them to realise their full potential in society.

Like any other sector, the legal profession and the judiciary are yet to come up with assertive solutions to problems associated with gender inequality, which are seriously hindering the career prospects of female lawyers working in the sector. One of the Law Society's responsibilities is to support and encourage access to the profession and, for that reason, it strives to ensure that the solicitors' profession reflects the population it aims to serve, regardless of their background.

The "international women and the law" (IWIL) programme is one of five "international rule of law programmes" the Law Society is aiming to set up and consolidate in the next three years. The IWIL programme will aim to achieve the promotion and support of gender equality in the legal sector and the judiciary, by working towards levelling the playing field for women in particular female lawyers, judges and prosecutors. Above all, it will also endeavour to seek ways of addressing matters relevant to women's rights and gender equality within this sector, in partnership with other key stakeholders in the UK and internationally. It will aim to support initiatives aiming to eliminate gender stereotypes that perpetuate gender inequalities as well.

To begin the scoping process, which would lead to the formulation of a IWIL programme strategy, the Law Society invited a group of female solicitors, practitioners and academics to share their thoughts as to the future direction of this programme. This consultation group had the mandate to discuss the transformational opportunities, which may result from women occupying leadership roles, welcoming their thoughts and initiatives as to how best to accomplish this. This report reflects some of the discussions undertaken at the first roundtable in May 2017.



2. Introduction

2.1. About the rule of law programmes

Respect for the rule of law and human rights is fundamental to safeguard the independence of the judiciary and the legal profession, which is essential for establishing a reliable and credible judicial system that promotes and protect human rights and fundamental freedoms. The Law Society recognises that the added value of its work lies in bringing together the expertise of our members towards public interest, rule of law and human rights work as well as standing in solidarity with fellow lawyers around the world.

The Law Society's international rule of law programmes (IROL) are of strategic importance so that solicitors remain a strong, independent and effective profession with a strong focus on safeguarding the rule of law, protecting human rights and preserving fundamental freedoms. The Law Society's IROL programmes were developed so that the Law Society can respond in a more structured, comprehensive, systematic, and consistent manner to the needs of our members interested in this area and the requests for assistance from foreign bars and lawyers.

These international programmes intend to showcase the public interest work carried out by the Law Society and its members in order to advance the rule of law and human rights globally by building the legal capacity of the legal sector and judicial system, in partnership with other key stakeholders. The IROL programmes also intends to capitalise on its special consultative status to the Economic and Social Council (ECOSOC) of the United Nations, which was granted in March 2014.

In addition:

1. Engaging on rule of law and human rights internationally increases our **legitimacy and credibility** of being a **reliable and leading commentator** on law and justice matters internationally;
2. Contributing to build and enhance the Law Society's **reputation and profile in the international rule of law arena**, due to its involvement in key **strategic issues** and **worthwhile projects**;
3. **Hands-on support** for legal practitioners and human rights defenders will strengthen the **solidarity linkages, reputation and positioning around the globe**;
4. Increasing activities that promote Law Society's **international influence** is of particular importance in the context of **Brexit**;
5. Projects offer participants - both individual members and firms - the opportunity to **establish contacts with key legal service providers** in overseas jurisdictions;
6. Developing links with **key donors** on rule of law issues increases our **global standing**, and our ability to **leverage influence** for achieving transformational changes;
7. There is strong **complementarity and compatibility** between the rule of law and economic development;
8. Involvement in these types of projects enables us to **promote the English legal system and legal expertise** in what are frequently important commercial markets for our members;
9. Participation in these types of projects **contributes to law firms' international CSR work**, which is increasingly **aligned to their global business development** and risk management strategies;
10. Opportunities to participate in **international projects are popular** among members and firms, given the **profession's commitment** to pro-bono and upholding the rule of law and human rights.

2.2. Scoping work for the International Women and the Law" programme

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positively impact on both men and women, regardless of the sector, and would allow them to realise their full potential in society.

Like any other sector, the legal profession and the judiciary are yet to come up with assertive solutions to problems associated with gender inequality, which are seriously hindering the career prospects of female lawyers working in the sector. One of the Law Society's responsibilities is to support and encourage access to the profession and, for that reason, it strives to ensure that the solicitors' profession reflects the population it aims to serve, regardless of their background. In the Law Society's report "Diversity Profile of the Solicitor's Profession 2015", released in October 2016, it was reasserted that a diverse profession can meet the needs of its clients more effectively.

The statistics in this report show that:

- More women than men are joining the profession and now make up 48% of solicitors.
- 56.7% of Black and Minority Ethnic (BAME) solicitors are women.
- Over 50% of solicitors are the first generation in their family to attend university.

However, the report also found that:

- In the UK, a higher proportion of men (48%) than women (22%), irrespective of experience, were partners.
- Despite a steady increase in the number of women entrants to the profession over the last twenty years, only 28.8% of partners are women.
- Only 11.1% of partners come from BAME backgrounds.

Making transformational changes within the legal profession and the judiciary is paramount to ensure that the sector becomes more responsive to the needs of women lawyers and judges. Therefore, it is important to find joint solutions and identifying best practices that can be promoted both in the UK and abroad. Legal practitioners can make significant contributions in advancing gender equality whilst generating thought leadership and best practices models to support their fellow women lawyers on matters relating to: equal pay, flexible working, maternity policies, access to justice, education and training, and career progression.

The "international women and the law" (IWIL) programme is one of five "international rule of law programmes" the Law Society is aiming to set up and consolidate in the next three years. The IWIL programme will aim to achieve the promotion and support of gender equality in the legal sector and the judiciary, by working towards levelling the playing field for women in particular female lawyers, judges and prosecutors. Above all, it will also endeavour to seek ways of addressing matters relevant to women's rights and gender equality within this sector, in partnership with other key stakeholders in the UK and internationally. It will aim to support initiatives aiming to eliminate gender stereotypes that perpetuate gender inequalities as well.

Areas to tackle where the legal profession can exercise influence:

1. Increasing gender equality within the legal profession and the judiciary in relation to leadership, career progression, equal pay, work-life balance, tackling harassment, generating best practices, and women-friendly policies; and,
2. Eliminating gender based violence and impunity in post-conflict and conflict scenarios in order to create an environment that is conducive to achieving women's potential.

Activities may include:

- a. Promoting female role models in leadership;
- b. Generating more opportunities for women to break down women's invisibility;
- c. Challenging and confronting inherent bias;
- d. Developing mentoring and coaching schemes;
- e. Supporting the adoption of policies and regulation for changes at local level;
- f. Promoting flexible and adaptable working to enable better management of caring responsibilities.

These activities can be delivered through exchanges, training, research, mentoring schemes, and events, which would help to strengthen the solidarity linkages between women lawyers and judges in the UK with their women lawyers and judges in foreign jurisdictions.

3. The report

To begin the scoping process, which would lead to the formulation of the IWIL programme strategy, the Law Society invited a group of female solicitors, practitioners and academics to share their thoughts as to the future direction of this programme. This consultation group had the mandate to discuss the transformational opportunities, which may result from women occupying leadership roles, welcoming their thoughts and initiatives as to how best to accomplish this.

The first roundtable took place on 31 May 2017 in the Six Clerks room at The Law Society in Chancery Lane. Christina Blacklaws, Deputy Vice-President of the Law Society, chaired the meeting and Lucy Scott-Moncrieff provide some key notes discussion points. Lizzette Robleto de Howarth, International Programmes Manager, facilitated the discussions, led the preparations of the preliminary briefing papers as well as the drafting and editing of this report. This report reflects some of the discussions undertaken at the first roundtable in May 2017.

Some of the questions explored were:

1. What are the core areas, as identified by the group, in which women lawyers can contribute to increasing gender equality in the legal sector at the international level?
2. What are the core obstacles and challenges for achieving gender equality in the legal profession?
3. How can women members of the legal profession in England and Wales contribute to supporting other women lawyers internationally?
4. How can the Law Society contribute directly to make that change happen?

The participants were divided in three groups in order to discuss these questions and to generate debate that could further enrich the programme's scoping. The IWIL strategy will be presented and discussed at a second roundtable due to take place in November 2017.

In addition, in October 2017, as part of the programme of activities organised for the Opening of the Legal Year (OLY), the Law Society and the Bar Council will be co-hosting a roundtable on "Diversity in the legal profession and the judiciary" (and women in leadership in the law) as a global theme of concern for the legal profession. This roundtable allowed for in-depth and fruitful discussions with leading lawyers and bar leaders from around the world meeting in London.

The report of this first roundtable and the report of the OLY meeting will be used to identify the key priorities and issues that will underpin the formulation of the IWIL strategy.

3.1. What are the core areas, as identified by the group, in which women lawyers can contribute to increasing gender equality in the legal sector at the international level?

3.1.1. Championing the adoption and implementation of gender equality policies in the legal sector

The UK legal and judicial sector is still a long way from achieving gender equality and, given its influential position in society, it should play a more active leadership role on this issue, whilst also learning from others in the UK and beyond. From the UK experience, there is an increasing demand for greater equality coming from clients, the business sector, and the public, which is driving law firms to adopt and implement policies aimed at tackling gender inequality. However, an outline of what that equality may look like for the legal and judicial sector is important in order to be more strategic and targeted. One participant commented that the business community seems to have made some strides compared to the legal sector and law firms could learn from this experience.

There was consensus among the group that, to generate transformational changes, it is imperative to challenge pre-conceptions, stereotypes, as well as [governance] structures that are not conducive to fulfilling women's aspirations in society. Consequently, women should use their ingenuity, innovation, and be resourceful to engender such changes, instead of perpetuating existing expectations and models that do not necessarily work. This can generate thought leadership, which could translate into actions that could benefit the whole legal and judicial sector that could make it more accessible and more competitive for the next generation of lawyers and/or judges. This may include advocating for the introduction and adoption of appropriate policies, e.g. agile and/or flexible working and better work/life balance, which may be more appropriate for both men and women.

3.1.2. Galvanising the new generation of male and female lawyers in support of greater life/work balance

There have always been male champions of equality, which can be galvanised to increase support for changes in the legal and judicial sector.

There is also greater appetite among the new generation of male lawyers to share family responsibilities, which has become a growing trend as more men have adopted a different work/life balance compared to previous generations. This would allow both men and women to exercise their parental rights; and, consequently, it is in their best interest to make the legal and judicial sector less onerous, more acceptable, and more tolerant to take paternity leave.

The combination of efforts, coming from both men and women, can be a catalyst that could contribute to eliminate outdated gender stereotypes, greatly benefitting both genders. Therefore, increasing the positive messages in support of non-judgmental life/work balance are necessary to eliminate penalising women for their choices and to support men into breaking the restrictive masculinity mould.

3.1.3. The legal sector must lead transformative changes by example

It is important to identify and to tackle the root causes that are restricting the full participation of women in the legal and judicial sector and in society more generally - it is the sector and society that needs adjusting to be more adaptable and flexible, not women.

Traditional patriarchal structures limits not only women, but also men. Increasing the number of female role models could help to show variety and visibility within the legal sector, which can help to transform the distorted set of stereotypes and social norms that are putting obstacles for women's development. Role models may be specific individuals so it is important to identify women in your firm and/or business.

The legal profession must lead by example ensuring that those firms who have pledged support to greater gender balance have implemented relevant policies and adhere to them. In addition, a comprehensive and sustained advocacy is required to persuade those firms who have yet to adopt and implement the right policies. The legal sector must also learn to celebrate those firms, industries, and/or people who are leading transformative changes so as to encourage others to follow good practices and examples.

Moving away from the number of hours worked as indicators of good performance, and introducing new good performance measurements, such as the added value and contribution of a legal practitioner in legal practice, can lead to changes in perception and performance within the legal and judicial sector.

Women lawyers and judges must also learn to strengthen their position and value within the profession so as to increase retention and recruitment. It is important to involve clients in these discussions as a way of exercising influence and causing things to change - clients choose their lawyers not only because of their expertise, but also because of who they are.

At a more operational level, working with senior partners to change the prevailing culture within law firms can take place by introducing new practices such as the use of personality profiling and other tools to help them to understand what type of person they are managing and/or engaging with.

3.2. What are the core obstacles and challenges for achieving gender equality in the legal profession?

3.2.1. Detrimental effect of career breaks and/or an inflexible workplace on women

Taking a career break has always had a severe impact on career progression. However, according to participants, women lawyers appear to be disproportionately affected, which may indicate serious flaws on how the legal and judicial sector currently functions.

Those returning to work, following a deliberate and/or enforced "work break", are not given enough opportunities to return to the workplace - "work break" might have been due to a number of reasons, including, but not limited to: having children, further studies, taking a gap year, caring for a loved one, and/or following a prolonged illness.

There are also substantial barriers that could prevent women from returning to work, especially in those cases where there is no continuous contract in place. There might also be countless changes in

legislation and/or legal practices that could make women lose their confidence, forcing them to pursue other avenues.

Participants agreed that, while some women have actively chosen to set up their own law firms, others have felt compelled to do so due to the lack of career progression and/or barriers to re-entering the profession after a career break.

Participants also expressed that women lawyers often face intrusive criticism when making decisions relating to balancing between family life and a career - If they chose their career over family life, they are too ambitious and/or too career oriented. If they chose their family over their career, they show no ambition or interest in pursuing a career and/or committed to their firms.

Although a number of international law firms have adopted specific policies to tackle some of these problems; in practice, the changes introduced are not happening at the necessary pace so more incentives are needed to speed up the process e.g. there are only a handful of law firms offering flexible working. However, the question still remains on whether the current law firm business model is flexible, responsive, and inclusive.

3.2.2. Limitations to women's development and active engagement in the legal sector

For centuries, men have traditionally had unfettered power and control over public spaces, have designed public institutions and their laws, and have run these spaces on behalf of the wider society. Women entering the public space have challenged such tradition; but changes in the power relations and control have not moved concurrently, which seriously limit women's choices and participation.

In this regard, the legal sector has been very slow in adopting and implementing, in a consistent and transparent manner, women-friendly policies and those law firms that have adopted such policies should be monitored to avoid rubber stamping. The impact in the implementation of such policies should lead to a change in the organisational culture, which must be closely scrutinised and can help towards the development of good practices.

Many women in the legal profession initially struggle with lack of confidence, which is exacerbated by the more-often-than-not male dominated environment. As a result, some women lawyers have felt compelled to adopt masculinity traits in order to fit in with the old-fashioned and gender imbalanced 'group dynamic' in the sector. Networking activities are also geared to activities that fit men and their lifestyle such as playing golf, drinking, etc. Moreover, leadership roles have been shaped to fit men, which can only be conducive to a homogeneous leadership style and one that women may struggle with.

Diversity could represent an obstacle to business in traditional settings (small medium sized firms).

3.3. How can women members of the legal profession in England and Wales contribute to supporting other women lawyers internationally?

By its very nature and influence, the legal profession should be leading transformational changes to achieve gender equality and to increase our social responsibility of eliminating gender and unconscious bias by finding ways of challenging and changing stereotypical mind-sets. When challenging gender misconceptions, evidence-based arguments are needed to reduce the increasing backlash and to increase support.

There are challenges in operating internationally given the wide range of cultures and positions around the world so how do we determine role models in a culturally-sensitive way? Some interventions should be focused on specific geographical areas in order to facilitate the delivery of the planned projects and produce realistic programmatic outcomes. It is also important to look at the wider societal problems, which are hampering gender equality at the global level and/or in specific regions. This is because the challenges encountered by women in the workplace, specifically in legal sector, are just symptomatic of a wider problem.

Women are prevented from progressing in their professional development in different ways. A receptive environment for women should be enabled in order to progress their careers without pre-conceptions on their choices.

Some good practices may include:

- Law firms should introduce a variety of "women friendly policies" and good practices;

- 'Return-to-work' programmes can help women to settle back into the workplace; and,
- Increasing networking opportunities and safe spaces to share tips, twinning, mentoring, etc.

In addition:

- Involving men is important for transformational changes;
- Leading the way to communicate the "male-bias"; and,
- Increasing our linkages by working with the wider women's networks e.g. business services.

Potential themes discussed:

1. The transformational role of women in leadership (potential campaign)
2. Looking at us as role models (potential tool)
3. How the law has failed women in armed conflict (potential case studies)
4. How women's SRHR are being neglected (potential theme)
5. Helping to empower women by mentoring and good role models (potential tool)
6. Building women's confidence and integrating women into the mainstream (potential campaign)
7. Wellbeing matters; diversity matters (potential campaign)
8. Persuading and bringing more women as partners (potential theme/campaign)

3.4. How can the Law Society contribute directly to make that change happen?

The IWIL programme must link up to existing initiatives in order to add value such as the IBA women in leadership, the Law Society's women division, law firms pro bono and women's committees, Law Society's and/or Bar Associations women's division in foreign jurisdictions.

The IWIL programme's objectives should be specific and achievable to ensure that time and efforts are not wasted and investment has longevity. It must also be meaningful to a wide number of women involved, not just the few.

It is also important to define the beneficiaries and/or target group e.g. lawyers, human rights defenders, practitioners, women's groups, etc. It is also important to understand people's expectations. Given our mandate, it make more sense to focus on women lawyers and/or those working in CSOs as 'quasi-lawyers'. Assessing which geographical areas will be covered will help in shaping realistic and successful programmes.

It is crucial to develop a strategy to support women solicitors who are compelled to leave the profession for personal rather than professional reasons. This could include helping to strengthen the gender attributes and the economic value that women bring into the law. Women should be mainstreamed rather than just committing only to women's quotas. The Law Society should use its reputation to strongly position and to promote this agenda with others including the British Council.

The Law Society could develop a campaign on successful women lawyers around the world in order to show in a positive light their stories and experience as professionals and women working in a competitive legal sector (following the footprint of campaigns such as "Say my name" and "This is me - wellbeing"). The Law Society could also help to facilitate exchanges as to share good practices with foreign law firms in the UK and abroad.

5. Potential responses

Strategy	Tools
<ol style="list-style-type: none"> 1. Developing a strong network of female lawyers that can help to connect to each other on specific topics including exchanging tips and best practices 2. Sharing individual stories that can help to motivate and inspire other women, including young women, to stay in the profession and help to change it from within 3. Encouraging law firms to sign up to the Equality and Diversity Inclusion Agenda 4. Encouraging law firms to adopt “Flexible Working” as a matter of common practice 5. Facilitating exchanges with other women in order to learn from each other beyond their careers as well as to generate more solidarity amongst ourselves. 6. Supporting other women to become empowered 7. Getting involved with other like-minded initiatives such as the Lord Mayor’s campaign on well-being, Commission on the Status of Women, international conferences, etc. 8. Capitalising on the power of statistical data by increasing quantitative and qualitative research 	<ol style="list-style-type: none"> 1) Speed networking in a conference 2) A career barrier action plan for England and Wales that can be shared with women around the world 3) Establish direct links with a number of law firms that could act as champions / Devising attractive and flexible return to work programmes for women 4) Establish direct links with a number of law firms that could act as champions 5) A handbook of women experiences in the legal sector, which could include UK practitioners and internationally / Training workshops for women lawyers internationally Authentic and innovative ideas to strengthen the profile of female role models events with women from around the world. 6) Leadership and mentoring schemes/ Peer to Peer mentoring / Reverse mentoring/ Sponsorship schemes for younger female members of the legal profession and/or those with limited income / Establishing a dialogue with other bar associations internationally on this issue / International secondments / Developing materials or support women's associations to produce materials e.g. stories, clips, booklets, etc 7) Facilitate the participation of female legal practitioners to international fora and conferences including UIA, IBA, CSW to share ideas and good practices, especially for those who can't afford the membership of these organisations
Messages	Actions (short term)
<ol style="list-style-type: none"> a. Working towards a reduction in the gender pay gap and on issues relating to sexual and reproductive health rights b. Dispelling gender stereotypes giving a voice and providing good role models c. Women-focused solutions focused on what we are good at d. Open criteria and transparent processes to encourage women to apply for leadership positions e. Women should aspire for career progression f. Women’s balance between professional and personal life is valued by clients. We must capitalise on this. g. It is important to safeguard the safety of women lawyers working under very precarious circumstances and/or in jurisdictions facing authoritarian regimes h. Encourage other jurisdictions to start collecting data relating to pay reviews and other women-friendly policies 	<ol style="list-style-type: none"> a) Leadership Foundation for higher education “Aurora” programme network b) Setting up the International Women and the Law programme strategy for discussion at the next roundtable meeting: <ol style="list-style-type: none"> i. To undertake further research and scoping in order to inform the development of the International Women and the Law programme strategy with its findings to be presented at the second roundtable in November 2017 ii. To ensure that monitoring and evaluation is included in the research and implementation of the programme so as to measure the success of the work. iii. To create an email group or forum amongst the participants to the first roundtable to share information and updates towards the second roundtable in November 2017.

Annex 1: Full List of Participants

No.	Name	Position	Organisation
1	Christina Blacklaws	Deputy Vice President Director of Innovation	The Law Society Cripps LLP
2	Lizzette Robleto de Howarth	International Programmes Manager	The Law Society
3	Alexandra Cardenas	Public Affairs Manager	The Law Society
4	Roberta Taveri	International Coordinator	The Law Society
5	Lauren Thornton	Innovation Researcher	Cripps LLP
6	Susan Bright	Regional Managing Partner (UK and Africa)	Hogan Lovells
7	Lucinda Case	Vice-President (Customer Segments and Strategy)	Thompson Reuters
8	Professor Christine Chinkin	Professor of International Law and Director of the Women Peace and Security Centre	London School of Economics
9	Dana Denis-Smith	Solicitor and International Journalist	Obelisk Support
10	Laura Devine	Solicitor and US Attorney	Laura Devine Solicitors
11	Leah Glover	Solicitor	DWF
12	Coral Hill	Associate Professor	The University of Law
13	Vidisha Joshi	Managing Partner	Hodge Jones and Allen
14	Janet Legrand	Senior Elected Board Member	DLA Piper
15	Alexandra Marks	Marketing team/Recorder	Linklaters/South Eastern Circuit
16	Lisa Mayhew	Managing Partner	BLP LLP
17	Anne-Marie Piper	Senior Partner/Head of Charities Team	Farrer and Co. KKP
18	Elizabeth Robertson	Partner	Skadden, Arps, Slate, Meagher & Flom LLP
19	Yasmin Sheikh	Disability Consultant	Independent
20	Suzanne Szczenikowicz	Senior Associate	Milbank, Tweed, Hadley and McCloy
21	Lucy Scott-Moncrieff	Founder and Managing Director	Scott Moncrieff & Associates Ltd.

23	Penelope Warne	Senior Partner	CMS Cameron McKenna
24	Lesley Wan	In-House Counsel	Lloyds Banking Group

-.Ends.-
Lizzette Robleto de Howarth
International Programmes Manager
30.10.17