



THE UNIVERSITY *of* EDINBURGH
Edinburgh Law School

The Future for Women in Law: Work, Rest and Progress

Facilitated Discussion | Edinburgh Foundation for Women in Law



The Future of Women in Law: Work, Rest and Progress

On the 7th September 2021, the Edinburgh Foundation for Women in Law hosted a facilitated discussion on ‘The Future for Women in Law: Work, Rest and Progress’ as a follow-up to the Foundation’s ‘Living and working in the time of COVID-19’ listening event in April 2021. The April event looked towards the future for women in the legal profession in Scotland, and this further event allowed us to explore whether our current methods are fit for purpose and sustainable for women.

Key action points

Work: Share good practice widely, avoid reverting back to “business as usual,” and adopt a gender neutral language policy.

Rest: Women need to be able to acknowledge when they are not okay and workplaces should present accessible role models to encourage a healthy work/life balance.

Progress: Workplaces should consider the mentoring and network support that is available to women and consider how their business structures inherently inhibit female progression.

For the September 2021 event, Naeema Sajid, Founder of Diversity+, moderated a discussion on what works and what needs to change in the legal profession to capture and retain female talent with a panel of industry leaders in the legal field, including Amanda Miller (Past President of the Law Society of Scotland), Yvonne Brady (Morton Fraser LLP), Rupa Mooker (MacRoberts LLP) and Fiona Eadie (Crown Office and Procurator Fiscal Service).

The panel discussed three themes: work, rest and progress. The event was attended by 55 delegates, who contributed ideas and questions for the panel.

This briefing note presents the key themes that emerged from those discussions, with a view to suggesting key action points moving forwards.

Work

The working world has changed in the past 18 months. The COVID-19 pandemic has demonstrated that we can all effectively work from home. Work still gets to clients on time and the legal sector should not revert to “business as usual” as we move out of the pandemic.

Not everyone will want to continue to work from home. However, managers and clients should have moved away from expecting instant communication and late working from

the legal profession. There remains a perceived imbalance between the working conditions in the private and public sector; although there are also considerable differences between workplaces too. Examples of good practice should be shared widely so that the legal profession can move forwards.

This is not just a question of flexible working, but also alternative working arrangements. The legal profession needs to be agile. It might be useful for workplaces to sit down and rethink the role of the office: perhaps it could become a hub for staff development rather than just a computer in a room.

More widely, workplaces should consider adopting gender neutral language policies. With women throughout the profession still receiving “Dear Sir” correspondence, there is no reason why workplaces cannot pivot to using more neutral language in communications.

Action points: Share good practice widely, avoid reverting back to “business as usual”, and adopt gender neutral language policy.

Rest

Women in the legal profession need to be able to acknowledge when their wellbeing is suffering. There is an element of self-responsibility in this regard, but workplaces should facilitate safe spaces for this acknowledgement to happen.

With more opportunity for flexible and alternative working arrangements, there is greater opportunity to take time to concentrate on wellbeing. Working from home allows the flexibility to go and take a walk when needed.

That being said, women carry the majority of caring responsibilities and, where applicable, often have to balance these responsibilities with working from home.

Healthy patterns of working and work/ life balance flow from good, senior role models in the workplace. This could be as simple as senior management openly blocking time for lunch, to pick up children, or to walk the dog. It is important for staff (and particularly those at the start of their careers) to know that they do not need to be working 24/7.

In addition, workplaces could go further to encouraging their

staff to make use of in-house support services and to get engaged in non-work activities: for example, one workplace introduced a virtual Olympics challenge over the summer of 2021.

Action points: Women need to be able to acknowledge when they are not ok and workplaces should present accessible role models to encourage a healthy work/ life balance.

Progress

The increased use of technology means that there is now a flexibility in both the job posts available, and also the greater accessibility of online training. It was noted that the legal profession does not make the most of the possibility of job sharing.

In particular, there is still some way to go for there to be a parity in mentorship between men and women. Consistent mentoring and/ or sponsorship of women is critical to retaining female talent in law. It is important that the profession is not losing women due to a lack of support.

More informally, workplaces could work towards creating networks for women (such as the Law Society of Scotland programme) to provide group support and a space for women to share their experiences.

The willingness of female and male leaders to help women will be necessary until we reach a cultural change. In the longer term, the private sector may need to look at business structures. If success revolves around chargeable hours, then there is a failure to acknowledge other skills that are offered by individuals.

Action points: Workplaces should consider the mentoring and network support that is available to women and consider how their business structures inherently inhibit female progression.

Open conversations are key

The one thing that has come out of the pandemic is that we need to have the open conversations taking place throughout the legal profession. One size does not fit all when it comes to working arrangements in the legal sector.

In terms of work/life balance, workplaces need to be clear on their expectations and have conversations with their staff. Allyship is important. If there are senior partners willing to discuss and share their healthy work/life patterns, then this can be empowering for younger colleagues. There is a need for the top to lead by example.

The conversations extend to progression too. There is a current expectation that a senior role in law is a full-time role. The legal profession needs to move forwards in having conversations about job sharing – something that occurs much more frequently in other professions.

To shift the culture of women in law, workplaces need to have these conversations as a matter of course in every training opportunity. Talking about this needs to become the norm.



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About the Edinburgh Foundation for Women in Law

The Edinburgh Foundation for Women in Law wants to help anyone who identifies as a woman working in law reach their full potential by breaking down barriers to progression. We aim to facilitate the vital conversations about equality and diversity necessary to achieve cultural and structural change.

Become a member

All are welcome to join as a member and to benefit from this growing community of women in law.

Join at: www.law.ed.ac.uk/research/research-centres-and-networks/edinburgh-foundation-women-law/become-a-member



Spaces for Voices
Edinburgh Foundation for Women in Law

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