



THE UNIVERSITY *of* EDINBURGH  
Edinburgh Law School

# Profile of the Profession 2023

Key findings on redressing inequalities and promoting talent retention



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## Key findings on redressing inequalities and promoting talent retention

Findings from the Law Society of Scotland's [Profile of the Profession 2023](#) survey and reflections on how to improve the future of the legal profession.

Conducted every five years, the Profile of the Profession survey examines equality, diversity and inclusion issues across the legal profession and gives a unique, in-depth view of the makeup of the profession and the experiences of legal professionals.

Although the Profile of the Profession 2023 survey indicates significant improvement in terms of equality, diversity and inclusion in the legal profession over the past seventy years, important disparities remain. Key issues include equitable career progression, the gender pay gap, discrimination and harassment, mental health, work-life balance, and talent retention.

On 4th June 2024, the Edinburgh Foundation for Women in Law hosted a panel discussion with guest speakers Elaine MacGlone, Equality and Diversity Manager at the Law Society of Scotland, and Naeema Sajid, specialist solicitor and founder of Diversity+, to discuss the survey results and how to improve the future of the legal profession. The below summarises the discussion according to three key themes.

### 1. Career progression and the gender pay gap

- Women are the majority in the legal profession today (e.g. 66% of newly admitted members are women and 57% of solicitors overall are women).
- That said, men are still more likely to hold senior positions than women (e.g. no woman has ever been appointed Lord

President of the Court of Session or UK Supreme Court).

- In addition, women in the legal profession in Scotland are more likely than men to work part-time.
- The gender pay gap persists: men in the legal profession in Scotland are more likely to earn a salary of over £60,000 a year. The pay gap is greater among those who have been in the profession longer.

### 2. Discrimination and underrepresented groups

- Although levels of discrimination have decreased over the last five years, the survey found that 8% of female legal professionals have experienced discrimination in the workplace. Women from minority groups (e.g. ethnic minorities, LGBTQ+, lower socio-economic groups, and disabled women) are more likely to be discriminated against and report harassment.
- Minority groups also face greater barriers to enter the legal profession. Diversity Data 2022/23 shows that only 4% of those in the profession are from a minority ethnic background and 4% identify as LGBTQ+. That said, these figures increase in the under thirty age group, suggesting possible improvement with future generations.
- Finally, 52% of respondents believe that there are problems for legal professionals from ethnic minorities to reach senior positions.

### 3. Work-life balance, mental health and private vs. public sectors

- A significant number of legal professionals have considered leaving the profession; 49% of women and 32% of men.
- The main reason for leaving the legal profession is the lack of a good work-life balance, especially in the private sector.
- Young talent enters the private sector in search of a clear career path, but a toxic work culture (e.g. high stress levels, long hours, unhealthy competition) often leads to anxiety and burnout. In fact, 64% of

respondents have experienced some type of mental health problem. Women and young professionals are more likely to suffer from mental health problems.

- At a certain point in their career, women are more likely than men to leave the private sector and enter the public sector in search of better working conditions, the main one being a better work-life balance. Young legal professionals are also more likely to take this step, indicating a generational shift.

#### Key takeaways: redressing inequalities and promoting talent retention

- The Profile of the Profession survey and diversity data are important tools for assessing the current composition of the legal profession, informing policy work and supporting legal professionals.
- While data collection is important, avenues for action also need to be explored. To this end, the Law Society of Scotland held focus groups on different aspects highlighted by the data and one of the key conclusions was that it is crucial to challenge cultural norms within the profession that maintain and/or reproduce gender and other inequalities.
- Moreover, the voices of those who are underrepresented in the legal profession need to be heard. The Law Society of Scotland collaborates with organisations that advocate for the rights of minority groups (e.g. Lawscot Foundation, Glass Network, Disabled Scotland), but there is a need for further research and dialogue with minority groups to gather more data on their first-hand experiences and seek possible avenues for solutions.
- Because certain communities face greater barriers than others to entering and remaining in the legal profession, equity is needed to level the playing field and dismantle some of those barriers.
- To ensure talent retention in the legal profession, it is important to continue to promote work-life balance (e.g. flexible and remote working).
- Young talent must also be informed of alternative career paths. It is important to encourage intergenerational dialogue and support.
- Lastly, it might be useful to look at what other jurisdictions are doing to redress inequalities and promote talent retention given that Scandinavian countries appear to be more successful.



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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.

For further information, contact us:

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<https://www.law.ed.ac.uk/community/edinburgh-foundation-for-women-in-law>