

Legal Services Board Consultation on Increasing Diversity and Social Mobility in the Legal Workforce

Response on behalf of Matrix

Introduction

We welcome the LSB's consultation on increasing diversity and social mobility in the legal workforce.

Matrix was founded in 2000 to be a new kind of legal practice. From the outset we have had a set of Core Values which help to define our ethos. Those values include a commitment to equality and diversity, including a long-term commitment to equality of membership at Matrix of women and men, and a commitment to proper representation of BME groups. We are also committed at Matrix to improving social mobility.

While there is no room for complacency, and there is a long way to go to achieve real equality and diversity in the legal profession, we note that there have been many improvements in the last 20 years or so. We support the LSB's efforts to build on that progress for the future.

We have not attempted to reply specifically to each question but only those where we felt that Matrix had something particular to add.

Question 4

Are there any other existing diversity initiatives run by approved regulators which are not reflected in our outline of current initiatives?

Not that we are aware of. However, we would like to draw attention to diversity initiatives which we run at Matrix and which we hope offer examples of good practice in this context. We have set these out in detail in the Annex to this response.

Question 16

What are your views on our proposal that data should be collected about all the protected characteristics ..., plus socio-economic background? ...

We support this proposal.

The practical implications of such collection need to be addressed: for example, the information technology to enable such data to be collected needs to be devised in conjunction with software providers and needs to be robust enough to protect privacy. Also, it would be helpful if the data collection exercise could be co-ordinated with the exercises required by other agencies (e.g. the Legal Services Commission, or its successor, and the Crown Prosecution Service).

However, the principle is one that we support and we agree that socio-economic background is a characteristic that should be included. We note in this context that Freshfields Bruckhaus Deringer has recently added socio-economic background to its "census" questions.

Question 30

What are your views on our proposed approach to measuring socio-economic background?

We understand the reasons why the LSB has proposed a simplified approach, namely a combination of the Sutton Trust recommendation of a question on parental educational background and the Bar Council questions on attendance at a fee-paying school (including whether fees were subsidised), as set out at paragraphs 155-158 of the Consultation Paper.

However, we are concerned that that approach will not necessarily disclose the complete picture about socio-economic background. For example, a parent may have had a university education but may have been in a low-income occupation (for reasons of racial discrimination or other disadvantage). We are also concerned that, in the barristers' profession at least, there is a significant bias in practice towards people who live in the London area: for example, it is easier to do an unpaid mini-pupillage in London (where the majority of barristers are still based) if you live in that area.

Accordingly, we recommend that consideration should be given to including in the questions asked: a question about parental occupations and a question about where a person lives.

Annex

Over the years, Matrix' commitment to equality and diversity has manifested itself in a number of initiatives and schemes. This Annex provides a showcase and flavour of some of our achievements. There is always, as ever, more that Matrix could do, but the feedback we get is that we are still quite unique in the opportunities we have pioneered (few, if any, barristers' organisations do what we do), and that there is certainly more that other stakeholders in the legal profession could do to promote opportunities for social mobility and access.

1. Black Lawyers' Directory/Matrix Student Open Day

This annual event is aimed at BME students who are considering a career as a barrister. It is run in conjunction with BLD (www.onlinebld.com), an organisation to highlight and promote diversity in law. The event, run for 4 hours from 4pm, gives students the opportunity to listen to personal accounts from practising barristers on the hurdles of becoming a barrister, and listened to helpful guidance on filling out application forms for traineeship (pupillage) and the interview process. It then allows students plenty of time at the end for networking and making contacts.

2. Brunel Work Placement

Since 2001, Matrix has provided a year long work placement opportunity to a student at Brunel University. This is a salaried position. Students are in their third year, and usually undertaking an LLB in law. The student becomes part of the staff team for the duration of their placement, and takes the role of Legal Information Assistant, part of a team of people whose responsibility is to provide legal information and research to Matrix barristers. Matrix remains the only barristers' organisation to offer this kind of opportunity.

3. Guaranteed incomes for starters

Recognising the financial hardship that some barristers face from less privileged backgrounds, Matrix aims to address this imbalance by providing a framework for a guaranteed income in the form of an interest free loan of up to £2500 per month for the first two years in practice.

4. Law as a Career Day (Matrix/Clifford Chance)

Run in conjunction with Clifford Chance and the Education and Business Partnership (who source the students), Matrix has run this event three or four times a year since 2003, and encourages year 11 and 12 students from Tower Hamlets and Camden to spend a day at both offices, listening to the wide range of careers there are in a solicitor's firm or barristers' organisation and of people's personal experiences of their route to their current role, including (but not exclusively) that of solicitor and barrister. The day includes a practical problem-solving exercise, a tour of Clifford Chance and Matrix, and a tour of the Royal Courts of Justice (including time spent in a court room). Students from ethnic minorities in the local area of Matrix and Clifford Chance are particularly targeted, and have mostly been made up of female Asian students.

5. Parental/maternity leave/career breaks

Matrix offers generous and favourable arrangements to barrister members for maternity and paternity absence, in order to encourage and facilitate the reality of maintaining a career as a barrister together with life and family commitments. The numbers of female barristers traditionally dramatically decline after childbirth, due to the inflexibility of the management/clerking arrangements in their organisations, or the financial hardship. Matrix practice managers are committed to working with members to realise their practice aspirations, as well as facilitating their preferred work/life balance (another Core Value). This commitment is also set out in the Practice Team's "Framework for Barristers' Careers", which gives practical guidance on paternity/maternity/career break issues.

6. Sifting applications for jobs at Matrix

Matrix is committed to equal opportunities and in recruiting outside the traditional pool, and seeks to open up access and opportunities to those people from communities under-represented in barristers' organisations. Jobs at Matrix are advertised widely (including in The Voice). Our advertisements contain a statement about equality and encouraging people from different backgrounds to apply, for example there is a specific reference to making reasonable adjustments for disabled people. All staff recruitment processes include a comprehensive pack of information,

including key criteria for the job, against which applications are measured. Selection panels do not see any information on the names, addresses, ages or any personal details of applicants; the applications are assessed purely on its merits and against the published criteria for the advertised role, and those successful are then invited for interview.

7. Student Open Days

Along similar lines to the Black Lawyers Directory event, this initiative opens the doors to up to 40 students at a time (two sessions per year) to listen to personal accounts from barristers about their experiences, and to give practical tips on the application process and interviewing guidance for traineeship (pupillage). The events take place in the run-up to the timetable for submission of traineeship applications. This scheme is run instead of a more traditional mini-pupillage which Matrix does not operate, in that it aims to give more people from a wider background the opportunity to spend time at Matrix. It is done on a first come/first served basis. Matrix does not have an assessed mini-pupillage scheme, as we see this kind of venture as an outreach measure and not a method of selection.

8. Traineeship funding

Matrix is committed to providing a stimulating, balanced and comprehensive training programme (we do not refer to pupillage, which we regard as an archaic term). Matrix recognises the financial hardship that continued education and training pose, and offers two 12-month training places with an award of £27,500 and an additional £7,500 contribution during the BPTC year for applicants.

9. Work experience

Matrix has been running a unique and successful programme of work experience placements (of one week) for school students (between 14 – 17 years of age) since 2001. We aim to give students a taste of work in a modern legal practice and busy office environment, together with the opportunity to meet barristers, integrate as part of the team, and to go to Court. In the application process, we actively seek to give priority to applicants who can demonstrate that they would not ordinarily have the privilege of a placement of this nature, and we particularly seek applications from members of ethnic minority communities and from those other groups who are

traditionally under-represented in the legal profession.
Application forms and testimonials are sifted against these
criteria.