



Baroness Hale with (from left) Millicent Grant, Susan Bright, Helen Davies, QC, Courtenay Griffiths, QC, Charlotte Proudman

Can setting targets break through diversity barrier?

Would-be lawyers face many hurdles, our debate finds. **Frances Gibb** and **Jonathan Ames** report

The most senior woman judge this week floated the idea of targets as a means to creating a more diverse senior judiciary. Baroness Hale, deputy president of the Supreme Court, said it was 15 years since she was appointed to the House of Lords appellate committee, which preceded the Supreme Court, and still she was the only woman. She joked: "What am I doing wrong?"

She disagreed with comments from "brother Sumption, her fellow Supreme Court justice", that "we should wait another 50 years to achieve gender parity or something close to it on the bench — and targets might be way to eradicate imbalance. Yet she did agree that the causes of such gender inequality were "many and various" and "there is a "job of work to be done".

Lady Hale was chairing a debate on diversity held by the Student Law supplement of *The Times* and *The Brief*, in association with Milkround, the graduate recruitment website. Some 250 students and lawyers packed the debate for what is a clearly a hot topic. But views are split on what should be done.

Nick Turner, global diversity partner for Herbert Smith Freehills, told the audience that his firm did have targets; but did not necessarily meet them. The point, though, was that it gave the firm something to aim for, and raised expectations. Charlotte Proudman — the junior barrister who shot to fame last year when she criticised a City law firm partner for complimenting her LinkedIn profile picture — went further and called for quotas. The profession, she said, was "institutionally sexist", adding that the justice system suffers from "a democracy deficit" because of a lack of social, gender and ethnic diversity.

Senior judges are on the case. This week Lord Thomas, the lord chief justice, agreed with Lady Hale that people should not have to wait to see gender balance, adding: "We are on track." Targets, however, are off his agenda, he told the justice committee of MPs. "If you are driven to a target, you can then make the terrible mistake that someone says, "They were appointed because they were the person who brought the target." He prefers aspirations against which progress can be measured — "rather than being told: you have got to get there".

Gender often dominates the diversity debate but what of race and social back-

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ground? This week a report by the Sutton Trust found that one in six barristers went to a comprehensive school — barely changed from previous studies. A survey for *The Times* Student Law supplement found that 69 per cent of "magic circle" law firm trainees went to private schools.

Yet there are ways into law for those who are not wealthy or privately educated, Millicent Grant, vice-president of the Chartered Institute of Legal Executives, told the debate. You could earn as you learn and become a legal executive: three in four chartered executives were women; and one in three from black and ethnic minorities.

Self-belief is also critical, speakers agreed. Susan Bright, managing partner at Hogan Lovells, favoured targets

and the day — "hopefully in my lifetime" — when 50 per cent of partners in her firm were women. But meanwhile women must be encouraged to push themselves forward; aspiration was key. She herself was brought up to think that women could do anything they wanted.

Helen Davies, QC, joint head of top commercial set, Brick Court Chambers, had no such family encouragement nor connections. Only when she took silk did her parents accept that she had made a good choice. Yet the cost of training remains a huge deterrent, she said. She backed plans for a two-stage training course with entry to part two depending on passing stage one — avoiding hundreds of would-be barristers paying out thousands of pounds needlessly.

Courtenay Griffiths, QC, the renowned Jamaica-born criminal law specialist, agreed. One of nine children, he went to "the best state school in Coventry" where we were told we could do anything. "I was the only black boy in the class but they couldn't say — except you, Courtenay — so I believed it." Yet the cost of training remains a huge barrier. He condemned law schools for "ripping off students" and the escalating fees for Bar training — more than £18,000 in London — as "criminal".

At the end Lady Hale asked for a show of hands: there was a clear majority in favour of targets but not quotas; and widespread support for the need for teachers to instil aspiration; the prospect of becoming a lawyer had never even been mentioned at school, one attendee said. But it was not all gloom. One barrister, S Chelvan (known as Chelvan) stood up to say he was "black, gay, state-educated and a first generation immigrant — and I am living my dream job. So rest assured," he said, "there are people on the inside to help you. Don't lose heart."