

STOP THE TALENT LEAK

HOW TO PREVENT THE 50%
DROP-OFF OF SOUTH
ASIAN LAWYERS ON THE
PATH TO BIG LAW
PARTNERSHIP

*A research study into the career experiences
of South Asian private practice talent
working in major UK law firms*

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FOREWORD

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We undertook this report to try to understand the challenges that partners of South Asian heritage face. As the report shows, there is still more work to be done to improve the culture of law firms in order to retain people of South Asian heritage. The report helps us to understand the barriers faced in progressing through the legal industry and how it can be made a more inclusive journey. We partnered with BCLP, a forward thinking firm who recognised that the sector can always do more when it comes to understanding the lived experiences of individuals from ethnic minority backgrounds. Their support has helped DTN produce a report with core recommendations that can help all firms continue to improve representation. This will help the industry move forward and retain more people of all ethnicities.

Lee Higgins, Founder of DTN

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BCLP is proud to work alongside Diverse Talent Networks in their research into lived experiences of South Asian partners in City law firms. Standing on the shoulders of the '1% Study', it is vital that we continue to examine the underrepresentation of ethnically diverse communities within our industry. As highlighted by the research, South Asian partners comprise roughly 3.3% of Big Law partners in the UK, which is a 50% underrepresentation. This report is a call to action to the legal industry to better support our talented people so that we can ensure a more representative partnership. I am committed to embedding the recommendations at BCLP and continuing to shift the needle on inclusion and diversity.

Jinal Shah, UK Managing Partner at BCLP

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We are delighted to support, sponsor and participate in this informative South Asian Partner study by Diverse Talent Networks. By collating data on South Asian Partners across the legal profession, we can better understand career experiences and identify what practical measures the profession should take to be more inclusive and to support South Asian talent. The findings of this report provide a stark realisation that exclusion and discrimination still exist in the profession and that positive change is both essential and necessary so that law firms are reflective of society with diversity of leadership.

Sunita Chawla, Partner and Co-Chair of
Global Inclusion and Diversity Action Board at BCLP

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OVERVIEW

Census and industry data indicates that **one in two South Asian lawyers leaves private practice¹ before being promoted to partner**, causing a talent leak.

Diverse Talent Networks (DTN) and BCLP joined together to investigate the experiences of South Asian partners, to identify **what practical measures law firms could take to support South Asian talent** and enable large UK law firms to stop the talent leak.

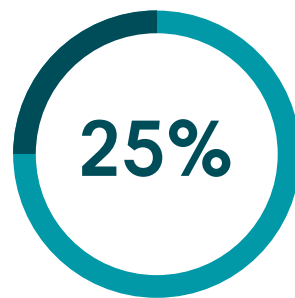
¹[The latest Solicitors Regulation Authority diversity report](#) shows there is good representation for Asian lawyers, accounting for around 12% of solicitors working in practices of all sizes. This is a higher proportion compared with current census data, which shows the South Asian community now accounts for 6.9% of the population of England and Wales ([2021 census](#)) up from 5.3% in the 2011 census. However, only 3.3% of UK partners working at the largest firms – 81 partners or more – is of South Asian heritage, which is less than half the size of the current UK population of South Asians, and therefore a more than 50% underrepresentation. This is based on the most recent [Law Society data](#) and DTN's own research, which identified around 274 South Asian partners working in large practices.

The study combined a detailed questionnaire and qualitative interviews by partners of South Asian heritage. It revealed a picture of exclusion and discrimination for South Asian talent where the middle-class norms of UK big law conflict with the intersectionality of ethnicity, religion and class for a new generation of legal talent:

- **Ethnicity is seen as a barrier to success.** Almost one in three South Asian partners (29%) said they faced workplace issues and hostility because of their ethnicity. One in four (25%) felt it put them at a career disadvantage.

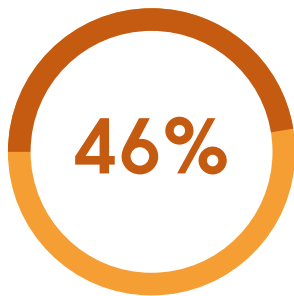


Suffered issues and hostility because of their ethnicity

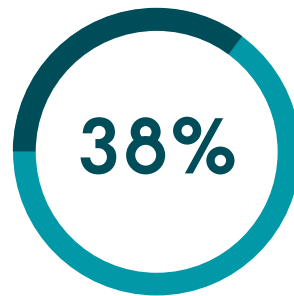


Felt their ethnicity put them at career disadvantage

- **Ethnicity is seen as negatively impacting many aspects of career progression,** including the speed of promotion to partner (46%) and decisions around work allocation (38%).

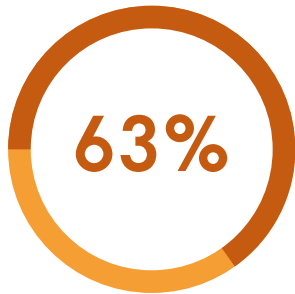


Saw ethnicity slowing down promotion to partner

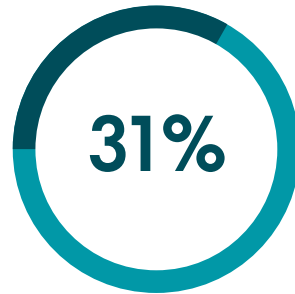


Felt ethnicity affected decisions around work allocation

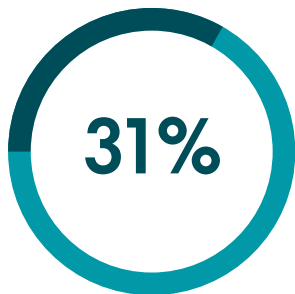
- **There were many instances of discrimination**, from microaggressions (**63%**) to cronyism (**31%**), from the use of racial slurs (**31%**) to the moving of goal posts on promotions and career opportunities (**40%**).



Suffered discrimination in form of microaggressions



Suffered discrimination in form of cronyism



Suffered discrimination in form of racial slurs



Suffered discrimination over promotions and career opportunities

- **Class and social background were cited as creating barriers to vital networking**, with colleagues and clients accustomed to bonding around conversations about pursuits such as skiing trips and membership of the MCC (Marylebone Cricket Club) which are uncommon among the South Asian demographic.
- The challenges of **networking in a workplace culture where alcohol is a key feature was identified as a significant barrier** by a group where **88%** identify with a religious affiliation that precludes the consumption of alcohol.

CORE RECOMMENDATIONS

The findings raise many issues around the experience of South Asians working in the UK's biggest law firms, giving rise to several core recommendations:

Law firms can:

1. **Support junior and mid-level lawyers** with an unbiased work allocation process and provide meaningful feedback on work product with opportunities for development.
2. **Create transparency on promotion criteria** and provide practical support to attaining this.
3. **Use purposeful networking, mentoring and sponsorship** by a senior figure from the majority group to offer advocacy, support and advice.
4. **Challenge alcohol-based networking and socialising** that fuels the informal networks that can create exclusion.
5. **Encourage a 'speak-up' culture** among more junior employees, with strong allyship to challenge negative behaviour and support psychological safety at work.
6. **Introduce leadership training** to build empathy especially around intersectionality, race and class.

KEY FINDINGS

Being South Asian is seen as being a barrier to success, especially for women. On average, South Asian respondents scored ethnicity at **7 out of 10** as a barrier to success, and a third (**33%**) rated it at **8 out of 10 or above**. A larger proportion (**45%**) of female South Asian lawyers scored ethnicity at **8 out of 10 and above** as a barrier.

More than half (**54%**) of South Asian partners say their ethnicity made a negative career difference, with around a third (**29%**) reporting issues with workplace hostility and one in four (**25%**) saying it put them at a career disadvantage.



On average, South Asian respondents scored ethnicity at **7 out of 10** as a barrier to success.

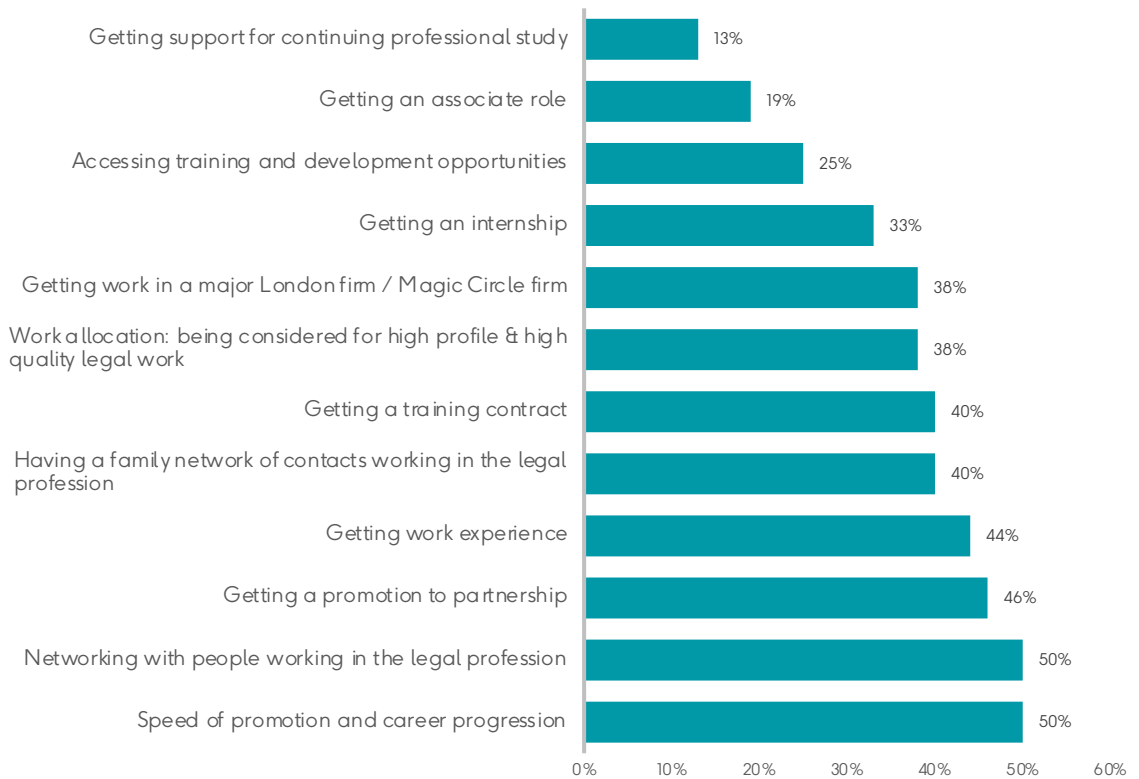
A South Asian heritage is variously seen as having a negative impact on many aspects of the legal career journey. Some of the most critical areas of bias and discrimination were cited as being around speed of promotion and career progression (mentioned by **50%** of South Asian respondents), being promoted to partner (**46%**) and fairness of work allocation (**38%**).

“

Colleagues have "jokingly" labelled me a terrorist or a sleeper agent. I've faced pressure to compromise my religious dietary laws and abstain from alcohol, pivotal aspects of my faith, during social gatherings with colleagues and clients. These experiences have placed me in a difficult position, forcing me to weigh the importance of my cultural and religious identity against the potential risks to my career trajectory. Opting to endure these challenges in silence, I've navigated a workplace environment that subtly, yet persistently, challenges my identity, hoping not to jeopardize my position within the firm.

”

ETHNICITY AFFECTS MANY ASPECTS OF CAREER PROGRESSION FOR A LARGE NUMBER OF SOUTH ASIANS



The study in fact shows that recruitment into the profession is one of the few areas that was not seen as a challenge. Most South Asian respondents (67%) made their first entry into the profession by receiving a training contract, while around one in five (21%) entered the sector as a para legal.

“

I'm the first non-white person to take up a senior leadership role on the partnership board. I'm trying to get this imposter off my shoulder.

”

However, the perception is that career progression is longer for South Asian lawyers. On average, it took South Asian partners just under 10 years and nine months (10.73 years) to be appointed partner. 44% of men and half (50%) of women Asian partners felt their career progression was slower than counterparts from other ethnic backgrounds.

“

I think it took existing partners longer to accept me as a potential fellow partner as a result of me being different, which led to a delay in promotion and question marks over loyalty, which I do not think I would have had if I had been a white middle class male.

”

Almost two thirds (65%) of South Asian partners said they had experienced racial discrimination at play in career progression. Two in five (40%) said they had seen the “goal posts” moved on a promotion or opportunity. Almost a third (29%) cited being denied a promotion or opportunity that they had deserved on merit, experience and qualification because of discrimination.

Personal sponsorship is seen as central to career progression. Almost four out of five (79%) of respondents mentioned how the belief and support of one supervisor or partner had been critical to their success.

However, two thirds (67%) attributed their success to just their “own hard work and effort” and more than half (56%) said it was just luck.

“

It's no good being as good as the majority group. You can't match, you've got to have premium value. At university I was at the top of my class. If you were the number one in your class, they couldn't ignore you.

”



29%

Almost a third cited being denied a promotion or opportunity that they had deserved on merit, experience and qualification because of discrimination.



40%

Two in five said they had seen the “goal posts” moved on a promotion or opportunity.



65%

Almost two thirds of South Asian partners said they had suffered racial discrimination in their career progression.



79%

Almost four out of five of respondents mentioned how the belief and support of one supervisor or partner had been critical to their success.

A dominant culture of ‘cronyism’, cited by around a third (31%) of South Asian partners, restricts access to vital colleague and client networking opportunities for the South Asian community.

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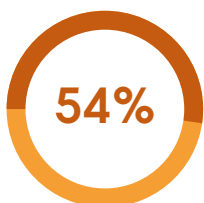
The duality of being an Asian female means people have preconceptions about who I am. As an Oxbridge, privately educated person, I have a lot in common with many of the white men in my firm and it is interesting to hear how they speak about ethnic minorities when they think they are amongst “themselves”. The white male club continues to dominate as they hand opportunities out amongst themselves and disregard people who are not part of the club.

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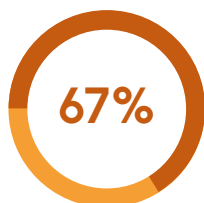
More than half (54%) mentioned an ethnic dimension to how legal professionals network with colleagues and clients, and almost seven out of 10 South Asian partners (67%) referred to cliquy and exclusive behaviour in the workplace.

Around one in six (17%) said people tend to associate within their own ethnic background, which means that the dominant culture often keeps to itself.

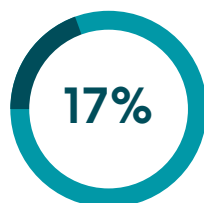
Combined with a workplace drinking culture (29%) that can be uncomfortable and excluding for people from a religious background that does not permit drinking alcohol, effective business networking is seen as a barrier for South Asian career progression.



Mentioned an ethnic dimension



Referred to exclusive behaviour



Said people associate within their own background



Said drinking culture can be excluding

“

You go into the law and the firm would have the drinks trolleys coming around. And then everyone assumes that you're going to drink. There's wine. There's champagne. As a Sikh I didn't like to drink. And I know from my Muslim friends it was a big issue for them, and even some of the Jewish friends at the firm would mask when they would go off on the Sabbath. Then there were the bacon rolls. My Muslim and Jewish friends had the same problem. Back in the day, even about 2005, they were the only breakfast you would get in a meeting.

”

Offensive and discriminatory behaviours are still presented in the workplace. They included microaggressions (**63%**) and the use of racial slurs and language, cited by a third of South Asian respondents (**31%**).

“

You'd get those random comments: oh, I've never met anyone Asian before, or it's funny, you don't smell of curry.

When I joined no one bothered to learn my name because it was difficult. No one bothered to apologise if they got my name wrong. I cut my name down to something that people would be able to pronounce so that I would fit in. Some people anglicised their name to make it easier.

”

Almost two thirds (63%) of South Asian partners do not seek redress for discrimination, finding it less stressful to ignore the incident and just carry on with their work.

“

I chose to ignore them but it hurt when you felt excluded. I'm so mentally strong that you can't defeat me in terms of what I want to achieve. They're not going to stop me. It's all about that very passive resistance.

”

Only around one in 20 (6%) said they had moved either to another job or to another company because of discrimination.

“

One of the big reasons for leaving [my previous firm] was that I was moving into a department where the head of the team loved drink. He's your classic old school, wants to go golfing, wants to go drinking, let's go for a beer after work kind of thing. I always felt excluded because they were all a bunch of blokes. And there's so much that happens in those conversations that you miss out on.

”

Only one South Asian partner (2%) out of the 48 that completed the survey said they had referred or reported the incident to someone able to address the issues.

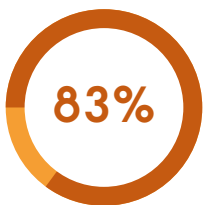
‘Code switching’ has been a career strategy for more than four out of five (83%) of the Asian partners interviewed. This practice of behaviour adjustment to fit in better with the dominant workplace culture takes many forms and is seen as [having personal and psychological repercussions](#)².

Code switching takes many forms. Almost half (48%) of South Asian partners in the survey say they modified their accent. Around half (48%) and notably three out of five women (60%) said they were more extrovert than normal. Around one in six (17%) – and around a third of women (30%) – said they spoke more loudly.

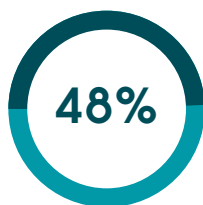
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What does it mean to be you, what does it mean to be Indian? Are you a “coconut”? There’s that constant pull and pushing away because you don’t want to be seen to be too Indian versus that is my culture. You feel uncomfortable in a room because you don’t think you have anything in common.

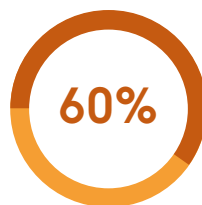
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Adjusted their behaviour to fit in better



Say they modified their accent



Women said they were more extrovert than normal



Women said they spoke more loudly

²The Costs of Code-Switching (Courtney L. McCluney, Kathrina Robotham, Serenity Lee, Richard Smith, and Myles Durkee, November 15, 2019)

Respondents reported they generally came from less affluent and educated backgrounds compared to their experience of partners from the dominant culture.

More than one in four (**27%**) came from families where neither parent had finished secondary school, or where only one parent had done so. More than one in five (**21%**) came from families where the parents worked in manual, service or technical occupations. Around one in five said their parents were on income support and/or other financial benefits and one in 15 (**6%**) said their parents had been long term unemployed. Around one in seven (**15%**) had been on free school meals.

“

I would have been astounded if I ever even entered the partnership process [at the magic circle firm] because the perception was, you're not going to fit in with that elite partnership group. Even back then there were a few non white partners. But they went to a very posh private school.

”

Half (**50%**) of all Asian partners and a greater proportion of women Asian partners (**65%**) attended a state school. Roughly one in five (**21%**) – and almost one in three (**30%**) women – attended a non-Russell group university.

A more diverse and empathetic working culture is needed. While office diversity is generally seen as being improved and **40%** reported good diversity in their practices, almost one in five (**19%**) say they work in businesses where diversity is poor and one in 10 (**10%**) still work in environments where they are the only person from an ethnic minority.

Senior leaders are the least empathetic colleagues and score only three out of a five on a scale of professional support. Clients and colleagues from other teams are seen as more empathetic than team members and line managers.

SCALE OF PROFESSIONAL SUPPORT



“

You need to educate the partners and that's more than token training. That's having direct conversations and saying, stop asking the black girl where she's from every two minutes. It needs to be small groups training with partners, saying, these are the issues, this is what matters. This is how you can make it better.

”

Diversity programmes are seen by almost two third of respondents (57%) as successfully driving meaningful change.

Just over a third of respondents (35%) said they need more senior support to address all issues and diversities, and to address intersectionality (46%), to focus beyond women and gender issues (42%) and on Black ethnic issues (38%) and to look beyond international awareness days (31%).

The top two recommendations from the South Asian community are to provide transparency on promotion criteria and feedback (63%) and support for diverse candidates through promotion (63%). More than half of South Asian partners (52%) also want to see transparency on hiring criteria and feedback on applications. Almost two thirds (60%) want to see better equity in work allocation.

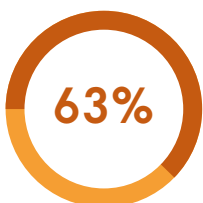
Ensuring respect and team behaviour (58%) and reducing workplace alcohol (38%) also feature as key requirements.

Possible solutions include mentoring schemes between minority and majority groups (60%) and training for managers/supervisors on inclusive leadership (54%).

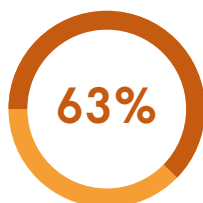
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I would like to see law firms investing more in mentoring and support from the very early stages of a person's career, because that then helps to push them up. They're given some of that support later in their career, but that almost ignores the struggle that they've had to get through to get to that point.

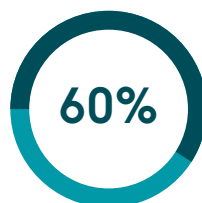
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Transparency on promotion criteria and feedback



Support for diverse candidates through promotion



Want to see better equity in work allocation



Ensuring respect and team behaviour

DEMOGRAPHICS

The survey was completed by **48** South Asian partners or senior in-house counsel and represents **18%** of the UK South Asian partner community working in large London-based law firms, with **90%** of respondents saying they work for practices with more than **75** partners.

Almost three in five (**58%**) of respondents were men and just over two in five (**42%**) were women.

88% identify with a religion, including Hinduism (**36%**), Sikhism (**19%**) and Islam (**17%**).

67% of respondents are aged between the **36** and **45** years old.

METHODOLOGY

The survey was sent by email to **274** partners identified as having South Asian heritage and working in **58** large London-based firms from January to April 2024.

72 surveys were completed, of which **48** were completed by South Asian partners working in which is **17.5%** of **274** South Asian partners. Considering there are around **13,000** legal partners at major law firms in the UK, **72** submissions is a representative sample with **90%** confidence level.

The online survey was anonymous though respondents had the option to provide an email address if they were interested in taking part in a more in-depth one on one qualitative interview.

15 qualitative interviews took place by video call during March and April 2024. The interviews were recorded and transcribed. Comments have been anonymised in this report.

INFORMATION

About DTN

Diverse Talent Networks (DTN) is a team of experienced HR and search professionals who help leaders take meaningful action on DEI by building diverse professional networks and carrying out research studies to better understand people and culture. They assist the C-suite, Heads of HR and business units by enabling pressure-free conversations. These conversations help build meaningful relationships and establish trust which leads to greater inclusion. DTN believes in a future where talent wins.

About BCLP

With over 1,275 lawyers in 31 offices across North America, Europe, the Middle East and Asia, BCLP is a fully integrated global law firm that provides clients with connected legal advice, wherever and whenever they need it. The firm is known for its relationship-driven, collaborative culture, diverse legal experience and industry-shaping innovation and offers clients one of the most active M&A, real estate, financial services, litigation and corporate risk practices in the world.

Diverse Talent Networks

2024