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The title of my Dissertation is 'An Exploration into Gender Equality in the Legal Profession in Ireland with Emphasis on the Structural and Cultural Barriers that Inhibit Female Progression in the Profession.'

Abstract

The aim of this study is to explore gender equality in the legal profession and the structural and cultural barriers that inhibit female progression in the profession. As described by Bohnet (2016, cited in Cecchi-Dimeglio, 2018), gender is immersed in the structure of organisations and most current organisational designs in the legal profession make it difficult for women to rise to positions of leadership.

This study was conducted through semi-structured interviews with trainee solicitors both male and female, working in large corporate firms in Ireland to get their perspectives on the role gender plays in the legal profession and what barriers they see to their own progression in the sector and the influence gender may have on those barriers.

The study concluded that while huge strides have been made in recent decades to achieve gender equality in the legal profession, there still remains a vast amount of work to be done to achieve actual equality, whereby women are equally represented at every level of the profession.

Submission of Thesis and Dissertation

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Chapter 1: Introduction

“In a society where the rights and potential of women are constrained, no man can truly be free. He may have power but he will not have freedom”.

- Mary Robinson

In this chapter, the researcher will introduce the concept of gender inequality and its presence in the legal industry in Ireland and how it creates cultural and structural barriers to progression for female lawyers.

1.1 Overview

Gender inequality may take various forms, depending on a society's economic structure and social organization, as well as the culture of any given group within that society. Despite the fact that we talk about gender inequality, it is generally women who are disadvantaged in comparison to males in identical or comparable situations (Lorber, 2010). Women's entrance to the legal sector in Ireland was a hard-fought battle with the first women called to the bar in 1920, Frances Christian Kyle and Averill Deverill (Bacik et al., 2003). This was followed by the first female solicitor, Mary Dorothea Heron in 1923 (Bacik et al., 2003).

While this was a great first step for women in the profession, it must also be noted that if any of these women wished to get married, they would have been required to relinquish their employment as required by the marriage ban contained in the 1919 Act that remained in place until the 1970s (Bacik et al., 2003).

While it must be acknowledged that women in law have made huge strides in the last one hundred years; women have surpassed male entry into law programmes at university,

Blackhall Place and King's Inns as well as currently accounting for 52% of all practicing solicitors in Ireland (Law Society of Ireland, 2021), now is not the time for complacency when it comes to gender equality in the legal profession. Although progress has been seen in the junior levels of the legal profession, women are still underrepresented in the higher echelons of legal practice (Sommerlad and Sanderson, 1998). According to an article by Suzanne Carthy in the Law Society Gazette, Only 24.3 percent of female lawyers reach partnership, compared to 55 percent of male colleagues (Carthy, 2018). Carthy goes on to describe how in Ireland's top six firms only 18.7% of females make partner (Carthy, 2018). Numerous studies have discussed the different explanations as to why women are not progressing in the legal sector at the same rate as their male colleagues and it is widely accepted that cultural and structural barriers play a significant role in women lawyers inability to move beyond the associate level in the legal industry in Ireland. While it is important to recognise how far we have come we must also keep driving for gender equality.

1.2 Research Aims and Objectives

This research will focus on the barriers to progression facing women in law at this time, what causes these obstacles and how organisations and government can work to eradicate these barriers to progression to promote gender equality in the legal industry.

The research will examine studies completed to date which have analysed gender equality in the legal sector both in Ireland and in other comparable environments to create a vivid picture of the progress to date and what remains to be done to achieve gender parity at senior levels in the legal industry.

The overarching research aim of this study is to explore gender equality in the legal profession with specific emphasis upon the views and perceptions of trainee solicitors. The research will lead to an understanding of the barriers that trainee solicitors believe could prevent them from progressing in their career in law and also what possible solutions trainees provide that could aid them in their careers.

Objective 1:

To explore the views of trainee solicitors regarding the paradox whereby the number of women entering the legal profession has dramatically increased over the last number of years, however, this equality has not been reflective in senior levels of the profession to the same degree.

Objective 2:

To examine the lived experiences and perceptions of trainee solicitors, both male and female regarding work-life balance issues and barriers to progression, and in particular to set out their perspectives.

1.3 Thesis Structure

The research goals and objectives are presented in Chapter 1 of this thesis. The second chapter is a literature review that summarizes current research on the gender diversity issue

in the legal profession as well as the barriers to progression experienced by many female lawyers. The approach, the techniques accessible to the researcher, and how the study will be conducted are covered in the next chapter, titled the methodology chapter. The study findings and analyses are then presented. The last chapter summarizes the findings in connection to the research subject.

Chapter 2: **Literature Review**

2.1 Background to the topic/introduction

Gender inequality is an issue that is still largely present in the legal profession in Ireland today. While huge strides have been made in the last one hundred years since the passing of the Sex Disqualification (Removal) Act in 1919 which removed the legal bar on women holding positions in public office in Ireland (Bacik et al., 2003), there is still a long way to go to achieve gender equality in the legal profession in Ireland. Women still face very real instances of discrimination and obstacles in progressing to senior positions in the legal profession in Ireland, as senior counsel, as partners in law firms and as judges, as outlined by feminist legal theorist Ivana Bacik (Carolan, 2019).

Gender parity has all but been achieved in legal education in many countries worldwide. In Ireland, female participation in undergraduate law courses has been at fifty per cent since the late 1990s (Law Society of Ireland, 2021). This is comparable with the United States where the American Bar Association reported that as of 2019 women made up half of the students studying in law schools (2019, cited in Norwood 2020). This is echoed in data provided by the Law Society of New South Wales which reveals that women make up just

under fifty per cent of law students in Australia (Law Society of NSW, 2021, cited in Norwood, 2020). This parity is equally visible in junior levels of the legal profession with female solicitors accounting for fifty-two per cent of solicitors in Ireland as of 2014, becoming the first law society in the world to have a female majority (Law Society of Ireland, 2021). However, this is where the equal representation begins to fade. While the legal profession has essentially reached gender equality at the junior level of legal practice, this equal representation is not evident at the upper reaches of the profession as is seen in other professions which have traditionally been dominated by men such as accounting and medicine (Sommerlad and Sanderson, 1998). In this literature review the researcher will discuss and analyse the previous research on the lack of gender parity in senior positions in private and corporate law firms in Ireland and the different barriers that prevent women in law from progressing up the legal career ladder and result in high levels of attrition.

2.2 Gender Stereotypes

Traditionally, the characteristics associated with being a woman were considered too sensitive or soft for a career in law (Bacik et al., 2003). Bacik and Drew discuss how the view of the woman as being a carer has shaped the roles that women are assigned in the workplace. Stereotypical 'soft' female characteristics influence the roles females are assigned to carry out and the behaviour they are expected to exhibit (Bacik and Drew, 2006). Analysis into the impact of gender on legal employment, for example, continues to demonstrate that family law appears as a specific field of specialisation for women (Bacik et al, 2003). Other studies have gathered similar result with Barry and Sherlock highlighting how women are overrepresented in family law/asylum/immigration law, property law (including conveyancing and probate) and personal injury/negligence law (Barry and

Sherlock, 2008). There is also evidence that female concentrated areas have lower earning thresholds than those dominated by men (Bacik and Drew, 2006). This view is supported by the work of Margaret Thornton whose book 'Dissonance and Distrust' focuses heavily on the idea that women will only be accepted as competent in the legal profession if they conform to the standard of the 'benchmark man', who, according to Thornton, is white, heterosexual, able-bodied, politically conservative and middle class. By subscribing to masculinist work practices and complying with masculinist dress codes and norms of behaviour, women are expected to demonstrate docility and deference while being as professional as men (Cowdery, 1997). When a woman deviates from the agreed standard, whether it's her polka-dotted courtroom attire, her feminine attitude to legal philosophy or her need to work part-time for family purposes, she's labelled as 'other' and her legitimacy as a legal subject is questioned (Cowdery, 1997).

A report conducted by the American Bar Association (ABA) also highlighted the mismatch between traits associated with women and those associated with career achievement such as assertiveness and ambition (Rhode, 2001). This discrepancy has long been a barrier to equal opportunity. Women are also used to a long-standing double standard and are trapped in a double bind. They fear being chastised for being 'too sweet' or 'strident', 'too aggressive' or 'insufficiently contentious'. What comes across as assertive in a man can often be misconstrued as abrasive in a woman (Rhode, 2001). A further issue explored in the ABA report is how female lawyers are often not treated with the same level of integrity or awarded the same presumption of commitment as their male counterparts (Rhode, 2001). According to qualitative research carried out by Sommerlad and Sanderson, commitment is a gendered concept (Sommerlad and Sanderson, 2018). Commitment studies generally look at commitment through the lens of the numbers of hours worked by

men and women and how driven they are by financial reward (Sommerlad and Sanderson, 2018). It is rarely, if ever asked how committed men are to their home lives and the work that is undertaken by the individual in the private sphere (Sommerlad and Sanderson, 2018). Women lawyers must contend with the perception that they are not adequately committed to the firm and its clients, and that their commitment to their families and children is contradictory and conflicting with their commitment to their profession (Wald, 2010). This line of thinking has become popular in recent years as a result of the work of Catherine Hakim where she theorises that female professionals' inability to scale the career ladder is not down to any substantive gender inequality issues but rather because of their 'lack of commitment' (Hakim, 1996). This stereotype is similar to the general stereotype that women should stay at home and raise their children, but in the sense of a major law firm, it takes on a life of its own. Its main focus is on disloyalty to the company and its clients and not care for children (Wald, 2010).

According to the national surveys carried out by the ABA, half to three quarters of women say they are held to a higher standard than men (Rhode, 2021). This argument is strengthened by Foschi's (2000, cited in Kay and Gorman, 2008) social scientific analyses of competence which highlighted how women are often denied the same assumption of competence as their male counterparts. This sentiment has been echoed by a number of researchers worldwide who have discovered that female lawyers and legal scholars are held to a higher standard academically than their male colleagues with one survey of Toronto lawyers revealing that women with low grades were less likely to be employed than men with poor grades and (Kay and Gorman, 2008).

Levinson and Young state that the continuing subordination of female professionals in the legal profession must be eradicated and in order to do so the concept of gender bias must be fully understood (Levinson and Young, 2010). The study conducted by Levinson and Young confirmed that implicit gender bias is rampant and recommended that further research must be undertaken in order to understand this phenomenon (Levinson and Young, 2010). Haines et al. also contributed to the gender stereotypes debate by advising that awareness of the persistence of basic preconceptions, as well as ongoing vigilance about their potential influence are both useful steps for both individuals and legal organisations to adopt (Haines et al., 2016). Finally, Vasu and Vasu recommend that the legal profession should conduct a reimagining of what is considered proper conduct and adequate decorum in order to ensure that all lawyers feel respected in the workplace (Vasu and Vasu, 1991).

2.3 Work/Life Balance and the Dual Burden

The long hours culture in contemporary legal firms challenges the notion that most people work to live rather than live to work (Thornton, 2016). A study of male and female lawyers in Australia provides a great insight into the cut-throat, competitive world of corporate legal practice (Thornton, 2016). The study conducted through a web-based survey and follow-up interviews revealed that competition between associates, a long-hours culture and an ethos of presenteeism was encouraged in the organisations where the interviewees were employed (Thornton, 2016). The research findings revealed that male associates were more susceptible to subscribing to the competitive culture in large corporate law firms despite its effect on work/life balance in the hope of one day making partner (Thornton, 2016). The authors of this study highlighted that this competitive culture which puts more emphasis on

being present and logging 'billable hours' rather than productivity put female associates who had caring responsibilities at a direct disadvantage as they would not be able to log the same number of billable hours as their colleagues without children and this view was echoed by respondents to the survey (Thornton, 2016). This study reveals similar results to a study of over one hundred female lawyers in the US over two decades earlier, highlighting that these issues are as prominent now as they were over twenty years ago (Harrington, 1995).

There has been much discussion on the importance of a work/life balance in recent years with policy makers in Ireland paying close attention to work-life balance policies (Redmond et al.). For a variety of reasons, work-life balance policies are viewed as an essential component of present and future employment structures: to promote a better balance between work and home-life, and to address present employment disparities, notably gender discrepancies (Redmond et al.). Furthermore, to boost employee productivity, health and well-being, and, more recently, to preserve Ireland's position as a progressive and creative marketplace in the global economy (Redmond et al.) However, the competitive and ever-present culture that is synonymous with corporate law firms both in Ireland and across the globe is in direct contrast to this. This hypercompetitive ideology places great emphasis on around-the-clock commitment and loyalty to the firm and its clients (Wald, 2010). This culture of constant availability is extremely difficult for many women with caring responsibilities to contend with, with many women having to work two jobs ('the double day' or 'dual burden') at home and in the workplace, particularly if they have dependent children at home or are caring for an elderly parent. This is not to say that all women have caring responsibilities or men do not. However, women are disproportionately affected by this burden (Bacik and Drew, 2006). Mothers in the legal profession who want to achieve

work-life balance have emphasized the importance of scheduling flexibility and the ability to use technology to work from home (Purvis, 2019).

Flexible practice was hailed as a watershed moment for women lawyers, as it was hoped that it would enable them to achieve some semblance of the work/life balance that they desired (Thornton, 2016). However, the reality has been quite different. In the US, a study conducted by the ABA in 2001 which surveyed 1400 lawyers, noted that in the past two decades, the proportion of women who question the ability to balance work and family life has tripled, owing, in part to the exponential rise in projected billable hours (Rhode, 2001). Although ninety-five percent of legal firms have policies that allow for part-time work, only three percent of lawyers in reality work part-time (Bacik and Drew, 2006). Female lawyers' distaste for part-time work may be down to fears of seeming disloyal or uncommitted to the firm for reducing hours, as was highlighted by a qualitative study of Canadian lawyers (Robertson et al., 2019). This lack of faith in the reality of achieving a work/life balance was echoed in the 2003 Gender Injustice study which revealed that Irish female lawyers were also pessimistic about the likelihood of achieving a work/life balance (Bacik and Drew, 2006).

A survey of Irish employers, managers and employees using a multi-faceted methodological approach consisting of mailed questionnaires and empirical data studied the advantages and disadvantages of flexible working arrangements (Drew et al., 2003). The study revealed that childcare commitments were cited as the primary explanation for some employees seeking family friendly work arrangements and female employees were more likely to be in this situation than their male colleagues (Drew et al., 2003). This could be related to the results of the 2003 Gender Injustice study which revealed that male lawyers could rely on

their spouse for childcare (thirty-nine percent of whose wives were not in paid employment in comparison to four percent of female lawyers whose partners were not in paid employment). A further Irish study echoed this sentiment whereby the results of the study revealed that men in senior positions in the corporate field had the ability to subscribe to the long hours culture due to support offered by a stay-at-home partner (Collins and Browne, 2005). Bacik and Drew call for men to take a more active role in the running of a household (Bacik and Drew, 2006). Employee loyalty, recruitment, retention, increased efficiency, lower attrition rates and improved prestige are the primary advantages of flexible working that employer respondents to Drew et al.'s cited (Drew et al., 2003). On the other hand, employers saw the difficulty of execution, a lack of demand from employees, overlapping organisational interests and the scale of the organisation as barriers to adopting flexible working arrangements (Drew et al., 2003). Employees who had access to flexible working arrangements saw benefits of reduced commuting times, increased mobility, quality time with children and/or cost savings on childcare (Drew et al., 2003). The difficulties in providing cover/scheduling work, exclusion from promotional opportunities and perceived lack of commitment to the organisation were cited by employees as the key drawbacks (Drew et al., 2003).

This fear of appearing to lack commitment has been cited by many researchers as a key contributing factor to the lack of take-up of work/life balance schemes in organisations (Rhode, 2001, Wald, 2010, Drew et al., 2003 and Bacik and Drew 2006). A US survey of female lawyers uncovered that seventy-five percent of female lawyers believed that participating in a reduced schedule programme would have a negative impact on their careers (Purvis, 2019). A study conducted by Thornton and Bagust (2007, cited in Thornton, 2016) revealed that women were often excluded from complex work after returning from

maternity leave and as a result, female employees were taking shorter maternity leaves so as not to be viewed as not fully committed to the firm. This supports the results of the 2002 Irish study where of the women surveyed, that did take maternity leave, twenty percent of them believed it had adversely affected their careers through exclusion from promotional opportunities, loss of clients and learning potential and also the disapproval of their colleagues (Bacik and Drew, 2006).

It is evident that women's need to avail of flexible working arrangements for caring responsibilities such as to care for dependent children, an elderly parent or to take time off for maternity leave puts them at a direct disadvantage for access to career progression in comparison to their male counterparts. A high percentage of women desire a comprehensive maternity leave /parental leave policy, flexible working arrangements and work/life balance policies, whereas this is not considered as important by men (Bacik and Drew, 2006). This lack of interest in work/life balance by men in the legal sphere must be challenged and reformed if there is to be effective work/life balance for both men and women. This view is supported by an Irish study conducted by Drew et al. which highlighted the need to step away from the concept of family friendly working arrangements which typically are only utilised by women and towards a more rounded work/life balance for all (Drew et al., 2003).

2.4 The Glass Ceiling Effect

The phrase 'glass ceiling' refers to an unseen advancement barrier within companies that prevents women and other minorities from reaching partnership level (Ziewacz, 1996). Cotter et al. defined the glass ceiling effect in their research into gender and race inequalities in different percentiles of white male incomes (cotter et al., 2001). The

researchers also found the glass ceiling effect to be a distinctly gender phenomenon (Cotter et al., 2001). The core of the glass ceiling effect is that advancing into higher result (e.g., wages, authority) levels later in one's career has increasing drawbacks. A glass ceiling effect is obvious if the scale of the disparity not only grows but accelerates as one climbs up the earnings distribution or other outcome hierarchy and observes the disparities in the probability of moving beyond each of these benchmarks (Cotter et al., 2001).

The influence of the glass ceiling is counterintuitive. Early observers hypothesized, and many lawyers still suspect, that if more female associates were recruited and promoted, the underrepresentation of women lawyers among major law firm partners would eventually decrease (Wald, 2010). At the executive level, the prevalent workplace norms place a high priority on availability and presenteeism (O'Sullivan, 2012). Of course, this framing excludes individuals who are unable to or do not wish to do so owing to caring obligations, leading to a propensity for women to 'self-select' out of top positions (O'Sullivan, 2012). This is viewed as a private matter, according to Hakim (1996, cited in O'Sullivan, 2012), and had nothing to do with the structural conditions in the field or how organisations are gendered.

Furthermore, the glass ceiling effect is not just counterintuitive, but it often goes against traditional economic theory, which holds that sexism is ineffective and would fade out over time (Wald, 2010). According to this logic, discriminating law firms would incur to great an expense if they consistently failed to attract female associates who are as competent as male associates to partnership in a market for major law firm human capital that is becoming more and more competitive (Wald, 2010). This sentiment was expressed by a respondent to Thornton's study of male and female lawyers in Australia where the

respondent, a global law firm leader, expressed that the level of women leaving private legal practice at around the age of thirty was a huge concern (Thornton, 2016). He described how firms would have invested a lot of money in their development and just when they are at their most valuable to a firm, they realise that the personal and work life do not balance (Thornton, 2016). He concluded that this is something that law firms will have to address. However, this is made difficult by the traditional model of law firms (Thornton, 2016).

Gender stereotypes and the traditionally masculine ethos of major law firms also have a significant effect on the glass ceiling phenomenon (Wald, 2010). These unconscious biases can lead sensible decision makers within a firm to choose male associates over female lawyers on a consistent basis (Wald, 2010). The stereotypes can often be self-fulfilling prophecies. Male associates are more likely to earn better assignments, outstanding mentorship and specialised preparation as a result of these stereotypes (Wald, 2010). Male associates will have more and better chances to become superior lawyers as time goes by, justifying the unfair decisions made against women lawyers (Wald, 2010).

2.5 Inequal Access to Mentoring/Networks

The growing number of female law students and new female associates leads to the misconception that 'the women problem' has been overcome and that women at law firms are on an equal footing with their male colleagues (McManus, 2005). However, female lawyers working in law firms do not receive the same amount of mentoring as their male colleagues (Rhode, 2001). Data released in 2019 revealed that white female lawyers make up almost 50% of associates in US law firms, they account for only 22.7% of partners and 19% of equity partners (Norwood, 2020). This cannot be put down to the excuse that

women often choose family life over careers. There are huge gaps in the ways in which female lawyers are mentored, educated and promoted in comparison to their male colleagues (Norwood, 2020). According to Epstein et al., (1995, cited in McManus 2005), mentoring opportunities are an important component of a successful professional path. A good mentor serves as a guide, instructor, role model, and champion for one's profession. A competent mentor may also assist a new associate become acquainted with the firm's culture and customer relationships, as well as prepare them for partnership.

There are a number of reasons why female associates do not receive the same quality of mentorship as their male colleagues. In the past, there were so few young female lawyers that mentoring them was not a big issue. However, with women now accounting for over half of every class of associates, there are many female associates to choose from (Epstein et al., 1995). Despite the fact that a small percentage of senior male associates admit to avoiding these younger women, the majority of men in large corporation's work with them (Epstein et al., 1995). Interacting with a female colleague in the workplace is very different from a real mentoring relationship which tends to continue beyond the workday and the current project to drinks or dinner, where a lot of informal tricks of the trade and firm politics which are essential to success are passed down (Epstein et al., 1995). Furthermore, many men who believe in equal opportunity in theory, fail to do so in practice, favouring individuals with comparable upbringings, experiences and ideals (Rhode, 2002). Some male attorneys have reported that fear of sexual harassment claims or how the relationship would be viewed makes it difficult to mentor or to be seen alone with female colleagues; others appreciate the masculine camaraderie that occurs during all-male gatherings (Rhode, 2002).

A further barrier to young female lawyers progressing up the career ladder is the apparent distaste for mentoring young female associates held by female lawyers in senior positions. This issue has been discussed at length in a number of studies with Ziewacz (1996), theorising that women often do not mentor women for a variety of reasons, one of which is ingrained institutional views that make it difficult for junior and senior women to create the supporting connections that assist many men in managing their careers, as described by Saltzman (1996, cited in Ziewacz 1996). This view was also expressed by Rhode where she describes how often, female executives who are sensitive to gender issues are sometimes hesitant to engage in the solution, especially in settings where they risk being viewed as biased towards women (Rhode, 2002). Ziewacz goes on to theorise that female hesitation to mentor other women may be down to the male perception of female networking as purely social rather than professional or career related (Ziewacz, 1996). Saltzman (1996, cited in Ziewacz 1996) also goes on to highlight how institutionalism has had an impact on how women see other women in the workplace. There appears to be a generational divide between those who pioneered women's advancement in the workplace and those who 'thought a job was waiting for them', as outline by Saltzman (1996, cited in Ziewacz, 1996). Part of this divide arises from the reality that women of all ages and phases in their professional life have quite diverse perspectives on things (Ziewacz, 1996). According to a significant study on women in law conducted by Epstein et al., (1995), older women dismiss their younger colleagues' notion that law firms should alter to accommodate working carers as impossible, whereas young attorneys believe that older women were too willing to put their professional or personal aspirations on hold (Epstein et al., 1995). Another roadblock, according to Saltzman (1996, cited in Ziewacz, 1995) is a lack of time where rather than lack

of enthusiasm, many highly successful female executives are prevented from mentoring other women by a lack of time.

Female associates are also often left out from male dominated social events which often double as opportunities for unofficial networking and mentoring (Norwood, 2020). Bacik and Drew also discuss this 'old boys club' culture in their work, 'Struggling with Juggling' (Bacik and Drew, 2006). They describe how the old boys club culture works to exclude women from social and sporting events that go a long way in furthering one's career (Bacik and Drew, 2006). This theme of fraternal bonds within law is explored by Margaret Thornton in her book, 'Dissonance and Distrust'. She claims that discrimination towards women in the profession is an unavoidable result of the fraternal relationships that have long maintained interactions within the jurisprudential fraternity, including the 'micro-inequities', such as derogatory jokes or comments on a woman's appearance, to which women are exposed on a daily basis (Cowdery, 1997). Only members of the metaphysical legal 'gang' are eventually eligible to receive club products such as law firm partnerships, Bar success or judicial appointments (Cowdery, 1997).

Without mentoring, female attorneys are continually left out of the advancement process. They are not well versed in the organisation's unspoken policies and procedures. They are not given enough difficult, high-profile jobs. They are excluded from social gatherings that may lead to career progression. They are not given any assistance in learning the legal and marketing skills that are necessary for success (McManus, 2005). These obstacles have the potential to become self-perpetuating. Overworked senior lawyers are hesitant to devote time to mentoring women who seem to be on the verge of leaving. Women that are not

encouraged are more likely to abandon their careers (Rhode, 2001). Their failure to advance to senior roles decreases the number of female mentors available and reinforces the stereotypes that contribute to the problem (Rhode, 2001). While there is still a lot of work to be done to erase gender stereotypes regarding mentoring of associates and the masculine culture that exists in law firms, there has been some movement towards the erasure of these sexist policies. The Law Society of Ireland has run its Law and Women Mentoring Programme since 2016, with the aim of assisting more women in becoming partners and managing partners in the practice (Law Society of Ireland, 2021).

2.7 Male Perception of Gender Inequality in the Legal Profession

One of the most prominent barriers to eradicating gender inequality in the upper echelons of the legal profession is the prevailing view, especially among male associates that the problem does not exist or that as more women enter the profession gender parity will cease to be a problem (Cecchi-Dimeglio, 2018). According to Kimmell (2009, cited in Essig and Soparnot, 2019), advancements towards gender equality in the workplace only represent a partial triumph for women, because of the remaining barrier to gender equality- men's conduct and attitudes. According to Kimmell, changes among males are the next step in the campaign for women's equality and that change among men is necessary for women to attain full equality (Essig and Soparnot, 2019). Men must realise that gender equality is in their best interests- both personally and professionally (Essig and Soparnot, 2019).

Inequalities between men and women in the legal profession are widespread, but perceptions of inequality are not (Rhode, 2001). A common belief is that walls have been crumbling, women have been increasingly present in the legal sphere and it is only a matter of time before true equality becomes a reality (Rhode, 2001). However, with men making up

67% of equity partners in Ireland's top six law firms as of 2018, it is evident that gender equality is still a real issue (Fitzgerald, 2018). A qualitative study of students in Ireland revealed that young adults in Ireland believe that women have to work harder than men to achieve the same success (O'Connor, 2012). One male respondent to a US state gender bias survey stated that time would take care of the problem and that bigotry was at the bottom of the list of issues facing the legal profession today (Rhode, 2001). He continued, expressing the view that anyone who worked hard and did not hold grudges would succeed in the legal profession (Rhode, 2001). This view is similar to the concept termed 'trickle-up fallacy' in *Gender Injustice*, where the authors discuss the view held by a number of young female lawyers that women's success and progress as lawyers is only a matter of time and equality will passively be achieved with the number of women entering law programmes and qualifying as lawyers (Bacik et al., 2003).

Such assumptions are difficult to reconcile with reality. The scale of sex-based discrimination in pay and advancement cannot be explained solely by time or women's comparatively recent entry to the profession (Rhode, 2001). Women in legal practice in the US made around \$20,000 less a year than men at the turn of the century, and salary polls of law firms and corporate counsel have regularly shown a substantial gender difference, even for people with comparable jobs and expertise (Rhode, 2001). Furthermore, despite having equal credentials, male and female lawyers often do not receive similar positions (Rhode, 2001). Women are underrepresented at the top and overrepresented at the bottom in law, as in many other traditionally male dominated professions (Rhode, 2001).

2.8 The Business Case for Equality

Encouraging gender equality at all levels of the legal profession is not just morally correct, it is also smart business. A study conducted by Wilton et al. (2019), revealed that advertising a company's commitment to having a gender diverse staff improved their reputation amongst customers. In the Irish study, Gender InJustice, the researchers cited three main benefits for businesses of gender equality, preventing women leaving practice would result in better human capital; staff morale would be higher leading to increased productivity and firms could avoid costly discrimination lawsuits (Bacik et al., 2003). Bringing different points of view to the table can help to eliminate organisational blind spots, and it reflects the market in which most businesses operate (Hieker and Rushby, 2017). This sentiment is echoed by Krishnan where she highlights how workforce diversity is an asset for an organisation that, if effectively managed may boost productivity and therefore performance (Krishnan, 2020).

Despite the legal profession (and especially law firms) considerable attempts to remedy the shortage of women in senior roles, the findings remain disappointing with women still failing to account for equal numbers in senior positions in law firms (Cecci-Dimeglio, 2018). The World Economic Forum estimated that gender parity would take 80 years to attain in 2014 and in 2015 the forecast was revised to 117 years, as laid out in the World Economic Forum Global Gender Gap Report (2015, cited in Hieker and Rushby 2017). While there has been some legislative action to attempt to relieve the pressures of work life balance such as the Maternity Leave Act 1994 and the Parental Leave Act 1998 (Bacik and Drew, 2006), the results of a number of studies suggest that the issue lies more so in the culture of

presenteeism which is prominent in modern law firms (Purvis, 2019; Sommerlad and Sanderson, 1998; Thornton, 2016; Bacik and Drew, 2006; Drew et al., 2003).

Thornton expresses how a relentless focus on power, aggression, achievement, acquisitiveness and competitiveness within large corporate law firms has added to the culture of masculinity within law firms (2014, cited in Thornton, 2016). In today's increasingly competitive legal environment, large law firms have adopted a hypercompetitive ideology which places great emphasis on around the clock commitment and loyalty to the firm and its clients (Wald, 2010). Large firms should rethink this ideology if they want to retain their elite status of only hiring the best and brightest (Wald, 2010). Millennials have an increased desire for a work/life balance and a hypercompetitive ideology where the only perk is lots of cash in exchange for demands of total loyalty and no personal life may not appeal to them (Wald, 2010).

Although the lack of family-friendly policies is not an issue experienced solely by women, women bear a disproportionate share of the burden (Rhode, 2001). Despite a rise in men's contribution to the household work over the last two decades, women in two-career relationships continue to bear the brunt of the pressure (Rhode, 2001). This is partly down to long-standing socialisation habits and occupational behaviours that discourage men from working part-time or taking extended family leave (Rhode, 2001). Just about 10-15% of surveyed law firms and Fortune 100 businesses offer equal parental leave to both men and women (Rhode, 2001). The results of this survey are supported by the survey carried out by Drew et al., which also found that flexitime is very rarely availed of by male associates and of those surveyed who did avail of it, respondents cited experiencing feelings of animosity from fellow colleagues (Drew et al., 2003).

However, this distaste for part-time or flexitime work in law firms makes little sense. According to a slew of studies, part-time workers are more effective than full-time employees, particularly those who work long hours (Rhode, 2001). Burned out attorneys are especially vulnerable to depression, drug dependence and other health related issues and seldom provide cost-effective services (Rhode, 2001). Furthermore, full-time lawyers are often not as available as those who work part-time or on a more flexible basis. Women at home with mobile phones, email and fax machines are more accessible than lawyers at a hearing with another client (Rhode, 2001). Reduced or relaxed hours have had little detrimental effects on customer interactions, according to the limited evidence available (Rhode, 2001).

According to a large body of evidence, such agreements save money in the long term by lowering absenteeism, turnover and the resulting recruitment and training costs (Rhode, 2001). In order to recruit and retain skilled attorneys, adequate options for alternative scheduling and fair working hours are becoming exceedingly necessary (Rhode, 2001). Work/life balance was cited as one of the leading factors for choosing their new employer by almost half of the women and one third of the men surveyed in the ABA survey (Rhode, 2001).

2.9 Conclusion

The aim of this chapter was to provide a comprehensive review of the existing literature in relation to gender inequality in the legal sector with special emphasis on the barriers preventing female lawyers from reaching senior positions in the legal sector. The seminal work in Ireland on this topic, entitled Gender InJustice provides an in-depth explanation of the different cultural, structural and organisational barriers facing women in their quest for

seniority in the legal profession in Ireland (Bacik et al., 2003). Peripheral works by many other Irish researcher and studies completed in comparable environments worldwide build upon this seminal work to create a catalogue of challenges and obstacles faced by female lawyers on their career path including, outdated gender stereotypes, work/life balance and the dual burden of family and work life, unequal access to mentoring and networking opportunities and how males perceive gender inequality. This literature review also takes note of the alternative view whereby some scholars believe that gender inequality in law is a 'no-problem problem' owing in part to the work of Catherine Hakim where she theorises that the lack of women in senior roles in the legal profession is down to personal choice and a lack of commitment rather than any structural or cultural barriers (Hakim, 1996). This study aims to highlight the different barriers both structural and cultural that act as obstacles for female lawyers from the point of view of trainee solicitors in large corporate law firms in Ireland.

Chapter 3: **Methodology**

3.1 Introduction

The overall research aim of this study is to explore gender equality in the legal profession with specific emphasis upon the views and perceptions of trainee solicitors.

The research objectives are to explore the views of trainee solicitors regarding the paradox whereby the number of women entering the legal profession has dramatically increased over the last number of years, however, this equality has not been reflective in senior levels

of the profession to the same degree. Furthermore, to examine the lived experiences and perceptions of trainee solicitors, both male and female regarding work-life balance issues and in particular to set out their perspectives.

This chapter will proceed in line with Saunders et al. (2019) research onion approach whereby firstly the research philosophy will be described. Here the researchers reasoning for choosing an interpretative qualitative research approach for this study. Thereafter, the research strategy discusses the numerous options available to the researcher and provides the reasoning behind the researcher's decision to conduct semi-structured interviews.

Following this the research design and participants section details how and why the participants were chosen and the structure and process of the semi-structured interviews.

The data collection section discusses the types of data used and how it was collected.

Ethical considerations details privacy concerns that had to be addressed and how data collected would be stored and finally the Limitations to the research discusses any limitations experienced by the researcher during the course of the study.

3.2 Research Philosophy

A set of beliefs and assumptions regarding the production of knowledge is referred to as a research philosophy (Saunders et al., 2019). The two main philosophical approaches as described by Saunders et al. are ontology and epistemology or positivist/ interpretivist research philosophies. The research philosophy chosen by the research will affect how data is collected and interpreted (Saunders et al., 2019).

Positivism arose from foundationalism and empiricism, with positivists emphasizing objectivity and the testing of hypotheses (Ryan, 2018). The essential characteristic of realism is that it seeks to reveal the truth of reality and the existence of objects that exist

independently in the human mind (Guha and Chetty, 2015). Direct realism and critical realism are two types of realism. Direct realism describes what our senses experience and what the researcher discovers. Critical realism, on the other hand, asserts that what we see via our senses are pictures of the real world, not reality (Guha and Chetty, 2015). The critical realist acknowledges the relevance of multi-level study in the context of the person, group and organization, whereas the first is concerned with the capacity to investigate what is being researched (Guha and Chetty, 2015).

The third research philosophy and the one selected for this study is interpretivism. Interpretivism arose as a reaction to positivism, but from a subjectivist standpoint (Saunders et al., 2019). Humans, according to interpretivism are distinct from physical things in that they construct meaning (Saunders et al., 2019). These meanings are studied by interpretivists. Early and mid-twentieth century Europe saw the emergence of interpretivism in the work of German, French and occasionally English philosophers are described by Crotty (1998, cited in Saunders et al., 2019). The significance of meaning in human existence is at the heart of interpretivism (Funk, 2019). It does not prioritize parsimony and generalizability over context and complexity, as positivism does. As a result, interpretivist techniques are well-suited to pursue specific areas of research, particularly those involving meaning-making behaviours (Funk, 2019).

Interpretivists are critical of positivists attempts to discover definite, universal laws that apply to everyone because different people of different cultural backgrounds under different circumstances and at different times make different meanings and thus create and experience different social realities (Saunders et al., 2019). Rather, they argue that when such complexity is reduced to a series of law-like generalizations, important insights into

mankind are lost (Saunders et al., 2019). The interpretivist's task is to join the social environment of the study participant's and comprehend it from their perspective. Some believe that the interpretivist paradigm is particularly well suited to business and management studies (Saunders et al., 2019). Business situations are not only complicated, but they are frequently unique, at least in terms of context (Saunders et al., 2019). They depict a specific set of events and interactions involving people meeting at a certain moment (Saunders et al., 2019).

Interpretivism was selected as the research philosophy for this research as gender parity in the legal profession and in all industries is a complex social phenomenon which requires an analysis of human interactions and the meanings people draw from these interactions in order to understand it.

3.3 Research Strategy

There are three main research strategies utilised by researchers; these are qualitative, quantitative and mixed methods research. A qualitative research strategy was applied for this study.

The numerical representation and manipulation of data for the aim of describing and understanding the phenomena that those observations reflect is known as quantitative research (Sukamolson, 2007). Quantitative research tools include online surveys and paper questionnaires. Qualitative research claims to explain people's lives "from the inside out", from the perspective of the participants. It hopes to contribute to a better understanding of social reality by highlighting processes, meaning patterns and structural characteristics in this way (Flick et al., 2004). Qualitative research tools include interviews and focus groups. Mixed methods research is the third methodological or research paradigm, and it is a

conceptual and practical synthesis based on qualitative and quantitative research. It acknowledges the value of traditional quantitative and qualitative research, but also provides a powerful third paradigm option that frequently produces the most insightful, comprehensive, balanced and helpful research results (Johnson et al., 2007).

According to Stake (1995), there are three key distinctions between quantitative and qualitative research; (1) the contrast between explanation and comprehension as the aim of inquiry; (2) the separation between the researcher's personal and impersonal roles; and (3) the distinction between knowledge acquired and knowledge constructed (Jackson et al., 2007). When taking a qualitative approach to research, the researcher will be predominantly occupied with what Lincoln and Guba (1985) refer to as "the human as instrument" approach. To put it another way, the attention shifts to comprehending human beings' complex experiences and perspectives on those experiences (Jackson et al., 2007). Instead of depending on a set of finite questions to elicit categorized, force-choice responses with minimal space for open-ended responses to inquiries as quantitative research does, the qualitative researcher depends on the participants to provide detailed replies to questions on how they built or comprehended their experience (Jackson et al., 2007).

Qualitative research is a broad umbrella term encompassing research techniques that do not utilize statistical processes or quantification to describe and understand people's experiences, behaviours, relationships and social settings, as described by Strauss and Corbin (1990, cited in Fossey et al., 2002). In the humanistic tradition, there are numerous forms of qualitative inquiry and qualitative data collecting methods. Interviewing is a

collection of techniques for gathering data from people and/or groups using organized, semi-structured or unstructured questioning forms in qualitative research (Fossey et al., 2002). In general, semi- or unstructured, open-ended, informal interviewing is favoured because it allows both the interviewer and the responder to be more flexible and receptive to emerging themes (Fossey et al., 2002).

A qualitative research strategy was chosen by the researcher for this study for a number of reasons. Firstly, it was evident that a semi-structured interview style would work best to elicit genuine responses from the participants and allow the researcher to probe the respondent to elaborate on any area of particular interest. The semi-structured interview format also gave the researcher the ability to gain an understanding of the subjective meanings, behaviours and social settings of the study participant's, which Fossey et al. cited as being critical to successful qualitative research (Fossey et al., 2012).

The research strategies and tools used by previous researchers in studies focusing on gender parity in the legal sector also influenced the researchers' decision to take a qualitative approach. In the seminal study on gender inequality in the legal profession in Ireland entitled 'Gender Injustice', the researchers conducted semi-structured interviews and focus groups to gain an understanding of the different themes that may affect female progression in the legal industry, directly from the people it effects, female lawyers (Bacik, Costello and Drew, 2003). Similar research strategies were also selected by Bacik and Drew, Sommerlad and Sanderson and Thornton (2006, 1998 and 2016) all utilised semi-structured interviews in their data collection. While many of the studies on gender parity in the legal profession did rely on quantitative research such as surveys and questionnaires, it was the researcher's experience that these studies tended to have larger respondent populations

and focus more on statistical analysis rather than the thematic analysis of the factors that contribute to female attrition and therefore a lack of gender parity at senior levels of the legal profession.

3.4 Research design and Participants

The qualitative interview design consisted of an interview list of trainee solicitors between the ages of twenty-five to thirty-five years old completing their traineeships in large corporate law firms. Interviewees were selected from a number of corporate law firms in order to gauge their insights regarding the gender parity within the legal profession at senior levels in Ireland and the impact of gender on progression in the industry. Initial contact was made with individuals who were contacts of professionals known to the researcher. Additional contacts were established from each participant using a snowball sampling approach.

While interviewees were selected at random there was a conscious effort made to ensure gender diversification. Furthermore, participants were selected at random from a pool of trainee solicitors only. This was done to capture the unique perspective that trainee solicitors have with regards to their expectations for their own progression and the role gender plays in their expectations. Thirty trainee solicitors were invited to take part in the research with six participants completing the process.

Due to the nature of the research, gender diversity in the participants was of paramount to prevent a one-sided view of the issue and also to reduce the risks of confirmation bias. The gender balance of female to male interviewees was sixty percent female to forty percent

male. Achieving a gender balance was relatively straight forward due to the current equality in number of both male and female individuals pursuing legal traineeships. However, female participants were easier to recruit.

The interview process began with a pilot interview whereby the researcher interviewed a colleague to ascertain what changes needed to be made to the interview schedule. The pilot interview resulted in the researcher slightly altering the style of questioning to allow the respondents more flexibility to discuss their experiences in depth without having to alter their responses to meet certain parameters. Each participant receiving an interview consent form via email which informed participants that all communication would remain anonymous, voice recordings would only be used for the purpose of this study and they were entitled to withdraw their consent at any time in the process. The interview format consisted of semi-structured interviews which were carried out over Microsoft Teams and lasted between thirty to forty minutes each.

The interview was designed with five main themes which were addressed using open-ended questions to allow the participants to give in-depth feedback. The researcher began the interview by asking each participant to provide a brief breakdown of their career thus far and why they chose to work in the legal industry while paying special attention to inquire about the recruitment process and whether gender plays a role in recruitment. From here, the researcher moved on to ask about the day-to-day work in a law firm and asked the interviewees to discuss the culture of their firm. The quality and structure of mentorship and sponsorship in each respondent's firm was the next area addressed in the interview. Open questions such as, what does mentorship look like in your organisation? and, what is the ratio of male to female mentors in your firm? Were asked to gain an understanding of

how gender plays a role in access to mentorship and networking events. In addition, interviewees were asked what their progression goals were for their careers and what obstacles or aides could they see in achieving those goals. Work/life balance was also addressed as one of the core interview themes with participants being asked to describe their own work/life balance and their opinion on whether there was any gendered dimension to work/life balance. Finally, participants were asked what recommendations they would make (if any) to improve gender parity in the legal profession in Ireland.

3.5 Data Collection

The researcher used both primary and secondary data in this study. Primary data was collected using the qualitative research tool of semi-structured interviews. Secondary data collection was obtained from in-depth analysis of academic articles.

Primary Research Data

Semi-structured interviews were used as the main source of primary data. This approach was selected due to the researcher's access to trainee solicitors in corporate law firms in Ireland. Jackson et al. (2007) discusses how using the qualitative research tool of semi-structured interview allows the participants to provide detailed replies to questions on how they built or comprehended their experience. Each participant was made aware that everything they disclosed was confidential and would be used solely for the purpose of the study. The interviews were recorded to allow the researcher to focus on the interview rather than taking notes. The researcher's mobile phone was used to record the interviews and the recordings were then transferred to the researcher's laptop where they were securely stored.

Secondary Research Data

Academic articles were utilised as the main source of secondary data for this study. The researcher accessed academic journals from Google Scholar in addition to the college's library database. The researcher predominantly used peer reviewed journal articles to ensure the standard of the academic material was maintained at a high standard. The researcher focused their research on academic articles which explored themes of gender diversity in the legal profession as well as in similar traditionally male-centric fields such as medicine and investment banking.

3.6 Ethical Considerations

In all research studies, the protection of human participants through the application of acceptable ethical norms is critical. Because of the in-depth nature of the study process, ethical issues have a special resonance in qualitative research (Arifin, 2018). Longhurst (2003) also discusses the importance of ethical considerations when conducting semi-structured interviews. He states that the two most important considerations are confidentiality and anonymity (Longhurst, 2003). He goes on to advise that participants must be assured that all data collected will be kept secure under lock and key or in a password-protected computer database; that all information provided will be kept confidential and participants will remain anonymous; and that participants have the right to withdraw from the study at any time without explanation (Longhurst, 2003).

While conducting this study the researcher abided by the following ethical guidelines:

- Ethical procedures specified by the national college of Ireland (NCI) were rigorously complied with.
- Prior to each interview, each participant was forwarded a copy of an interview consent form to be signed by them prior to the interview. The form detailed the purpose of the study, how their data would be captured (voice recording) and how it would be stored (in a password protected programme on the researcher's laptop).
- The researcher outlined to the participants at the beginning of each interview that all communication was strictly confidential; and all responses would be anonymous.
- The researcher ensured that each participant understood that they could withdraw their consent to participate in the study at any time.
- The researcher ensured that all questions were free from any of the participants personal information.
- All files and audio recordings will be deleted once the final grade for this research has been confirmed.

Due to the public nature of the participants employers, confidentiality was a concern for a number of the participants in the study. During the course of the interview a number of the participants disclosed information pertaining to their job title, name and employer. These disclosures could result in the revealing of their identity. As a result of these disclosures, the researcher has removed the majority of transcripts. Transcripts will be made available to the examiner upon request.

3.7 Approach to Analysis

Thematic analysis was the approach selected for analysing the data in this study. Thematic analysis is the technique of detecting patterns or themes in qualitative data (Maguire and

Delahunt, 2017). Thematic analysis is not tied to any specific epistemological or theoretical perspective making it a very flexible method as stated by Clarke and Braun (2013, cited in Maguire and Delahunt, 2017). The flexible nature of thematic analysis is the reason why it was chosen for this study which grapples with the cultural phenomenon of gender equality. Braun and Clarke (2006), describe the two different levels of themes; semantic and latent. Semantic themes seek for patterns in the data's explicit or surface meanings, and the analyst isn't looking for anything other than what a participant has stated or written. The latent level, on the other hand, goes beyond what has been stated and begins to identify or investigate the underlying concepts, assumptions, conceptualisations and ideologies that are thought to be influencing or guiding the semantic content of the material (Braun and Clarke, 2006). Braun and Clarke further distinguished between the different approaches to thematic analysis through their distinction between inductive and deductive approaches to thematic analysis (Braun and Clarke, 2013). An inductive approach is where the researcher allows the data to determine the themes, while a deductive approach is where the researcher approaches the data with preconceived notions and ideas that they expect to find reflected in the data and in existing literature (Braun and Clarke, 2013). An inductive, semantic approach was taken for this study.

3.8 Limitations of the Research

There are limitations associated with all types of research. One of the main limitations of qualitative research is that the results will not be generalizable to a population since only a small number of people will engage in research with such a high level of detail (Jackson et al., 2007). In addition, the researcher is more aware of his or her personal rather than impersonal participation in the study (Jackson et al., 2007). This bias can be controlled by

the researcher by ensuring that interview questions are open-ended and not leading. A further limitation to qualitative research is a participants tendency to provide what they believe to be the 'correct' answer to questions rather than how they honestly feel.

Chapter 4: **Data Analysis/Findings**

4.1 Introduction

This chapter contains the data collected and analysed by the researcher. Semi-structured interviews were conducted with six trainee solicitors in large corporate law firms in Ireland. Participants were both male and female, with four female and two male solicitors agreeing to take part. Interviews were conducted over Microsoft Teams as a result of the Covid-19 pandemic and lasted between thirty to forty-five minutes each. Copies of the interview question and the consent form emailed to each participant prior to their interview will be located in the appendix of this study. For confidentiality purposes, the names of each of the participants and the organisations they work for have been changed. The female participants will herein be referred to as FP1, FP2, FP3 and FP4, and the male participants as MP1 and MP2. Quotes from the interviews will be including in this section.

The aim of this research is to explore gender parity in the legal profession with specific emphasis upon the views and perceptions of trainee solicitors. The researcher selected a qualitative method for the analysis of the data and utilised thematic analysis as their approach as it is a versatile and helpful research method that may give a comprehensive and thorough, yet complex, explanation of data (Braun and Clarke, 2006). Braun and Clarke's six-step guide to thematic analysis was used to aid in the coding process and to

develop the themes (Braun and Clarke, 2006). Firstly, the researcher had to become intrinsically familiar with the data. This consisted of listening to the audio tapes of the interviews numerous times and reading and re-reading the transcripts to develop a deep understanding of the participant's different points of view and make a mental note of any initial observations (Braun and Clarke, 2006). After immersing themselves in the data, the author then moved on to the coding stage, which consists of connecting similar talking points from each interview into codes and also picking out relevant quotations (Braun and Clarke, 2006). Once coding was completed, the author then began to seek out themes from the codes, collapsing codes into each other to create themes (Braun and Clarke, 2006). Following on from the initial construction of themes, the researcher then had to review the themes to ensure they worked with the research questions and aims at hand and after the set themes were selected had to define and name each theme (Braun and Clarke, 2006). Finally, the researcher had to blend together the themes with direct extracts from the interview to create a vivid and concise analysis of the data (Braun and Clarke, 2006). The themes developed from the analysis are as follows: Theme 1: Gender stereotypes that perpetuate gender inequality in the legal profession;

4.2 Theme 1: Gender Stereotypes that perpetuate gender inequality in the legal profession.

The first theme that the researcher developed from the data considered the effect that long-standing gender stereotypes that are prevalent in the legal profession have on trainees working in corporate law firms. This topic has been discussed at length in the previous literature and indeed in the literature review of this study. However, previous research has

failed to consider the effect these stereotypes have on the perceptions of trainee solicitors, particularly female trainees of their worth and value to the organisation.

Each of the female participants to the study bar one discussed feeling looked down upon or made to feel that they were not as respected as their male colleagues because of their gender, FP1 stated that:

“[the partners] were very old school and I would’nt have said any of the men were approachable whatsoever. Yet, there was another guy who had started around the same time as me and he got on great with all the partners and I was like, is this a thing that they don’t want to talk to me, they didn’t want to take me seriously?’

This feeling of gender-based discomfort was also echoed by FP2 who described how female support staff and indeed female interns and trainees were often the source of jokes and jest for the male partners but the same treatment was never experienced by her male colleagues:

“Sometimes a partner would call some of the female support staff things like staff member or whatever instead of her first name and it was a joke and everyone thought it was funny and I was like he’s not doing that to any of the male staff”

“He would often joke about my Kerry accent and put on a Kerry accent but the accent he would put on would’nt be a normal accent. It would be like a rough Kerry accent let’s just say. Then again it was all in jest and technically because he was a partner he took the time to know people and obviously made sure that he got a good impression and laughed at all

his jokes. Kind of very much what you would consider old style. A lot of the associates would'nt be like that anymore but some of the partners definitely would."

Similar experiences were detailed by FP3, where she described feeling as though partners at her firm didn't take her seriously and even how she felt obliged to dress a certain way to be recognised in the office:

"In my law firm, there is a lot of pressure to dress like not just in a suit but in a sexy kind of, I don't know I can't describe it... you definitely get more male attention off the older partner in (organisation name). You get more work off it.... Even in my department I'm given more work by one particular male partner just because it's like... it's obvious, you know what I mean."

"I think some of the older male partners see the younger female trainees in kind of like a cute little way or something"

These same feelings of lack of respect were not experienced by the male participants.

When asked to describe what they thought the firms were looking for in a trainee, all respondents gave similar responses with regards to the characteristics that the organisations were seeking out. Traditionally male traits such as competitive, highly driven, leadership qualities were all mentioned repeatedly by the participants. A number of the female respondents also noted how certain stereotypically female traits could be discouraged to a certain extent, as mentioned by FP3:

"I know a girl and she was top of the class, got the FE1's first time, but she can't get a training contract because she's just very introverted. She'd be very quiet."

Interestingly, FP2 noted that while the firms seek out driven, ambitious and outspoken individuals those characteristics are not as congratulated in female trainees as they are in their male colleagues:

“We are all quietly confident whereas the males would be more boisterous and the girls that were loud typically didn’t get on as well, people thought that they were very show off and trying to be like that. So there was a kind of stereotype that in a way the more quietly confident you are, you would be doing the exact same work but if you weren’t big headed about it they give you more praise for it.”

In contrast to this, FP1 discusses how in her interview for her traineeship, the (female) interview panel told her they were looking for outspoken women who didn’t mind taking control of a situation:

“I was interviewed by two lovely ladies, who also touched on the fact that although over fifty percent of solicitors in Ireland are female, there is this gender imbalance and they kind of touched on the fact that just from my CV alone, I would have done debating in college and things like this and public speaking and they are like, that is what we need because we find that a lot of the men tend to take charge or tend to be assumed to be the leaders. We need women who are able to walk into the office and speak and know what they are talking about you know, not that the men don’t but a lot of the time there is an assumption that they are the ones in charge.”

This disparity in what these firms claim to be looking for raises an interesting question. Do firms genuinely wish to see women in these leadership positions as they claim or are these considerations of gender inequality at interview stage simply a recruitment tactic? It is also important to take into account that the interview panel in FP1's case was entirely made up of females and this may have had an impact on the line of questioning.

Interestingly, the male participants emphasised how the requirement of soft skills such as communication and empathy were stressed to them at the interview skills alongside the more 'hard' skills such as ability to work hard and problem solving:

"Have to be able to show that you are a real person as well. I spent two years in retail talking to people.... And that was actually more impressive to them".

Persistent gender bias and stereotyping of female lawyers has been proven to be a contributory factor in women's inability to break through the glass ceiling and achieve positions of seniority in the legal profession (French, 2000). The responses of the female participants to questioning regarding gender stereotypes in modern law firms highlights that this is still a prominent issue (Levinson and Young, 2010). The male respondents believe that gender stereotypes no longer exist or at least in their experience are not present in their organisations supports the view expressed in where a respondent to the survey stated that the so-called gender divide is greatly exaggerated.

4.3 Theme 2: Inequal Access to Mentoring and Networking Environments Creates a Barrier to Progression for Female Lawyers

The next theme that the researcher unearthed from the data deals with mentoring and networking in the legal profession. The concept of mentoring and the role gender plays in

the mentoring relationship is something that has been discussed at length in previous literature. However, the perceptions of trainee solicitors who have a formal mentoring process in their programme in Blackhall Place have yet to be analysed. The researcher asked the participants questions in relation to the mentoring they may or may not have received in their firm to ascertain whether informal mentoring and networking contained more or less of a gendered element than that of their formal mentoring process in Blackhall Place.

Firstly, all of the female participants noted that seeing a woman succeed in the legal profession inspired them to a certain degree and made them feel as though making partner or owning their own practice was something that was achievable for them. These responses support the theory that access to role models and adequate mentoring can improve an individual's likelihood of success (Rhode, 2001). This appreciation of an aspirational figure for progression was not mentioned by any of the male participants.

FP1 discussed how doing a summer internship in a female owned law firm gave her confidence that the same was possible for her:

"I really enjoyed working alongside a woman as you might expect. It's nice to see that we can do it because she owned her own firm you know because she was going to give me an insight and that she did."

FP4 also echoed this sentiment:

"In the beginning I wanted to go to somewhere that a woman was the principle just because, I don't know I think it would have made me more comfortable or something."

FP2 also had a similar experience:

“I do think that if you see people in it it’s easier to say, I’m very like her I want to have a similar life to her.”

While all of the female respondents expressed interest in having a female role model to look up to in their firm, the literature on the topic highlights how often female partners or senior associates do not have the time to mentor up and coming female lawyers due to family responsibilities (Rhode, 2001). Add to this the sheer lack of women in senior positions in law and the likelihood of there being enough female role models for young women is law diminishes. The pressure that female equity partners are under was experienced first-hand by FP2 where she describes:

“My firm only has one female equity partner, the rest are all male. She is always quite stressed and she is meant to half a half day every Wednesday but it’s rare that she gets to take it”.

With regards to the mentoring process, all the respondents bar one confirmed that there was some kind of formal mentoring programme at their firm. The majority of them were designed like a buddy programme whereby a junior/senior associate acted as a kind of confidante to answer any questions a trainee may have on the day to day running of the office. None of the respondents could recall a partner or equity partner taking part in any mentoring programmes.

MP1 said of his experience of the formal mentoring programme in his firm:

“I haven’t personally joined but I know people who have and it’s basically a system where they put you with someone who is slightly senior to yourself and you just bounce questions off them but it is a formal thing”.

A more personal experience with the mentorship programme was experienced by FP2 whereby in her firm it is not an opt in programme and each trainee is assigned a buddy who is a qualified associate. FP2 recounted her experience as follows:

“My mentor took it very seriously. He would come in monthly and have a chat and go through my work with me and tell me what I needed to do and stuff like that.”

From the data provided by the participants the assumption can be drawn that while the formal mentoring programmes provided by the trainee’s respective firms may offer support and guidance in navigating the early days of their career in the legal sector, these are not close mentor-protégé that will provide the trainees with the skills and knowledge required to progress up the career ladder. It appears as though it is the informal networking and mentoring relationship that create these lasting bonds and alliances. However, these environments can also lead to instances of gender based preferential treatment which can create an obstacle for young female solicitors in a male-dominated environment.

When discussing the informal networking environment in his firm, MP1 did not make any reference to there being any gendered element to networking. However, he did not that often, family connections played an intrinsic role in the securing of a traineeship:

“There was one girl who’s dad was chairman of Arthur Cox, and she’s now in Arthur Cox and maybe four of her girlfriends from the course are in Arthur Cox as well.....you do get a lot of that”.

The majority of the female participants detailed examples of how they could often feel excluded from potential networking opportunities due to their gender. FP4 detailed of her experience:

“When the rugby was on at one stage they would leave and go watch the rugby together and that kind of thing in town and talking about matches.....I think that’s the make dominated thing it does show”.

Similar experiences were conveyed by FP3:

“There is a rugby side of all partners, football, rugby. So the male trainees would bond. I know one trainee had got his traineeship because he’s a Cork senior, you know what I mean? But there would be that, if they are into sailing, rugby they are in the same rugby club and stuff. So there is that.”

MP2 stated that while he didn’t believe the networking structures were overtly masculine he did recognize that access to networking could be restricted for women who had caring responsibilities:

“Sometimes through your work you are encouraged to go to various conferences and stuff like that. And yes that is often after hours, and often maybe weekends and stuff like that, which is you are trying to maintain a family at the same time and do all those kind of duties,

would be very challenging.....and you particularly get that kind of networking in the very large top five kind of firms.”

The responses provided by the participants with regards to the role gender plays in networking and gender are reminiscent of the notion of fraternity discussed by Bacik et al. in Gender InJustice (Bacik et al., 2003). This notion of fraternity works to exclude women from social and sporting events that go a long way in furthering one’s career (Bacik et al., 2003). Many lawyers also want to help those who have backgrounds, perspectives and beliefs that are similar to their own (Rhode, 2001). It is an interesting point to note that the female participants to the study did not experience any gender inequality in their formal mentoring programmes and it was only through the informal networking and mentoring mediums that a gendered element arose.

Theme 3: Lack of a Work Life Balance and the Dual Burden of Family and Work Life Disproportionately Affects Female Lawyers and Can Act as a Barrier to Progression.

The need for a work life balance has been gaining popularity over the last number of years. There is already a large body of evidence that analyses the benefits of work life balance, both for the organisation and it’s employees. Much on the discussion on work life balance in the legal profession focuses on the need for a more balanced work and family life to enable women to move up the career ladder without having to sacrifice one or the other. When asked to discuss their perceptions on work life balance, it’s importance and what it looks like in their organisation all of the participants provided animated responses.

When discussing what work life balance looked like in their organisation, FP2 discussed how there was a time when she was stretching herself too thin and her manager took her aside and explained to her the importance of down time:

“two senior associates told me that I take on too much and that I say yes too much so give yourself a break, calm down. I was like wow”.

This interest in employee wellbeing was also echoed by FP3 when she discussed initiatives that were in place to promote mindfulness and a healthy lifestyle:

“There is a work life balance, they organise a lot of retreats like yoga on the rooftop, sea swimming all that kind of stuff.”

While the participants discussed initiatives that their respective firms had in place to promote employee wellbeing, they did also discuss how presenteeism was a very real characteristic of being a junior solicitor in a large law firm. FP2 said of her experience:

“There is almost this idea you see with trainees, staying an hour later than you have to. There is no work to be done. We are just staying to be seen to be staying. It always feels like you are so easily replaceable, you should be grateful for your position, this kind of atmosphere.”

This sentiment was echoed by MP1 who described the anxiety that comes with leaving the office at the end of the work day:

“I used to go down the back stairs so I wouldn't be seen. But I'd come in in the morning sometimes and there was one of the girls would be like oh you know I would have left the

office at seven, and she'd say at seven thirty whoever was looking for you. And it's a bit annoying because you know that they're, they probably are a bit annoyed that you left."

MP1 also mentioned how presenteeism is rewarded in his organisation despite the firm promoting a culture of work life balance:

"After eight we get a free dinner, after ten you get a free cab home. But yeah it's kind of expected".

MP2 agreed with the view that presenteeism is appreciated in law firms, stating:

"I don't think you can deny that presenteeism is a thing. And it definitely is, you know people remark on it, and they appreciate it, they do appreciate the idea that someone is available."

This was also experienced by FP2 when coming up to Christmas she was looking forward to driving back home for Christmas but ended up having to stay late in work the day before Christmas Eve. She describes her experience:

"I was like please I want to go home it's gone six o'clock we were supposed to finish at one today. They kept saying this and that and he was taking time off in January and needed stuff off his desk. When I was leaving he called me into the office and had gotten me a lovely gift in Brown Thomas. I would have preferred to have just gone home. It'd just like....there was things that would annoy you about the culture and they're buying you nice gifts because everyone has disposable cash.....I just wanted to work a normal day."

FP1 detailed how presenteeism was visible at all levels of the organisation, not just in the junior stages:

“I used to actually study in the office when I was getting my FE1’s, just before Covid and I would stay there until maybe eleven o’clock at night and drive home then and he would [senior partner] always be there and I was like, do you ever leave and he always, he would come in of a Saturday, he would come in over the Christmas break.”

When asked what they believed were their own biggest barriers to progression in the legal profession all of the female participants mentioned motherhood and starting a family. Interestingly, family life was not seen as a barrier to profession by the male respondents with them citing obstacles such as competition. However, both of the male respondents acknowledged that family life was a barrier for women for progression.

MP1 detailed of the barriers to his own progression:

“I know [organisation name] have sixteen people qualifying and they kept four....and then four were on fixed term contracts for six month or something. So it’s a big barrier in that sense that you could spend three years in a firm and they could just say we don’t have space for you.”

“Obviously barriers come up, like you know when you get to that age where you want to build a family, it’s the unsaid thing where like there’s no discrimination as such. But who is going to promote the woman who has been at home with her baby for a year over the man who has been here working all year. It is a no-brainer. That is just how it is. So you know that is definitely a barrier that will come up down the line.”

FP2 also described the dual burden of work and family life possibly creating a barrier for her own career progression when she discussed a training seminar that she attended during her internship where she believed the (male) partner alluded to the fact that raising a family and attaining partnership was difficult to achieve:

“I remember very early on in my internship we had a training seminar with the trainee partner and he went through career progression and he gave one of the consultants at work as an example and he said who here wants to be a partner and he said a partner is not for everyone. We are looking and he said I worked with X in X firm which was a bigger firm and he said she came here because she couldn't make partner like that. We all knew she was the best trainee of her intake and she decided not to because she wanted to have her family and her husband became partner in a big firm and she became consultant so she could work four days a week and he kind of...he didn't mean to say it the way but it was so obvious. I was so offended. I was like she could of done both. But he was telling me she couldn't.”

Instances of career stagnation once having a family were provided by each of the participants. Although none of the respondents were working parents they all had seen first hand how starting a family could negatively affect a female lawyers career. FP3 explained that it her department:

“There is three out on maternity leave. And I heard just apparently your case load, the managers...the partners wouldn't give you as much, they kind of lose interest in you because you are gone.”

MP3 also described how fathers can also experience the negative perception of parenthood in the legal profession:

“My property partner, he took two weeks of paternity leave and he said all his clients were ringing him giving out, complaining about it.”

The participants were asked what they believe could be done to promote the importance of work life balance in the legal profession and the ease the dual burden for working mothers of work life and family life. Each of the participants discussed the importance of flexible working arrangements to allow working parents to balance work and family life. An increase in paternity leave and a more equal sharing of the responsibility of parenthood was also highly cited as a possible solution for the disproportionate burden that is placed on women with regards to caring responsibilities.

FP1 described her ideas on possible solutions:

“Encouraging more men to actually take their time off and share that burden within their family life. So and at a senior level to encourage people down the line to do the same and not feel like I can’t take time off because my boss doesn’t take time off.”

These same ideas were shared by FP2 who stated that:

“I think knowing that I want to progress hopefully to a partner in the future and have children and have a family and do it all I think that the main thing that would be a barrier to that is that men actually don’t get as much paternity leave as women and even if they got a third of what we got there would be less pressure on us and it would be more seen as a parent thing.”

MP2 also discussed how seeing these initiatives championed by senior members of the profession could aid in the stigma surrounding taking time off:

“I think that the most effective way of seeing change here is for people in senior leadership positions to actually show leadership on this issue. And it’s by doing that is by taking you maternity leave or your paternity leave....you see what the partners are doing, you are saying you know that’s what I should be doing. So, if you see them doing it you are thinking oh cools it’s no issue. That will have a huge effect on, it will be more effective than any words in policy.”

FP4 also discussed the importance of flexible working arrangements:

“I think working from home is going to be a big thing. Especially for women because realistically if you have ten female solicitors like five of them will probably have kids at some stage or more probably so I think working from home will give people the flexibility.”

This sentiment was echoed by MP2 :

“it’s all about the flexible work hours, the idea that like remote working is you know it works, we can do it and it’s totally fine. I know there is reservations three years ago about remote working, but the last year and a half has shown that the show does go on.”

Chapter 5: **Discussion**

In this chapter the researcher will further analyse the themes and findings of the study in light of previous research. The researcher developed three core themes from the data. The first theme focused on gender stereotypes in the legal profession and how they perpetuate gender inequality. The second theme concentrated on how unequal access to mentoring and networking environments creates a barrier to progression for female lawyers. The final theme extracted from the data by the researcher focused on how lack of a work life balance and the dual burden of family and work life disproportionately affects female lawyers and can act as a barrier to progression. This chapter will discuss each of these themes and how the findings of this study relate to the previous literature.

5.1 Discussion of Key Findings

The findings from this study with regards to gender stereotypes in the legal profession are that young female lawyers do not feel as though they are taken as seriously by male partners as their male colleagues. Furthermore, this study confirmed that traditionally male characteristics still dominate the culture of the legal profession and female lawyers are expected to comply with these characteristics in order to succeed. Finally, the results of this study also indicated that male solicitors fail to see gender stereotypes as a prominent issue facing the legal industry.

5.2 Gender Stereotypes

Previous research on gender stereotypes in the legal profession and their effect on female progression have resulted in similar findings to this study. Much of the existing literature focuses on the fact that women are often not treated with the same level of respected or awarded the same level of confidence in their ability as their male colleagues (Rhode, 2001; Porter, 2006; Slaughter, 2015). This discriminatory view of women as not being as competent in the legal field as their male colleagues stems from the traditional view of women as 'soft' and not suited for a career in law (Bacik et al., 2003). This may also explain why women generally make up the majority in areas of law where there is a more emotional burden such as family law, immigration law and human rights law (Barry and Sherlock, 2008). The researcher also notes how this lack of confidence based on gender affected the self-worth of the trainee:

"You can kind of feel like you're less than"

"It is annoying because we work just as hard, even harder"

Gender stereotypes affecting the self-worth of female solicitors has also been studied at length with Kay and Gorman discussing how gender stereotypes undermine women's authority in the legal profession. These verbal actions call attention to women's gender and lower their self-esteem or status. Disparagement includes demeaning remarks and comments about dress or appearance to name a few (Kay and Gorman, 2008).

A predominantly masculine culture has been a characteristic of the legal profession since its inception. The key characteristics of the legal profession as outlined by the participants to the study are reflective of the existing literature which highlights how the mismatch of the

traits associated with being a woman and those associated with being a successful lawyer – commitment, ambition, assertiveness – have long acted as obstacles to career progression for women in law (Rhode, 2001; Bacik et al., 2003).

A further interesting finding from this study was FP2's experience in her firm of the requirement to be:

“sociable enough....and that girls who were loud tended not to do as well as those who were quietly confident and worked hard”

These findings are in line with the concept of women in law being in a ‘double bind’ whereby they cannot appear to be too caring as they will risk not seeming professional or objective, or too aggressive as what comes across as assertive in a man can often be mistaken as abrasive in a woman (Rhode, 2001). This concept is supported by Thornton, who in her book ‘Dissonance and Distrust’ describes how women are expected to demonstrate docility and deference while being as professional as men (Cowdery, 1997). In contrast to FP2's experience, FP1 describes how her firm encouraged her to use her voice, be outspoken and display leadership qualities. FP1 also spoke of how the ability to speak up and display leadership potential is likely what puts male lawyers on the path to seniority. If so, could promoting ‘quiet confidence’ as is the case in FP2's firm be creating a barrier to progression for young female lawyers?

Finally, the results of the study also support the argument that male professionals in the legal industry assume that gender inequality and the presence of gender stereotypes in law is a ‘no-problem issue’, and that as the number of women in the legal profession rises, so will their proportion as partners at law firms (Wald, 2010).

5.3 Inequal Access to Mentoring/Networking

The findings of this study create some very interesting discussion points with regards to mentoring and what that looks like for all trainee solicitors- both male and female. The lack of access to quality mentoring experienced by women in the legal industry has been researched in depth. Norwood acknowledges that there are huge gaps in the way female lawyers are mentored in comparison to male lawyers (Norwood, 2020). A number of academics have theorised as to the cause of this lack of interest in mentoring young female lawyers. Lack of commitment and viewing them as less valuable than their male counterparts are the most popular causes put forward (Wald, 2010; Norwood, 2020).

Participants to the study discussed the mentoring programmes available to them at their firms. The programmes differed from voluntary to compulsory. While the participants expressed either neutral to positive experiences with the formal mentoring in their firm, when it came to informal mentoring and networking environments, three out of four of the female participants expressed feeling at a disadvantage because of their gender. This aligns with much of the existing literature on this topic which discusses the concept of the 'boys club' and 'fraternal bonds' whereby women are excluded from forming these close professional bonds that can often pave the way for career success because of their gender (Bacik et al., 2003; Bacik and Drew; 2006; Ziewacz, 1996).

All of the female participants to the study agreed that having a female role model to model their career pathway off would instil confidence in them that they too could achieve a seniority in the legal sphere. However, they also recognised the shortage of female role models in senior positions and the lack of time these women had to devote to mentoring a junior female lawyer. This creates a self-perpetuating cycle whereby women in full time

partnership positions who may have family obligations in the home do not have the time to mentor and network with the up-and-coming women in law and as a result the cycle repeats itself (Rhode 2001; Epstein et al., 1995; Saltzman, 1996).

With regards to possible solutions for the unequal access to mentoring and networking experienced by trainee female lawyers the literature has provided some possible policies that could be implemented at an organisational level such as more concrete formal networking and mentoring processes in organisations in order to eradicate and gender biases (Epstein et al., 1995). As a result of the findings of this study, the researcher would also recommend a programme similar to that of the Law and Women Mentoring Programme run by the Law Society of Ireland to be implemented in firms which would encourage female senior partners to devote the time to mentoring a young female trainee and also provide them with the time and resources to do so (Law Society of Ireland, 2021).

5.4 Work/Life Balance and the Dual Burden

Work/life balance is a phenomenon which has been gaining support in recent years especially with the millennial and gen-z driven desire for more of a balance between work and family life, as described by FP1:

“Compared to our parents years ago where you got your job and you might stay in it for life, our generation are not like that at all we will have several jobs throughout our lifetime so retention in big firms is massive, so they have to be, the perks have to be there, the support has to be there.”

In the existing literature, the majority of the research focuses on how work life balance and the dual burden of work and family life disproportionately affects women. This sentiment was echoed by the participants to the study, all of whom had seen first-hand the level of stress female lawyers juggling home and work life were under in comparison to other associates who did not have caring responsibilities. They agreed that the added pressure of billable hours and client requirements of constant availability only added to the anxiety experienced by those with family responsibilities especially in relation to taking maternity leave. The responses of the participants support the research completed to date which details how female lawyers report being unable to generate billable hours while on parental leave, as well as a negative perception of taking leave by others at the firm as potentially damaging to their career opportunities (Purvis, 2019). This is also reported by Norwood, who describes how female working mothers are given lesser quality assignments due to the misconception that they are no longer as committed to their role (Norwood, 2020).

The participants to the study also discuss how presenteeism is very present in each of their organisations and often rewarded with free meals and lavish gifts. Long hours spent in the office simply to be seen to be there with many of the participants admitting that often times there is no work to be done but they don't want to be the first to go home is a daily occurrence. The culture of presenteeism is well documented in the previous research on this topic with researchers noting how a 'long hours culture can prove as a challenge to professionals who may not be able to compete in the long hours race, for example, women with caring responsibilities, and this can have a negative effect on work/life balance and increase employee turnover (Kay et al., 2016).

The participants to the survey were very vocal about what mechanisms they would like to see put in place in order to improve the work/life balance of all employees in the legal sector and to reduce the burden of balancing work life and family obligations on working parents. Firstly, the most popular response was for an increase in paternity leave and to view all leave as parental leave rather than segregating it into maternity leave and paternity leave to take the burden of child caring responsibilities away from being a solely 'mothers' issue. This initiative is something that has been widely discussed in the existing literature with Bacik et al. calling for working fathers to take a more active role in the family responsibilities. This call for increased paternity leave is also something that is being supported by government initiatives with parents leave in Ireland being increased from two weeks to five weeks as of April 2021.

The respondents also called for an increase in the provision for flexible working to allow working parents to juggle work and family life. This solution has been endorsed by many researchers in the field. A US study on mothers working in the legal sector detailed how these lawyers emphasized the importance of scheduling flexibility and the ability to use technology to work from home (Purvis, 2019). While this is a possible solution to the work/life balance issue, it should also be noted that respondents to the study detailed how working from home as a result of the Covid-19 Pandemic may have intensified the always on culture as you are always reachable.

Chapter 6: **Conclusion**

6.1 Conclusion and Recommendations for Further Research

In recent decades, one of the most influential and enduring developments in European labour markets has been a growth in the number of women in the workforce. This trend has been especially noticeable among women who have dependents. As a result, the 'male breadwinner paradigm' of household structure is no longer the traditional in Europe, and has been supplanted by 'dual member' families, in which both spouses are employed (Drew et al., 2003). Although women are now entering the workforce at a rate comparable to men, gender remains immersed in the structure of organisations and most current organisational designs in the legal profession make it difficult for women to rise to positions of leadership as described by Bohnet (2016, cited in Cecchi-Dimeglio, 2018). Cultural and structural barriers such as gender stereotypes, unequal access to mentoring and networking, lack of a work/life balance and the dual burden of work and family life that disproportionately affects female parents, inhibit women from reaching leadership positions at a rate comparable to their male colleagues (Bacik et al., 2003).

During the course of the research for this study the researcher uncovered a number of areas that would benefit from further research. Firstly, from the secondary data collection of analysing previous articles, the researcher recommends that further study be undertaken into why traditional masculine characteristics remain so entrenched in the legal profession despite the fact that women now account for 52% of practicing solicitors in Ireland (Law Society of Ireland, 2021). Furthermore, an exploration into formal versus informal networking and the potential for discriminatory behaviour arising from both would greatly assist legal firms in developing their mentoring structures to eradicate and gender biases.

6.2 Limitations of the Research

The researcher encountered a number of limitations to the research. Firstly, the researcher had originally intended to interview more candidates. However, at the time of the interviews many of the potential participants were undertaking professional exams as part of their traineeship and this limited the potential candidate pool. Furthermore, the Covid-19 Pandemic affected the study insofar as it prevented the researcher from interviewing the candidates in person, which can aid in building interpersonal relationships which are beneficial for semi-structured interviews. Finally, due to time restraints, the researcher decided to analyse gender equality in the legal profession without distinguishing between the different levels of discrimination experienced by women of different backgrounds, ethnicity and social status. It is important to recognise that different subgenres of women experience varying levels of discrimination and barriers to promotion. However, it is fair to say that gender-based discrimination could impact on the career of all women lawyers (Wald, 2010).

6.3 Recommendations and Costing

- Legal organisations should review their formal and informal mentoring processes to ensure that they do not allow room for gender-based discrimination. The researcher also recommends that organisations focus more of their attention on the formal rather than informal mentoring and networking processes to ensure that each trainee has equal access to these resources.

Costing: While there may be some minimal cost for organisations in relation to re-designing mentorship programmes for organisations, it is minute in comparison to

the benefits of having a more structured mentoring programme which include employee wellbeing and equality and avoidance of costly discrimination lawsuits.

- The researcher recommends a review of paternal leave policies both at government and organisational level. A reimagining of paternal leave and the removal of the distinction between maternity leave and paternity leave could, as outline by participants to this study radically improve work life balance in the legal profession and ease the burden on working mothers through a more equal share of the household duties.

Costing: While this would incur a significant cost at national level, the organisational cost which may seem extensive due to the increase in professionals taking parental leave would, as highlighted by the existing literature decrease female attrition from corporate practice and reduce the levels of employee burn out requiring stress leave (Kay et al., 2016; Brockman, 1994).

- The researcher recommends that organisations invest in ensuring that going forward employees have access to flexible working arrangements whether that be working from home or flexible office hours.

Costing: The cost to the employer for creating permanent working from home policies would be minimal. Due to the Covid-19 pandemic, all organisations had to adapt and make working from home effective and therefore, it proves that working from home is possible without affecting economic success.

6.4 Personal Learning Statement

Gender equality and in particular gender equality in the legal profession is something that I as an individual am extremely passionate about. Having completed a law degree myself for my undergraduate and deciding not to go down the route of becoming a solicitor due to the length of the process and also because of the barriers I knew that I would face as a woman who wanted to have a family provided me with the inspiration to undertake this topic for my thesis.

I encountered many challenges while on this journey. The inability to meet up with a colleague and bounce ideas off them or arrange a meeting with my supervisor in person to discuss my progress due to the pandemic was certainly challenging. Furthermore, due to my passion for this topic I had to constantly check myself to ensure I wasn't leaning toward any biases or only researching ideas that aligned with my own beliefs on the topic.

The interview process was by far the part of the research I most enjoyed. Being able to have a conversation with young solicitors who were only beginning their journey in the legal profession and pick their brain with regards to what they loved about the profession and where they thought work still needed to be done was immensely enjoyable. I have gained so many invaluable skills from undertaking this research that I am certain I will continue to utilise throughout my career.

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Appendix 1:

An exploration into gender parity in senior levels of the corporate legal profession in Ireland

Consent to take part in research

- I..... voluntarily agree to participate in this research study.
- I understand that even if I agree to participate now, I can withdraw at any time or refuse to answer

any question without any consequences of any kind.

- I understand that I can withdraw permission to use data from my interview within two weeks after the interview, in which case the material will be deleted.
- I have had the purpose and nature of the study explained to me in writing and I have had the opportunity to ask questions about the study.
- I understand that participation involves discussing my personal experiences and opinions with regard to the legal profession in Ireland.
- I understand that I will not benefit directly from participating in this research.
- I agree to my interview being audio-recorded.
- I understand that all information I provide for this study will be treated confidentially.
- I understand that in any report on the results of this research my identity will remain anonymous. This will be done by changing my name and disguising any details of my interview which may reveal my identity or the identity of people I speak about.
- I understand that disguised extracts from my interview may be quoted in the resulting dissertation.
- I understand that if I inform the researcher that myself or someone else is at risk of harm they may have to report this to the relevant authorities - they will discuss this with me first but may be required to report with or without my permission.
- I understand that signed consent forms and original audio recordings will be retained in the researchers home in a secured password protected programme until November 2021
- I understand that a transcript of my interview in which all identifying information has been removed will be retained for two years from November 2021.
- I understand that under freedom of information legalisation I am entitled to access the information I have provided at any time while it is in storage as specified above.
- I understand that I am free to contact any of the people involved in the research to seek further clarification and information.

Maebh Kelly – Bachelor of Civil Law NUIG, Masters of Human Resource Management, NCI

Signature of research participant

----- Signature of participant Date

Signature of researcher

I believe the participant is giving informed consent to participate in this study

----- Signature of researcher Date

Appendix 2:

To begin, could I ask you to provide me with a brief history of your career since college:

- Why law- what drew you to the profession
- Work history
- Any challenges you have experienced thus far in the profession
- The recruitment process
- Does gender play a role in recruitment

Day to day work in the legal profession:

- How would you describe the legal profession, what words come to mind?
- Any difference in the experiences of male vs female lawyers >
- Would you describe the profession as overtly male/female/gender neutral?
- Performance driven industry?

Mentorship and Sponsorship

- What does mentorship look like in your organisation?
- Is it formal or informal?
- Male/female mentor more sought after/better?
- Access to female mentors- adequate access to female mentors?
- Social networking/events – informal networks to mentors – exclusion/inclusion from social networking events due to gender?

Progression

- Where would you ideally like to see yourself in the legal profession in the next 10/15 years, what are your progression roles?
- What do you view to be your own barriers to progression?
- What do you believe would help you in your road to promotion?

Work/life balance

- What is the work/life balance like in your current organisation?
- What challenges do you face in achieving a work/life balance?
- Is there a gendered dimension to work/life balance? Are either male or female associates disproportionately affected?
- What do you believe could be done to achieve a better work life balance – family friendly policies – flexibility (Covid) – Culture of the sector

If you were given the opportunity to make recommendations to improve gender parity in senior levels of the legal sector for the next generation of judges/senior counsel/ equity partners, what recommendations would you make?

Is there anything you would like to add/ go back over/ add?