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# 50:50 by 2030: A longitudinal study into gender disparity in law



## SPAIN RESULTS REPORT

International Bar Association Legal Policy & Research Unit with the  
support of the LexisNexis Rule of Law Foundation

The International Bar Association (IBA), established in 1947, is the world's leading international organisation of legal practitioners, bar associations, law societies, law firms and in-house legal teams. The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of more than 80,000 lawyers, 190 bar associations and law societies and 200 group member law firms, spanning over 170 countries. The IBA is headquartered in London, with offices in São Paulo, Seoul, The Hague and Washington, DC.

The IBA Legal Policy & Research Unit (LPRU) undertakes research and develops initiatives that are relevant to the rule of law, the legal profession and the broader global community. The LPRU engages with legal professionals, law firms, law societies and bar associations, governments, non-governmental organisations and international institutions to ensure innovative, collaborative and effective outcomes.

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# Contents

<b>Forewords</b>	<b>4</b>
<b>Main findings: Spain</b>	<b>6</b>
<b>Introduction</b>	<b>7</b>
The project	7
Country context	7
The legal profession in Spain	9
Methodology	9
<b>Gender representation across the legal profession: 2022 status</b>	<b>11</b>
Overall picture: all lawyers	11
Overall picture: working part-time	12
<b>Gender representation initiatives: across the legal profession</b>	<b>13</b>
Initiative popularity and perceived effectiveness	13
<b>Gender initiatives: sector breakdown</b>	<b>16</b>
Law firms	16
The corporate sector	18
The public sector	22
The judiciary	23
<b>Comparisons: England and Wales, Uganda and Spain</b>	<b>25</b>
<b>Conclusion</b>	<b>26</b>
<b>Acknowledgements</b>	<b>27</b>
<b>Appendix 1: data tables</b>	<b>28</b>
<b>Appendix 2: survey questions</b>	<b>29</b>

# Forewords

Equality is a matter of law. Equality is at the centre of the law.

I write these reflections a few months before assuming the great responsibility of becoming President of the International Bar Association (IBA), with the commitment that gender balance becomes a distinguishing mark of the legal sector at a global level.

Representing and promoting such values is more than just an IBA project. During the next two-year term, from 2023–2024, gender balance will be one of the five strategic priorities of the world's largest jurists' association. We shall work to help our members, and more broadly the legal sector – law firms, in-house counsel, the judiciary, Bars and law societies – to improve equality of opportunity at all levels, from accessing the profession to professional development and, especially, reaching the most senior positions within organisations.

A female presence at the highest levels of our sector in numbers that at least match the numbers of men will be the litmus test to prove that gender equality really works. Such a presence will also be the most powerful tool to articulate the conditions for gender equality across the legal architecture: in the drafting of rules, their application and their interpretation.

The first step in this transformation relies on having a good understanding of reality. In conjunction with the LexisNexis Rule of Law Foundation, our task is to gather as much information as possible regarding the gender-related challenges faced by the legal profession. The project is extraordinary in scope, running for nine years and working across 16 jurisdictions, and promises to be ground-breaking in its findings, something we have already found from the England and Wales and Uganda reports.

It is a pleasure to present now the Spanish chapter of our research. The highlights are as follows:

- out of the 54 per cent of female lawyers within the legal profession overall, only 31 per cent reach the senior level;
- it is positive that 82 per cent of legal workplaces monitor gender balance, however the remaining 18 per cent should remedy this deficit;
- just 79 per cent of respondents answered that they monitor gender balance both overall and at a senior level; and
- we are beginning to spot one common element to all studies to date: flexible working arrangements are the most commonly implemented initiative across all the jurisdictions covered so far. In Spain, 82 per cent of respondents stated that they have flexible working arrangements in place.

This is a small insight into the richness of data and findings contained in this report. I invite Spanish legal organisations to study it, under the conviction that it will prove useful as they attempt to create a more equal legal profession in the coming years.

My gratitude goes to all those who were involved in the research, writing and publication of this report. Only our joint effort will allow progress towards a fairer and more diverse legal profession which reflects the diversity of the society that it serves.

**Almudena Arpón de Mendivil**

*Vice-President, International Bar Association*

Optimism and perseverance. If I had to choose the two words that best qualify Spanish women who carry out their professional activity in the field of justice, I would choose those two. As the IBA report very well states, women already make up half of the legal profession in Spain and, more importantly, will make up a large majority of the profession within the next decade. Although a woman chairs the body that represents all the Spanish bar associations, women continue to be a minority in positions of maximum responsibility. The situation has improved substantially in the last decade. However, we do not assume this to be our final destination, and neither will we stop fighting so that more women opt for the roles where the decisions that affect the whole sector are adopted.

How do we do this? From an individual level, and as our surveys show us, Spanish female lawyers present a much more optimistic character regarding the practice of law and the future that awaits them in their law firms, compared to their male colleagues. The younger their age, the more optimistic they are. All this, even though they consider themselves to be less remunerated than their male counterparts. With our perseverance, we continue to show ourselves, and the rest of society, that the changes achieved so far are here to stay and that they are only the first step towards our aspirations.

From an institutional level, the Bar world has promoted the creation of bodies focused on achieving real equality and reconciling family life and work duties. These bodies are extremely important, since they are the ones that promote concrete actions claiming greater protagonism for women. So long as full equality does not exist, it will be necessary to continue implementing these types of projects and campaigns where something as commonsensical as compliance with the law is required. Making progress in the work-life balance sphere is also fundamental, as it has already been demonstrated that women give it much more importance than men. Men's involvement in domestic chores, which should have always been shared, is essential so that competition for higher-responsibility positions is conducted under the same conditions.

What lies ahead of us now is the need to persuade the many women who display special talent in the daily practice of law about how assuming collective responsibility has ceased to be a matter of personal ambition and has instead become an essential part in claiming a collective justice that is urgently demanding full equality. If many have not done so, given their limited desire for higher visibility, it is time for us to make them see that adopting decisions in the interest of all, far from being an exercise of vanity, is a demonstration of responsibility towards the current generation, and especially for the future ones. They owe it not only to those who sacrificed so much to get here, but also to those who are not even aware of the leading role that they will have to assume in the coming decades, and our obligation is to pave the way so that these steps are as simple as possible. Our mission is to encourage a new, higher leap that places us as close as possible to true equality between men and women.

**Victoria Ortega**

*President, General Council of the Spanish Legal Profession*

# Main findings – Spain

## Gender representation across the legal profession:



**of all lawyers are female**



**of all lawyers in senior roles are female**

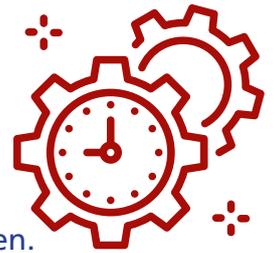


Over 23 per cent of law firms have no lawyers at all working part-time and only ten per cent of law firms have lawyers working part-time in senior roles.

## Gender initiatives

A significant majority of respondents (82 per cent) monitor overall gender representation in their workplaces. Seventy-nine per cent monitor gender representation overall and at a senior level.

**Flexible working arrangements** are the most popular initiative, and perceived to be the most effective, together with leadership training for women.



**Quota setting** is the least popular initiative, with no respondent thinking it 'very effective'.

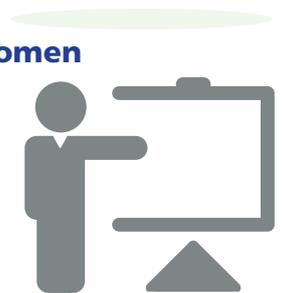
## The three most popular initiatives across the legal profession are:

- flexible working arrangements
- target setting for senior role positions
- coaching/mentoring programmes

Quota setting for senior positions is the least popular initiative.

## Leadership training for women

is the fifth most popular initiative, but perceived to be 'very effective' by 75 per cent of respondents who have it in place.



Within the judiciary,



women make up 56 per cent of all judges,



but only hold 37 per cent of senior positions.



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[www.ibanet.org/gender-equality-in-the-legal-profession](http://www.ibanet.org/gender-equality-in-the-legal-profession)

# Introduction

## The project

In March 2021, the International Bar Association (IBA) and the LexisNexis Rule of Law Foundation (LNROLF) launched an ambitious nine-year global project entitled *50:50 by 2030: A longitudinal study into gender disparity in law* (the Gender Project), designed to uncover and address the root causes of the lack of gender parity at the most senior levels of the legal profession across all sectors (law firms, in-house legal teams, public sector institutions and the judiciary).

The Gender Project builds on previous work in this field undertaken by the IBA, including the 2017 *Women in Commercial Legal Practice* report,<sup>1</sup> and the *Us Too? Bullying and Sexual Harassment in the Legal Profession* report published in 2019.<sup>2</sup>

## Country context

### *Existing studies*

The IBA Gender Project is not the first study to focus on the position of women within the Spanish legal profession.

A survey conducted by the General Council of the Spanish Legal Profession in 2017 found that more than half (57 per cent) of Spanish lawyers believed in the existence of a glass ceiling, which unfairly skews the gender balance for lawyers in positions of responsibility in favour of men.<sup>3</sup> However, the survey also found that while the majority of female lawyers believed this to be the case (77 per cent), only 40 per cent of male lawyers agreed with them.

Following this work, in 2022, *Women in a Legal World*, a Spanish non-profit organisation dedicated to promoting female talent in the legal sector, published a report analysing the reasons behind the lack of women at the most senior levels of the profession,<sup>4</sup> particularly within law firms. The report concluded that law firms need to work harder to remove biases and prejudices against women, and recommended that firms work towards a transversal approach to D&I within their organisations. Specifically, the report identified three key areas on which law firms needed to improve: (1) the gender pay gap and pay transparency; (2) unconscious bias; and (3) work-life balance measures.<sup>5</sup>

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1 IBA LPRU Women Business Lawyers Initiative [www.ibanet.org/lpru/women-business-lawyers-initiative-front-page](http://www.ibanet.org/lpru/women-business-lawyers-initiative-front-page), accessed 28 July 2022.

2 IBA LPRU Bullying and Sexual Harassment in the Legal Profession [www.ibanet.org/bullying-and-sexual-harassment](http://www.ibanet.org/bullying-and-sexual-harassment), accessed 28 July 2022.

3 Consejo General de la Abogacía Española, *La igualdad de género en la Abogacía Española: la evaluación actual de las abogadas y los abogados* (2017) [www.abogacia.es/publicaciones/abogacia-en-datos/barometros/la-igualdad-de-genero-en-la-abogacia-espanola-la-evaluacion-actual-de-las-abogadas-y-los-abogados](http://www.abogacia.es/publicaciones/abogacia-en-datos/barometros/la-igualdad-de-genero-en-la-abogacia-espanola-la-evaluacion-actual-de-las-abogadas-y-los-abogados), accessed 29 July 2022.

4 WLW *Un largo camino por recorrer: observatorio de la igualdad en despachos de abogados* [www.abogacia.es/wp-content/uploads/2022/01/Informe-WLW\\_TR.pdf](http://www.abogacia.es/wp-content/uploads/2022/01/Informe-WLW_TR.pdf), accessed 28 July 2022.

5 *Ibid.*

## *Existing equality legislation*

Spain has a number of laws in place which deal with the issue of gender equality in the workplace.

At European Union level, Directive 2006/54/EC (2006) imposed the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation.<sup>6</sup> The transposition deadline for the directive was 15 August 2008, during which time Spain modified or approved up to 11 regulations in order to comply with its provisions.<sup>7</sup>

Among those regulations was Organic Law 3/2007, for the effective equality of women and men (the Organic Law).<sup>8</sup> This piece of legislation proved to be one of the starting points for the conversation about equality between men and women in Spain. The Organic Law made it compulsory for companies with more than 250 employees to develop and approve an equality plan. Similarly, within the judicial and the public sector entities approached for this report, equality commissions have been created to track their gender balance on an annual basis.

In addition, the Organic Law called for a balanced composition of men and women within the boards of directors of companies large enough to be required to make their annual accounts public. Balanced composition in this context means neither sex should exceed 60 per cent, nor represent less than 40 per cent, of the board's membership. The Organic Law also advocates for a 60:40 gender ratio within the heads of government departments, including the judiciary and other public sector entities approached for this study.

However, formal quota setting in organisations that fall outside the scope of the Organic Law has not proved popular in Spain. For many organisations, the 60:40 ratio is aspirational, and it is only within political parties that sanctions may be imposed. The vast majority of companies have been granted some flexibility: sanctions may be imposed on those who do not have an equality plan (despite being obliged to), but failure to achieve the 60:40 gender ratio is not directly penalised.

More recently, Royal Decree-Law 6/2019<sup>9</sup> has further expanded and improved the measures aimed at eliminating discrimination against women, and fulfilling the principle of equal treatment and opportunities enshrined in the Organic Law. As of 7 March 2022, equality plans are compulsory for companies with 50 or more employees.<sup>10</sup> Another significant innovation is the extension of paternity leave to 16 weeks – equal with maternity leave – as of 1 January 2021.

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6 Official Journal of the European Union, Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32006L0054&from=ES>, accessed 8 July 2022.

7 National transposition measures <https://eur-lex.europa.eu/legal-content/ES/NIM/?uri=CELEX:32006L0054>, accessed 23 August 2022.

8 Consolidated legislation, Organic Law 3/2007, of 22 March 2007 [www.boe.es/buscar/act.php?id=BOE-A-2007-6115](http://www.boe.es/buscar/act.php?id=BOE-A-2007-6115), accessed 8 July 2022.

9 Consolidated legislation, Royal Decree-Law 6/2019, of 1 March 2019 [www.boe.es/buscar/act.php?id=BOE-A-2019-3244](http://www.boe.es/buscar/act.php?id=BOE-A-2019-3244), accessed 1 August 2022.

10 Instituto de las Mujeres, Advisory Service for Equality Plans and Measures [www.igualdadnlaempresa.es/faq/home.htm](http://www.igualdadnlaempresa.es/faq/home.htm), accessed 5 July 2022.

## The legal profession in Spain

The Spanish legal system is a civil law system, based on the primacy of legal codes and laws rooted in Roman law and in the hierarchical organisation of the judiciary. Case law complements this system, with the Supreme Court at the head of the judicial hierarchy.

As of the 1 January 2022, Spain has 154,314 practising lawyers.<sup>11</sup> Enrolment is compulsory in order to practice law in Spain. To become a member of the General Council of the Spanish Legal Profession, incorporation into one of Spain's 83<sup>12</sup> regional bar associations is sufficient, and allows lawyers to practice anywhere in the country.<sup>13</sup>

EU citizens may also practice law, as long as they meet a series of requirements, including either proof of having practiced effectively and regularly for a period of three years or passing a practical test. Non-EU nationals are allowed to practice in Spain, providing they complete an LLM in Legal Practice, and pass the Spanish Bar Exam.<sup>14</sup>

## Methodology

The Gender Project began with a study of England and Wales in March 2021, followed by Uganda in August 2022. Spain is the third report in the series, with other studies currently underway in four other jurisdictions. Further information about the broader methodology and the aims of the Gender Project can be found in the England and Wales Pilot Results Report.<sup>15</sup>

The Spanish study commenced in January 2022, and concluded in July of that year. During this time, Spain's largest law firms (as determined by number of lawyers and partners), the governing body of the judiciary and two entities within the public sector were approached.

We encountered significant difficulties when trying to engage with the corporations listed within Spain's leading stock exchange, the IBEX 35. This differs from our previous reports, and explains why the corporate sector is missing from the graphs in this report. However, an insight into the corporate sector is a crucial part of this project, and the report would be incomplete without their contribution. In light of this, we contacted a small number of in-house lawyers and HR officers within some of the largest IBEX 35-listed corporations in Spain. The conversations were extremely helpful and enriching, and we extend our thanks to all those who took time out of their busy schedules to engage with our work. An interview was also arranged with a judicial public official to gain insight into the challenges and opportunities involved in trying to improve gender representation within the judiciary.

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11 Consejo General de la Abogacía Española, Numerical Census to 31 December 2021 [www.abogacia.es/publicaciones/abogacia-en-datos/censo-numerico-de-abogados](http://www.abogacia.es/publicaciones/abogacia-en-datos/censo-numerico-de-abogados), accessed 20 July 2022.

12 *Ibid.*

13 Consejo General de la Abogacía Española, 'Practice of law in Spain by graduates or foreign lawyers' [www.abogacia.es/conocenos/consejo-general/ejercicio-de-la-abogacia/ejercicio-de-la-abogacia-en-espana-por-graduados-o-abogados-extranjeros](http://www.abogacia.es/conocenos/consejo-general/ejercicio-de-la-abogacia/ejercicio-de-la-abogacia-en-espana-por-graduados-o-abogados-extranjeros), accessed 14 June 2022.

14 *Ibid.*

15 *50:50 by 2030: A longitudinal study into gender disparity in law* (IBA/LNROLF), [www.ibanet.org/document?id=IBA-Gender-Disparity-Report-England-and-Wales-2022](http://www.ibanet.org/document?id=IBA-Gender-Disparity-Report-England-and-Wales-2022).

For the purposes of measuring female representation at the senior levels within the Spanish legal profession, ‘seniority’ in the four legal sectors has been defined as follows:

- **Law firms** – partnership level and above, with specific information about representation at the executive level;
- **Corporate sector (in-house legal teams)** – senior management level, general counsel and board members;
- **Public sector** –
  - Prosecutor General’s Office (Fiscalía General del Estado or PGO): Prosecutor General (Fiscal General del Estado), Chamber Prosecutors (Fiscales de Sala), and Superior Prosecutors (Fiscales Superiores);
  - State Attorney-General Office (Abogacía del Estado); and
- **Judiciary** – senior members of the judiciary from the Supreme Court (Tribunal Supremo), High Courts of Justice (Tribunales Superiores de Justicia), and the National High Court (Audiencia Nacional).

The following groups were approached and asked to take part in the survey:

- Law firms were selected from/via
  - Ranking Legal Expansión Jurídico 2021<sup>16</sup>
  - Personal networking among the fraternity of law firm members of Women in a Legal World
- Several companies from the IBEX 35 stock exchange
- Two key government departments employing legal professionals in Spain
  - Fiscalía General del Estado
  - Abogacía del Estado
- The General Council of the Judiciary (Consejo General del Poder Judicial or GCJ) which provided information in respect of the courts mentioned above.

The overall response rate is outlined in Figure 1.

Organisation	Number approached	Respondents	Response rate (%)
Law firms	95	30	32
Public sector	2	2	100
General Council of the Judiciary	1	1	100

Figure 1: response rate of groups asked to take part in this survey

As with the England and Wales pilot, unique links to a short survey were sent to participants (see Appendix 2). The survey results have been analysed and presented in this report.

<sup>16</sup> Supplement, *Semanal Jurídico*, 4 May 2021 <https://ejaso.com/media/5jchfnuy/ranking-legal-expansion-2021.pdf>, accessed on 14 September 2022.

# Gender representation across the legal profession: 2022 status

## Overall picture: all lawyers

### Female lawyers by sector and seniority

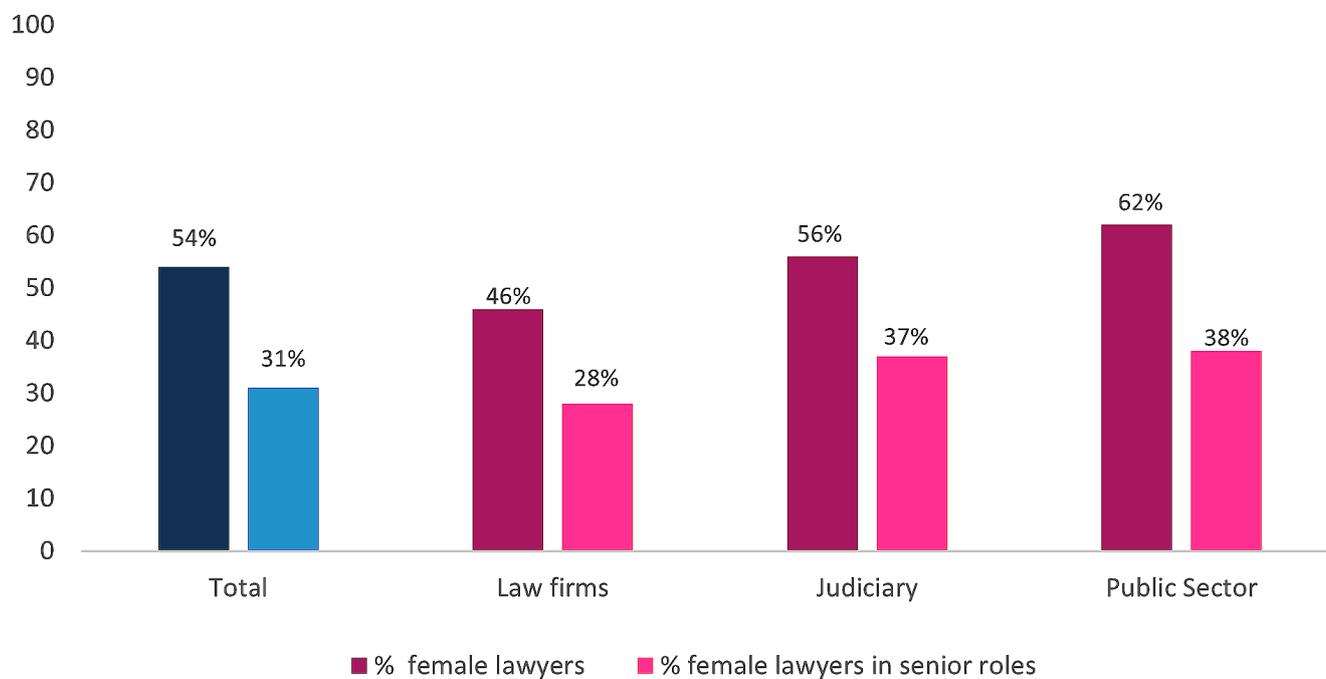


Figure 2: representation of women by sector and seniority

Women make up 54 per cent of all lawyers across the Spanish legal profession. The public sector has the highest proportion of women working within it (62 per cent), followed by the judiciary (56 per cent). Women are least likely to be found working in law firms (46 per cent).

At senior level however, the proportion of women drops from 54 to 31 per cent within the legal profession overall. As with the general figures, the public sector has the highest proportion of female lawyers at senior level (38 per cent), followed by the judiciary (37 per cent), with law firms yet again having the fewest (28 per cent). In addition, only 24 per cent of lawyers within law firm boards are female.

## Overall picture: working part-time

Part-time working is uncommon in Spain. The national average is 13 per cent, slightly below the EU average (15 per cent).<sup>17</sup> A significant majority (75 per cent) of those working part-time are women.<sup>18</sup> This is reflected in the legal sector.

Almost 25 per cent of law firms have no lawyers working part-time at all. The highest proportion of lawyers working part-time within any of our law firm respondents was 11 per cent. Out of law firms that have lawyers working part-time, 70 per cent reported that *all* lawyers who are working part-time are women.

Part-time working is even more unpopular among senior lawyers, with only three law firms (ten per cent) employing senior lawyers on a part-time basis. In two of those firms, all senior part-time lawyers were female. In the third firm, just over half were.

Working part-time is similarly uncommon within Spanish corporations. It is worth noting that none of the companies we spoke with employed lawyers on a part-time basis. However, and as we note throughout this report, flexible working arrangements within these organisations are proving increasingly popular, especially following the Covid-19 pandemic, which has provided many companies with the opportunity to review and update their flexible working policies.

In the public sector and the judiciary, part-time working options are not automatically available. In other words, there must always be a special reason behind asking for any form of reduced working hours on a permanent basis. In 2011, the GCJ processed the first request for such a reduction in working hours from a judge in Spain.<sup>19</sup> However, the judiciary and the public sector do offer a range of work-life balance initiatives, from parental leave, adoption leave and dependent care leave, to domestic violence leave and other special measures.

Yet, as this report will show, only a small number of legal professionals within the public sphere benefit from these schemes, a significant majority of them being women. As a result, one of the main objectives of the Spanish public sector is to promote enhanced domestic co-responsibility between men and women, while also ensuring that those taking advantage of these policies and measures suffer no detrimental effects to their professional development.

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17 OECD Data 'Part-time employment rate', <https://data.oecd.org/emp/part-time-employment-rate.htm>, accessed 3 August 2022.

18 INE Number of part-time workers in employment, [www.ine.es/jaxiT3/Datos.htm?t=10893#!tabs-grafico](http://www.ine.es/jaxiT3/Datos.htm?t=10893#!tabs-grafico), accessed 24 August 2022.

19 'GCJ processes first request for a judge's reduced working hours in Spain', [elderecho.com](http://elderecho.com/el-cgpj-tramita-la-primera-solicitud-de-jornada-reducida-de-una-jueza-en-espana), 1 June 2011 <https://elderecho.com/el-cgpj-tramita-la-primera-solicitud-de-jornada-reducida-de-una-jueza-en-espana>, accessed 16 August 2022.

# Gender representation initiatives: across the legal profession

The survey asked whether legal workplaces monitor gender balance overall and at a senior level. A significant majority of respondents (82 per cent) responded they do monitor overall gender representation in their workplaces. Seventy-nine per cent answered that they monitor gender balance both overall and at a senior level. Almost all respondents have measures in place aimed at increasing the number of women in senior positions.

## Initiative popularity and perceived effectiveness

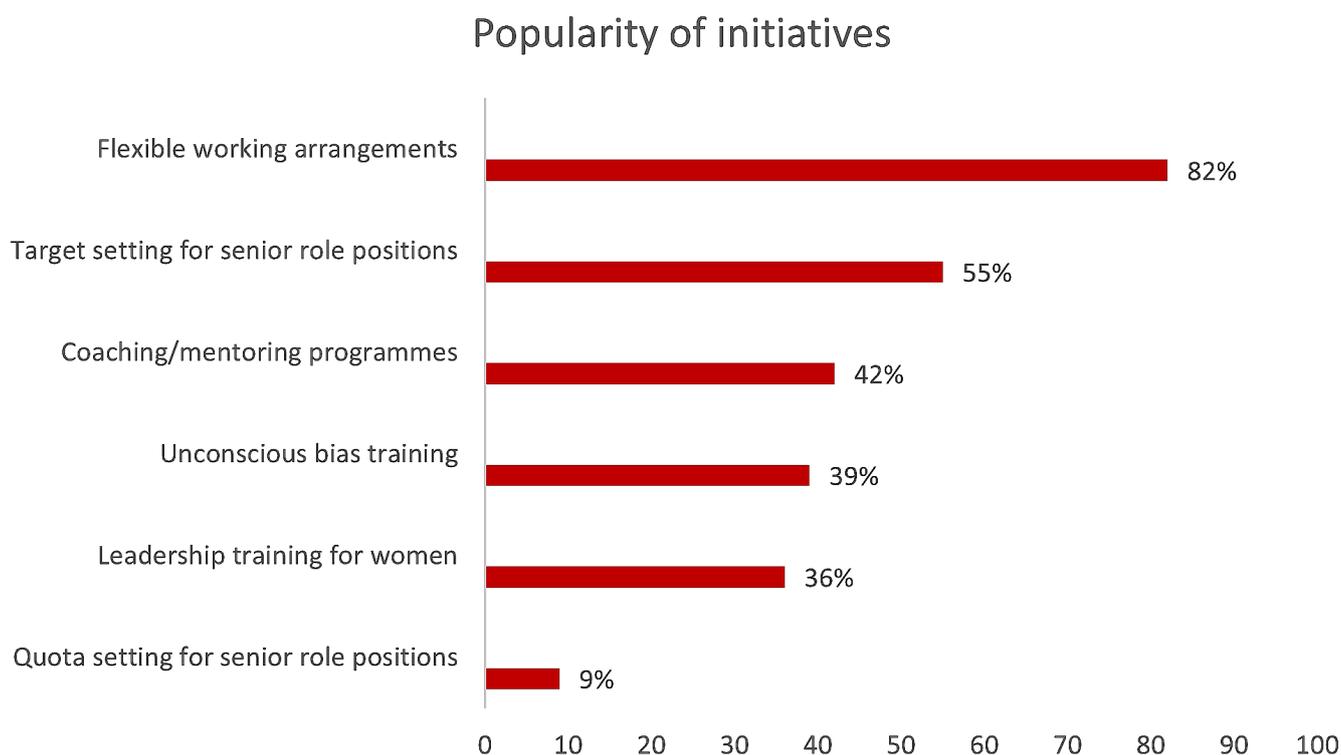


Figure 3: popularity of initiatives to improve gender representation in the legal profession

The most popular gender representation initiatives across all sectors are flexible working arrangements, target setting and coaching and mentoring programmes for women.

Flexible working arrangements are the most popular initiative, with 82 per cent of respondents having them in place. However, leadership training for women, the fifth most popular initiative (36 per cent), is considered to be most effective (see Figure 5), with three quarters of respondents (all of them law firms) rating it as ‘very effective’. Within the judiciary and the public sector, all initiatives in place are considered to be ‘somewhat effective’.

### Popularity of initiatives: sector breakdown

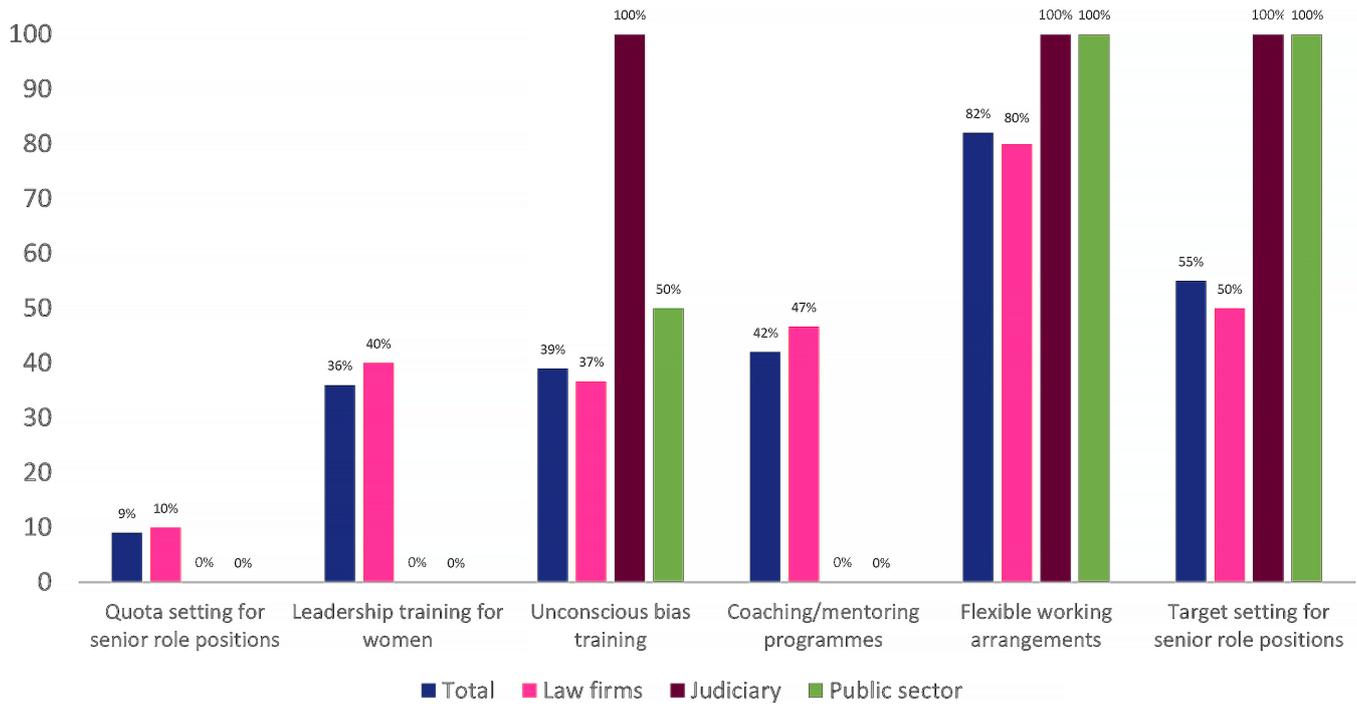


Figure 4: popularity of initiatives to improve gender representation in the legal profession: sector breakdown

Quota setting is the least popular initiative across all sectors, used by only nine per cent of all respondents, all of which were law firms. The public sector and the judiciary do not set quotas at all, viewing them as incompatible with the principles of merit and capability, which are strongly rooted in the operational culture of the Spanish public sector. Indeed, the Spanish Constitution enshrines merit and capability as the principles that must guide access to public office.

### Effectiveness of initiatives

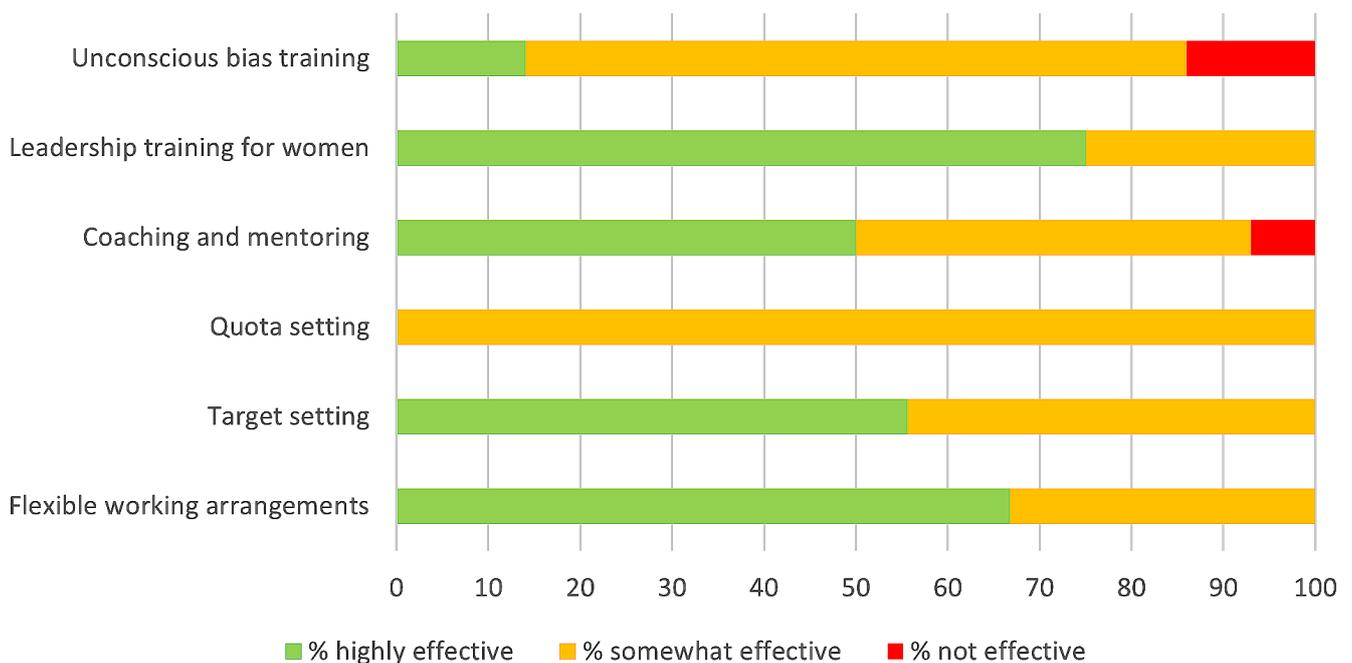


Figure 5: effectiveness of initiatives to improve gender representation in the legal profession

Legal workplaces generally consider all their gender representation initiatives to have some sort of success, with most initiatives rated ‘very effective’ in achieving gender equality.

Flexible working arrangements and target setting are the most popular across private practice, the public sector and the judiciary. However, the third most popular initiative in law firms – coaching and mentoring programmes – is substituted by unconscious bias training within the public sector and the judiciary (see Figure 4).

Within private practice, no law firm perceives quota setting to be ‘very effective’, just ‘somewhat effective’. In a similar vein, in 2017 a survey of 2,000 Spanish lawyers in private practice indicated that 81 per cent believed that contacts, merit and ability are the determining elements for professional success in the legal profession.<sup>20</sup> Only 15 per cent supported the implementation of gender quotas for positions of institutional responsibility in the legal profession, without having first examined the capabilities and merits of the candidate.

This leads us to conclude that the Spanish legal profession is, at present, not attracted to the idea of introducing quotas as a way of increasing the number of women at the top of the profession.

On average, all initiatives have been in place for five years or less, with coaching and mentoring programmes in place the longest. Flexible working arrangements have been in place for an average of four years, which demonstrates they began as a pre-pandemic policy. Quota and target setting have been in place just 2.3 and 2.1 years on average, respectively. All initiatives have been in place for a relatively short period of time, which means it may be too early to evaluate their effectiveness fully, especially those most recently implemented.

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20 Consejo General de la Abogacía Española, ‘Gender equality in the Spanish legal profession: the current assessment of male and female lawyers’ (2017) [www.abogacia.es/publicaciones/abogacia-en-datos/barometros/la-igualdad-de-genero-en-la-abogacia-espanola-la-evaluacion-actual-de-las-abogadas-y-los-abogados](http://www.abogacia.es/publicaciones/abogacia-en-datos/barometros/la-igualdad-de-genero-en-la-abogacia-espanola-la-evaluacion-actual-de-las-abogadas-y-los-abogados), accessed 8 July 2022.

# Gender initiatives: sector breakdown

## Law firms

Eighty per cent of law firm respondents monitor gender balance overall, and 77 per cent also monitor gender balance at a senior level.

Popularity and effectiveness of initiatives: law firms

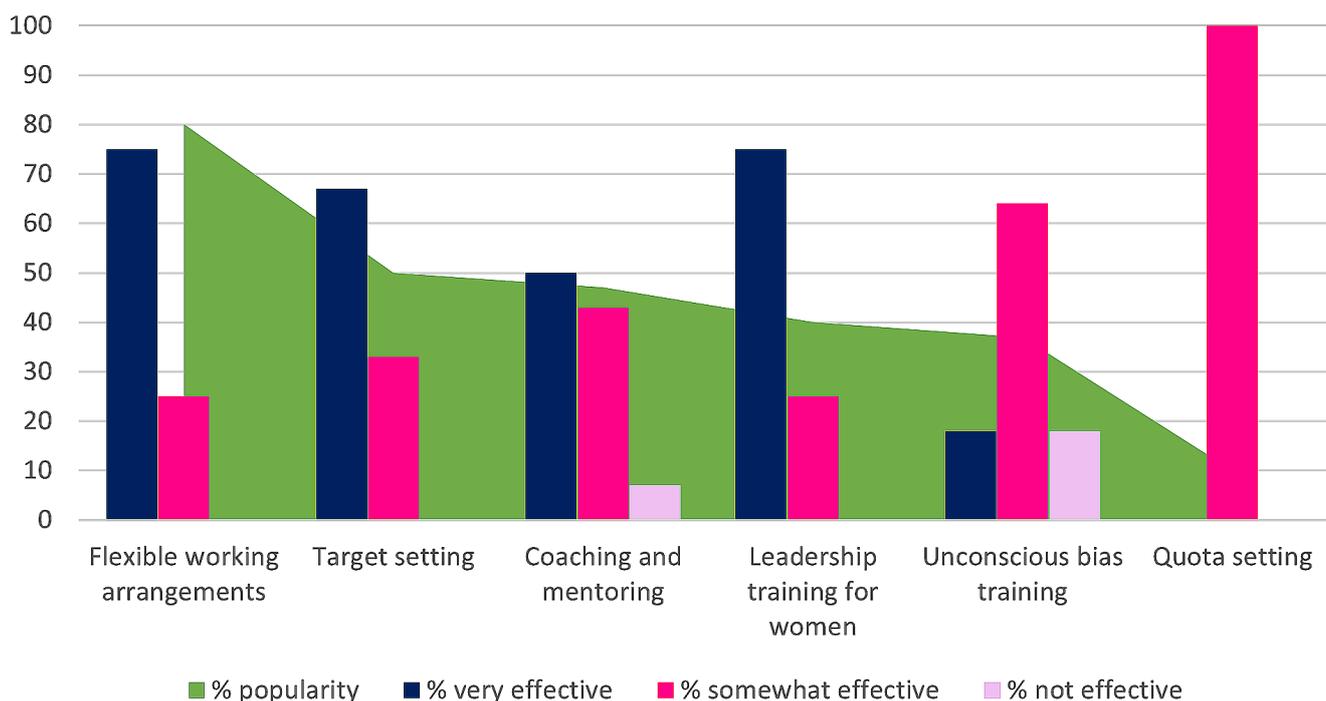


Figure 6: popularity and effectiveness of initiatives to improve gender representation: law firms

The implementation of initiatives to support female lawyers within Spain varies greatly across firms. Despite this, most law firms view their policies to be ‘very’ or ‘somewhat’ effective.

Flexible working arrangements have the highest degree of popularity, reflecting their high rates of perceived efficacy. However, all other policies and initiatives are only used by half or less of law firm respondents. Quota setting for women in senior positions and unconscious bias training are implemented the least, and they appear to be implemented by international, rather than purely domestic firms. Target setting for women in senior positions is implemented by half of law firm respondents, and mentoring and coaching schemes by almost half.

In terms of effectiveness, unconscious bias training and coaching and mentoring were the only initiatives classed by any respondent as ‘not effective’, while the small number of law firms who have quotas in place class them as ‘somewhat effective’.

While the most popular (80 per cent), flexible working arrangements vary significantly across firms. Several have strict remote working policies, allowing one or two days a week, whereas other firms allow lawyers

total flexibility. Larrauri & Marti allows remote working one day per week (fixed by the firm) with possible extensions. Bird & Bird, by contrast, enables remote working 50 per cent of the time, while another firm allows for remote working up to eight days per month. Freshfields ‘ha[s] established total flexible working so that lawyers can choose to work in the office or remotely’, a sentiment echoed by LABE Abogados, citing their ‘flexible work policy’ as allowing ‘the greatest possible margin to reconcile family and personal life with their working hours’ for more than a decade now. Despite this variation, almost all respondents regarded their flexible working arrangements as ‘very effective’, with the remaining firms regarding them as ‘somewhat effective’.

Unconscious bias training and quota setting for women in senior roles appear to be the least popular schemes. Regarding the former, Freshfields has introduced a digital learning module on diversity and inclusion (D&I) with all new joiners completing a session on inclusive behaviours as part of their induction process. The global D&I team can deliver ad hoc sessions on unconscious bias, upon request. The Madrid Freshfields office has recently held one of these sessions, and more than half of all employees attended. Several other firms make their unconscious bias training compulsory for all staff globally.

When it comes to quota setting, only one firm cited a strict initiative approximating quota setting, whereby at least one woman has to be submitted as a finalist in the selection process for senior positions. This firm labelled this initiative as ‘somewhat effective’, having been in place for three years. By contrast, RLD cites its 30 years’ experience with mostly women working in its law firm as evidence of a successful non-quota-based system, adding that they believe ‘in the person and [their] work’. Nonetheless, Bird & Bird cites its adoption of the Mansfield Rule, which requires the consideration of at least 30 per cent of historically underrepresented lawyers for a variety of roles.<sup>21</sup> This has led to a review of its recruitment, staffing, promotion and selection processes, with the aim of reducing bias throughout a career path. The review process was ongoing at the time of writing this report.

Compared to quota setting, law firms appear more willing to implement less stringent target setting initiatives, and coaching and mentoring programmes, to help women reach senior positions. Both Ashurst and Freshfields cite a global goal of 40 per cent women, 40 per cent men, and 20 per cent flexible (women, men or non-binary persons) within senior leadership levels by 2026. Another firm cites a goal of 40 per cent female partnership worldwide by 2030, with the target in the Spain office being to double its current figure. DLA Piper, meanwhile, has a target of 30 per cent female partnership in 2025 and 40 per cent in 2040. With this aim, they will introduce specific development plans and promotions for underrepresented groups, as well as the introduction of technology and retention plans focused on the criteria of flexibility and/or individualised careers.

Law firms are showing willingness to develop mentoring programmes, although these are largely efforts which encompass broader inclusion initiatives, rather than directed specifically towards increasing the number of women in senior positions. For instance, one firm, which has a mentoring programme structured as a five-stage process, initially started this scheme as an empowerment tool for women in leadership, but currently has no gender restriction for applicants. The firm also runs an international sponsorship programme for underrepresented groups who demonstrate future potential, which includes

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21 The aim of the Mansfield Rule is to increase and sustain diversity at the highest levels in organisations. According to the Rule, law firms must consider 30 per cent of women, lawyers of colour, those with disabilities and LGBTI lawyers for senior leadership roles, senior-level lateral hiring, equity partnership and participation in client pitch meetings.

women. Other firms have general mentoring schemes, for instance offering individuals a mentor when they begin working for the firm as an intern. Additionally, firms such as Ashurst run reverse mentoring programmes, which enable junior lawyers to mentor senior leaders, but again, these are not gender-specific. DLA Piper is running a development programme called ‘Moderate’, for female lawyers and underrepresented groups within the firm identified as having the potential to progress in their careers. The programme is offered to lawyers with four to six years of experience, through face-to-face and virtual executive coaching techniques.

Finally, multiple firms have other types of initiatives in place. LABE Abogados, for example, is actively encouraging clients – national and international companies from different sectors – to adopt and implement their own equality plans in their workforces, assisted by the firm’s lawyers and expert advisors. Another firm allows employees who have recently become parents to reduce their working hours during the two years following the end of their maternity or paternity leave, with no salary reduction or barrier towards career progression.

## The corporate sector

Fruitful conversations were held with female in-house lawyers to gather specific feedback into the approaches, successes and challenges of improving gender representation within the listed companies in Spain. Overall, the balance in gender representation within the legal teams at these companies is very positive.

Quota setting has been identified as a rarely used gender policy within the legal workplaces examined so far (see Figure 4). Similarly, none of the participating corporations had this measure in place.

It is important to note that the majority of the companies’ policies and initiatives are not specific to gender: they apply to all employees, and therefore cover broader D&I categories, such as cultural and generational diversity, and people with disabilities. However, Redeia and Aena have been proactive whenever they have identified a deficit of women being promoted in particular departments or areas.

All of the companies below participate in ‘Promociona’,<sup>22</sup> a programme run by the Spanish Association of Employers (Confederación Española de Organizaciones Empresariales) aimed at female managers, encouraging them to apply for senior management positions in companies. The initiative includes awareness raising, professional development and leadership modules to improve and facilitate women’s access to decision-making roles within companies.

In the broader EU context, and as part of the ‘A Union of Equality: Gender Equality Strategy 2020-2025’,<sup>23</sup> the EU Commission ‘will push for the adoption of the 2012 proposal for a Directive on improving the gender balance on corporate boards which set the aim of a minimum of 40 per cent of non-executive members of the under-represented sex on company boards’. This will occur alongside utilisation of the EU ‘Platform of Diversity Charters’, a platform created in 2010 which encourages all kinds of organisations to develop and implement D&I policies in the workplace.<sup>24</sup>

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22 Proyecto Promociona <https://proyectopromociona.com>, accessed 2 August 2022.

23 European Commission, ‘Gender Equality Strategy: Striving for a Union of equality’, 5 March 2020 [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_20\\_358](https://ec.europa.eu/commission/presscorner/detail/en/ip_20_358), accessed 23 June 2022.

24 European Commission, EU Platform of Diversity Charters [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/tackling-discrimination/diversity-and-inclusion-initiatives/eu-platform-diversity-charters\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/tackling-discrimination/diversity-and-inclusion-initiatives/eu-platform-diversity-charters_en), accessed 24 June 2022.

On 7 June 2022, a political agreement was reached between the European Parliament and the Council of the EU on the above proposed 2012 Directive. At the time of writing, the political agreement is now subject to formal approval by the co-legislators. Once published in the *Official Journal*, Member States, including Spain, will then need to transpose the new elements of the Directive into national law.

## *Redeia*

Redeia was the first Spanish company in the electricity sector to obtain the ‘Equality in the Company’ distinction, awarded by the Spanish Ministry of Equality since 2010. In order to be part of this network, an organisation must monitor gender balance within the workplace, gather relevant data on equality, evaluate their human resources internal processes and implement any necessary changes when any deviation from the set equality objectives is identified.

Redeia has an in-house legal team of 18 lawyers; ten of them are female. The three senior roles within the legal team are all occupied by women. No lawyers work part-time. Although Redeia supervises gender equality overall within the group of companies, and shares its gender information with the leadership of the parent company, the specific gender balance within the legal team is not tracked.

“Gender equality has been the object of analysis and monitoring for more than ten years.

In-house lawyer, Redeia

Beyond the in-house legal team, Redeia has seen a significant increase in women within its leadership. The number of female executives rose from 24 per cent in 2017 to 34 per cent in 2021 and within its board of directors, they have achieved actual parity, rising from 33 per cent in 2017 to 50 per cent in 2020. The executive board also has a 50:50 ratio of men and women.

Redeia has a wide variety of gender initiatives in place, from flexible working arrangements and unconscious bias training, to coaching programmes for women. A D&I perspective has been transversally incorporated into the company’s corporate culture and within all its processes. The in-house lawyer we spoke with strongly believes the initiatives in place at the moment are proving to be very effective.

All employees at Redeia are encouraged to develop key skills through their own individual development programme. Non-managerial staff, on their own initiative, are provided with the necessary resources to enable them to develop their professional skills. Thirty per cent of all employees who signed up to this programme in 2021 were women.

Redeia believes in identifying the barriers that hinder the development of female talent, and is working towards empowering women to take their careers as far as they wish through their Diversity Management and Female Leadership Programme. This programme is aimed at all employees, but especially at women. Its objectives are twofold: to raise awareness, train, and accompany women throughout their professional careers; and to focus on emotional wellbeing, communication and personal brand development and networking.

Finally, and due to the specific work of this company, Redeia is currently focused on increasing the number of women with a STEM (science, technology, engineering and maths) profile, an area where female

graduates are underrepresented. Redeia is collaborating with the Royal Academy of Engineering (Real Academia de Ingeniería) to promote the vocation of women in STEM studies. Within this ‘Women and Engineering’ programme, they are actively participating in a mentoring scheme with female university students enrolled in technical degrees.

## **BBVA**

BBVA is one of the largest banking institutions in Spain, and a signatory to the Spanish Diversity Charter implemented by Fundación Diversidad.<sup>25</sup> Their in-house legal team comprises 65 per cent women. At a senior level, 42 per cent of the legal team are female. The head of the legal team is a woman. No lawyers work part-time.

The company has identified three key areas on which to focus in order to make the most of female talent within the organisation. First, the elimination of unconscious biases within all selection processes. They do not have quotas in place and neither do they set themselves specific objectives. Instead, they follow the Rooney Rule: at least half of all candidates being interviewed for a managerial position within the company must be female. What began as a rule applied to key positions only has been extended to all management roles. Overall, 42 per cent of the promotions to positions of responsibility in the last year have been women.

“BBVA cares for its employees, promotes professional development regardless of gender and, as we are organised, we can reconcile work obligations with a fulfilling personal life.

In-house lawyer, BBVA

Making female talent visible is the second of the bank’s strategic goals. The company accompanies and supports those women with great potential to facilitate their promotion to managerial positions.

Finally, BBVA aims to level the playing field. A specific programme is in place to help balance the professional opportunities for both men and women. The programme ‘Work better. Enjoy your life’ (*Trabaja mejor. Disfruta tu vida*) includes important work-life balance and productivity measures. Almost two years ago, BBVA announced that their principal offices in Madrid would close at 1900.

Other measures in place include the efficient use of working time and digital disconnection. Post-pandemic flexible working arrangements require a minimum 60 per cent of time to be spent in the office, and allow a maximum 40 per cent of time working remotely. In addition, the company is re-wording job vacancies to ensure they are more gender inclusive. Finally, leadership training for women is readily available, in addition to unconscious bias training and coaching and mentoring programmes.

## **Aena**

The overall gender picture at Aena, one of the world’s leading airport management companies, is female-dominant. Sixty-seven per cent of all lawyers are women, and 71 per cent of those who hold positions

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<sup>25</sup> Cristóbal Baeza, ‘BBVA signs accession to the Diversity Charter’, BBVA, 4 April 2019 [www.bbva.com/en/sustainability/bbva-signs-accession-to-the-diversity-charter](http://www.bbva.com/en/sustainability/bbva-signs-accession-to-the-diversity-charter), accessed 23 June 2022.

of responsibility (20 out of 28) are also women. Furthermore, two out of the three most senior in-house positions are held by women. No lawyers work part-time.

Aena monitors gender balance both overall and at a senior level. The results of the monitoring exercise are compared to those from previous years, and shared with both the board of directors and the executive board.

Aena has embraced remote working post-pandemic. Their policy consists of allowing either six days of remote work a month, or a combination of options which allow up to a maximum of six days a month remote working in total. They have additional work-life balance measures in place, such as flexible entry and exit hours and compressed hours<sup>26</sup> throughout the year for all employees except for those in positions of responsibility, who have compressed hours solely during the summer months.

An in-house lawyer who spoke with us advocated for more flexible working options, which she claimed to be more effective for both male and female employees when trying to balance their professional and personal lives. She commented that a more flexible schedule for everyone will benefit female staff when wanting to advance their careers.

“Flexibility is key, much more than part-time options.

In-house lawyer, Aena

In addition, highly specialised training is provided (master's degrees, postgraduate courses, etc) to complement the professional development of managerial staff. The company also has an online training course aimed at fighting unconscious biases called 'Combat your biases' (*Combate tus sesgos*). Staff from all teams receive specific training on these issues. Aena's mentoring programme has been in place for eight years and is offered to both male and female employees, as mentors and as mentees. All these measures are perceived to be 'very effective'.

The company is also currently focused on increasing the number of women in areas where they are underrepresented, which in a company like Aena leads to a focus on STEM profiles. Target setting is in place to improve the ratio of women in positions of responsibility within STEM departments, where only 30 per cent of graduates are women.

“In an ideal workplace, I would like to see a system which naturally selects equally, as well as a system lacking undesirable elements which, in practice, act as barriers to female progression.

In-house lawyer, Aena

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<sup>26</sup> Compressed working is a type of flexible working arrangement whereby employees can rearrange their working hours in a number of different ways. In Spain, this usually means starting the day early in order to leave just before lunchtime (for example, working for an uninterrupted period of seven hours without a meal break that ends at 1500).

## The public sector

### *Prosecutor General's Office*

As of 31 December 2021, the PGO was made up of 1,702 female prosecutors and 918 male prosecutors, meaning women represent 65 per cent of the workforce. In addition, women constitute the majority in all age groups up to 59 years. In the age bracket 30 to 39 years old, they constitute 79 per cent, and from 40 to 49 years old, 73 per cent.

In relation to senior role positions in the PGO, at present, only 38 per cent are held by women.<sup>27</sup> Since 2020, 49 women have been appointed to managerial positions, including the two highest positions within the PGO, alongside the Prosecutor General. Until recently, and for the first time in history, the entire leadership of the PGO consisted of three women.<sup>28</sup>

Following the entering into force of Organic Law 3/2007, the PGO has had two Equality Action Plans (periods 2019–2020 and 2021–2022). The 2021–2022 Equality Action Plan includes measures aimed at: understanding the situation within the PGO in terms of equality; raising awareness about equality through training activities; the promotion of parity and the involvement of senior officials; and the promotion of co-responsibility, among other areas.

The gender perspective has been included in all training and development courses, whether in initial training, or in training courses undertaken throughout one's prosecutorial career. An emphasis has also been placed on achieving gender parity on the selection boards and panels.

Until the statutory 60:40 objective is achieved, action is being encouraged on a range of fronts, for instance, attributing positive value to an applicant's time spent on domestic responsibilities when appointing to senior level positions. Another important step forward has been the need to include, within the procedures for appointing prosecutors to senior positions, a specific section explaining how the gender balance of those being proposed for those roles complies with the ratio set out in the Organic Law. Similarly, in the elections to the Prosecutorial Council (Consejo Fiscal), the main body that assists the Prosecutor General in their duties, the number of candidates of each sex cannot be less than 40 per cent of the total.

The PGO is also working towards raising awareness of the existence of the work-life balance rights available to all prosecutors, and promoting the exercise of these rights (in particular, different types of permits and leaves of absence). These rights are available to all prosecutors, however, the beneficiaries of the measures set out in the Equality Action Plan are only female.

As of 31 December 2021, 299 prosecutors were benefitting from some sort of leave of absence, of which 237 were female. Part-time options are again mostly used by female prosecutors. The PGO would like to see a more balanced use of the work-life balance measures and has acknowledged that for this to happen, it is important for all prosecutors to know that taking advantage of these will not jeopardise their career progression.

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27 PGO 'Information on senior positions and staff' [www.fiscal.es/informaci%C3%B3n-sobre-altos-cargos-y-personal](http://www.fiscal.es/informaci%C3%B3n-sobre-altos-cargos-y-personal), accessed 4 July 2022.

28 The Prosecutor General has recently resigned for health reasons. The current Prosecutor General is a man.

Although the figures show an improvement compared with previous years, they reveal that there is still a long way to go in terms of equality and equal representation in senior positions. It is interesting to observe the efforts made towards making all civil servants aware of the existing gender biases within their profession and society more broadly.

### ***State Attorney's Office***

The State Attorney's Office, a body integrated into the Ministry of Justice, is responsible for directing the services that provide legal assistance to the Spanish state and other public institutions. There are 354 active state attorneys in Spain. Out of them, only 152 are female (43 per cent). Having said this, among active state attorneys with 20 years' experience or less, the percentage of women overall increases significantly to 55 per cent. At the time of writing, the Attorney-General is a woman.<sup>29</sup>

State attorneys may be assigned to peripheral state bodies or to central state bodies. Consequently, there are no senior roles as such, although there are indeed posts which are objectively more important than others, such as the state attorneys attached to the Supreme Court, or the Court of Auditors (Tribunal de Cuentas), which is the supervisory body of the public sector finances. The most important positions are normally assigned based on experience, merits and the capacity acquired over time.

The Equality Unit of the Ministry of Justice, created by Organic Law 3/2007, is entrusted with the development of the functions related to equality. In this sense, the Ministry has launched Justice 2030,<sup>30</sup> an ambitious plan for the modernisation and reform of the administration of justice. One of the nine areas of focus is on justice professionals and within this axis, the Ministry is currently preparing an equality plan and a work-life balance plan that we hope will see the light of day.

The Equality Unit will work towards removing the obstacles which constitute any direct or indirect discrimination based on sex, facilitating a better work-life balance to all the ministry's employees without undermining professional promotion, and promoting a balanced presence of men and women in selection and evaluation bodies.

## **The judiciary**

Women make up 56 per cent of all judges in Spain (3,029 female judges out of a total of 5,408). However, senior roles within the judiciary are largely held by men – women only hold 37 per cent of senior positions (those holding office in the Supreme Court, High Courts of Justice and the National High Court).

The Supreme Court is the highest court in the Kingdom of Spain, with jurisdiction throughout all the national territory. The Court deals with all review and extraordinary appeals and with the prosecution of high-ranking members of government and other public officials, among other issues. Out of the 69 judges currently serving in the Supreme Court, 16 are women (23 per cent).

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29 *Boletín Oficial del Estado*, 24 March 2022 [www.boe.es/boe/dias/2022/03/24/pdfs/BOE-A-2022-4631.pdf](http://www.boe.es/boe/dias/2022/03/24/pdfs/BOE-A-2022-4631.pdf), accessed 16 September 2022.

30 *Justicia 2030: Transforming the Public Service of Justice Ecosystem*, [www.justicia2030.es](http://www.justicia2030.es), accessed 16 September 2022.

All measures aimed at increasing the number of women at the most senior levels within the judiciary are included in the Judicial Career Equality Plan.<sup>31</sup> As in the public sector, the overarching aim within the judicial system is to see a 60:40 ratio of male-female judges and magistrates occupying not only senior positions within the highest tribunals, but also within the GCJ, the judiciary's governing body. Measures of positive action shall be put in place until the ratio is achieved. An Equality Committee within the GCJ oversees the implementation of the measures within the judiciary.

Women continue to occupy the majority of the judicial roles in the lower courts (single person courts). At the same time, in recent years the number of women who serve as magistrates (collegiate courts) in the Supreme Court, High Courts of Justice and National High Court has gradually increased. However, the number of women in the most senior roles within these courts does not seem to be increasing at the same rate. The low participation of women in the selection processes for discretionary positions is striking, as is the high number of high-level positions to which no women apply. It is for this reason that the GCJ is planning to undertake a thought-provoking sociological study aimed at understanding the reasons behind the low presence of women in positions of maximum responsibility in the judiciary.

The use that judicial officers make of the measures to reconcile personal, family and professional life is much lower than might be expected, especially with regard to leaves of absence. The number of those who choose to make use of these measures is in single figures, and it is mostly women judges (in more than 90 per cent of cases) who bear the responsibility of domestic duties who take advantage of such leaves of absence. In response, there are increasing efforts to make sure that all judges, and in particular women judges, are aware of their work-life balance rights, and to avoid any discrimination towards those who make use of such rights. The main objective is to change the way in which domestic work is viewed. A judicial officer within the GCJ's Equality Committee stated that they are working towards further expanding the part-time options of judicial officials as well as remote working possibilities.

Maximum importance is given to all training and development programmes within the judiciary. An effort is being made to ensure a balanced participation of both male and female judges in any training activities, including coordination and teaching, as well as attendance. A gender perspective will also be introduced throughout all other training and development activities.

Parallel to the public sector, within the procedures for appointing judicial officers to senior positions, a specific section has to be included, explaining how the gender balance of those being proposed for discretionary roles complies with the Organic Law 3/2007.

One judicial officer commented that the three fundamental areas of future focus for the Equality Commission would be: the reduction of working hours of between three and 12 per cent, without this affecting the way in which productivity is measured and without a reduction in wages; women's health, in particular, maternity and maternity leave; and a remote working policy.

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31 Spanish Judiciary, Equality Area of the General Council of the Judiciary [www.poderjudicial.es/cgpj/es/Temas/Igualdad-de-Genero/La-igualdad-de-genero-en-la-carrera-judicial](http://www.poderjudicial.es/cgpj/es/Temas/Igualdad-de-Genero/La-igualdad-de-genero-en-la-carrera-judicial), accessed 26 July 2022.

## Comparisons: England and Wales, Uganda and Spain

In the jurisdictions covered to date, the overall percentage of female lawyers across the profession is similar: 49 per cent in Uganda; 51 per cent in England and Wales; and 54 per cent in Spain. Across all three jurisdictions, the public sector has the highest number of female lawyers, both in general and at senior levels. The lowest percentage of women is found within private practice.

Across England and Wales, Uganda and Spain, the public sector has the most female lawyers overall, and private practice has the least.

The difference between women in senior roles and women in the profession overall is similar in all three jurisdictions: Spain, 23 per cent less; England and Wales, 19 per cent less; and Uganda, 17 per cent less.

However, in Uganda, within the public sector and the corporate sector, there is a higher percentage of women in senior roles than overall. Uganda is the only jurisdiction in which this happens. The percentage gap in the public sector in Spain between the overall representation of women and those at a senior level is 24 per cent. The most obvious trend in the public sector in Spain is the dramatic decrease in the proportion of women at the very senior levels.

Quota setting is completely disregarded as an initiative in the judiciary and public sector in England and Wales and Spain.

Quota setting is the least popular initiative in all three jurisdictions. It should be noted that the judiciary and public sector in England and Wales and in Spain completely reject quota setting. Moreover, none of the corporate sector entities approached in Spain have quota setting in place. In contrast, target setting is frequently used in all three jurisdictions, and across all sectors.

Notwithstanding this, the corporations we spoke with have managed to achieve a very good gender balance, both overall and at a senior level. Quota setting may discourage legal workplaces from delving into the implementation of other, perhaps more effective D&I initiatives, by focusing solely on meeting artificially imposed gender ratios.

Unconscious bias training is a more popular initiative for law firms in England and Wales compared with law firms in Spain and Uganda. However, there was at least one 'not effective' response to unconscious bias training in all jurisdictions.

Across all three jurisdictions flexible working was a highly popular initiative, and the most effective one in place.

Across all three jurisdictions, offering flexible work arrangements is popular, and is the most popular initiative in England and Wales and Spain. It also had higher efficacy ratings across all three jurisdictions, with only a limited number of firms in Uganda listing it as 'not effective'. All initiatives were more likely to be rated 'not effective' in Uganda, compared to Spain and England and Wales, where most respondents labelled them 'very effective' and 'somewhat effective'.

## Conclusion

Despite improving statistics and efforts to promote gender equality in the legal profession in Spain, there is still more to be done to achieve genuine gender parity at senior levels. From the data available, it is clear that there are no obstacles to women studying law and entering the profession. Evidence shows that in recent years there have been more women than men studying law, and as a consequence, higher numbers of female lawyers are emerging at entry level.<sup>32</sup> The issue with representation is at senior levels of the profession, with a greatly reduced number of female lawyers in positions of responsibility, whether at partnership level within a law firm, or at a senior position within the judicial system.

Overall, the results from Spain are positive. It is definitely encouraging to see that there are more female lawyers than male lawyers within the public sector and the judiciary. There were also more female practitioners than male practitioners within the corporate sector entities we contacted.

Nevertheless, senior roles within the public sector and the judiciary are largely held by men. Furthermore, and despite having the smallest decrease between female lawyers overall and senior female lawyers, law firms still have a long way to go, with only 28 per cent of senior roles being occupied by women.

All sectors are focusing on expanding their flexible working arrangements and establishing goals to which to aspire. Most workplaces have labelled their initiatives as being ‘very’ and ‘somewhat’ effective. Regardless of the gender balance in any particular entity, quota setting is not a very popular initiative. The corporate sector is investing heavily in a variety of programmes and initiatives to train, empower and retain female talent, both within their legal teams and staff more broadly.

Looking ahead, it will be interesting to see how flexible working and other work-life measures evolve over time, particularly whether part-time working becomes a standalone policy within the public sphere, and whether more lawyers in private practice take advantage of this way of working.

We hope this report encourages and inspires the Spanish legal profession to keep working towards a more equal profession.

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32 EDUCAbase, Date on new students at universities in Spain [http://estadisticas.mecd.gob.es/EducaJaxiPx/Tabla.htm?path=/Universitaria/Alumnado/EEU\\_2022/GradoCiclo/NuevoIngreso//10/&file=1\\_3\\_Mat\\_Sex\\_Edad\(1\)\\_Amb\\_Tot.px&type=pcaxis&L=0](http://estadisticas.mecd.gob.es/EducaJaxiPx/Tabla.htm?path=/Universitaria/Alumnado/EEU_2022/GradoCiclo/NuevoIngreso//10/&file=1_3_Mat_Sex_Edad(1)_Amb_Tot.px&type=pcaxis&L=0), accessed 13 July 2022; Ascensión Palomares-Ruiz, Antonio Cebrián-Martínez, Eduardo García-Toledano and Emilio López-Parra, ‘Digital gender gap in university education in Spain. Study of a case for paired samples’ (2021) 173 (December) *Science Direct* [www.sciencedirect.com/science/article/pii/S0040162521005291](http://www.sciencedirect.com/science/article/pii/S0040162521005291), accessed 13 July 2022.

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All participants deserve our sincerest thanks. Each and every response has contributed to bringing this report to life.

## Appendix 1: data tables

### Overall picture: all lawyers

	Female lawyers (%)	Female senior lawyers (%)
Law firms	46 (2,070/4,513)	28 (446/1,576)
Judiciary	56 (3,029/5,408)	37 (241/648)
Public sector	62 (1,854/2,974)	38 (20/53)
Total	54 (6,953/12,895)	31 (707/2,277)

### Popularity of gender initiatives: sector breakdown

	Law firms (%)	Public sector (%)	Judiciary (%)
Leadership training for women	40	0	0
Flexible working arrangements	80	100	100
Target setting	50	100	100
Coaching/mentoring programmes for women	47	0	0
Unconscious bias training	37	50	100
Quota setting	10	0	0

### Effectiveness of gender initiatives

	Very effective (%)	Somewhat effective (%)	Not effective (%)
Leadership training for women	75	25	0
Flexible working arrangements	67	33	0
Target setting	56	44	0
Coaching/mentoring programmes for women	50	43	7
Unconscious bias training	15	70	15
Quota setting	0	100	0

## Appendix 2: survey questions

**1. What type of organisation do you work for?**

Corporation with in-house counsel

Public sector

Law firm

Judiciary

**2. We'd like to start by asking some general profiling questions about the lawyers/judges who are employed in your organisation.**

Total number of lawyers

Lawyers who work on a part-time basis

Lawyers employed at a partner/management/QC (or equivalent) level

Lawyers employed at a partner/management/QC (or equivalent) level who work part-time

**3. This question asks about the lawyers/judges who identify as female. Please enter approximate numbers for the following:**

*Remember, you can return to the survey at any point if you need to look-up any figures*

Total number of lawyers who identify as female

Female lawyers who work on a part-time basis

Female lawyers employed at a partner/management/QC (or equivalent) level

Female lawyers employed at a partner/management/QC (or equivalent) level who work on a part-time basis

**4. How many individuals sit on your Partnership Council/Management Board/Executive Council (or equivalent)?**

**5. Of these, how many identify as female?**

**6. Do you monitor the gender balance in your organisation overall?**

Yes

No

7. **Do you monitor the gender balance in your organisation for lawyers at the senior level?**

Yes

No

8. **Is this gender monitoring data shared with the leadership of the organisation?**

Yes

No

9. **Is this gender monitoring data shared with the leadership of the department or elsewhere within government?**

Yes

No

10. **Does your organisation have any of the following initiatives/policies in place addressing gender equality and/or seeking to increase the number of women reaching positions of seniority**

Quota setting for senior role positions

Availability of greater flexible working arrangements (post Covid-19 restrictions)

Leadership training for women

Target setting for senior role positions<sup>33</sup>

Unconscious bias training

Coaching/mentoring programmes

Other:

None of the above

11. **We have a couple of questions about your [measure]**

**Can you please provide a brief description of your [measure]?**

*Please include how it works, how it is measured, and the impact it is having.*

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<sup>33</sup> Targets v quotas: targets tend to be aspirational, quotas tend to be mandated (sometimes set externally by a body with authority to impose them on organisations). Establishing quotas usually includes setting penalties for failing to meet them.

**Approximately, how long has your [measure] been in place?**

*Please enter the approximate number of years*

**12. In your view, how effective has each initiative/policy been in supporting gender equality and/or increasing the number of women reaching positions of seniority in your organisation?**

Very effective

Somewhat effective

Not effective

**13. Does your organisation have any other diversity related initiatives in place (race, ethnicity, sexual orientation, disability, religion, etc)?**

Yes

No

**14. Please describe how one of these initiatives or policies works**

*Please include how it works, how long it has been in place, and the impact it is having.*

**15. What else do you want us to know about other initiatives coming in the future?**

**16. Would you like to associate your organisation's name with the feedback you have provided? This will enable the IBA to highlight examples of programmes in its reporting.**

*If you select 'No' below, your survey data will remain confidential and only reported in aggregate.*

Yes

No





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