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## ***2003 Equity and Diversity Survey Report Backgrounder***

### **Personal experiences with discrimination**

- 39% of the active women respondents, 41% of the respondents of colour, 28% of respondents with a non-Christian religious affiliation, 40% of disabled respondents, and 40% of gay, lesbian and bisexual respondents reported that they had experienced discrimination firsthand while seeking or during the course of employment in the past five years.
- Many of the gay, lesbian, and bisexual lawyers were not “out,” so discrimination on the basis of sexual orientation may be under-represented in the study.
- Few Aboriginal lawyers completed a written survey, but all but one of the Aboriginal focus group participants reported that they experienced discrimination within the profession on an ongoing basis, and it was often very serious and overt.
- For all the diversity groups, other lawyers and clients were most commonly responsible for the discrimination: 39% of women respondents, 26% of respondents of colour, 20% of gay, lesbian and bisexual respondents, 14% of respondents with disabilities, and 14% of women with children reported that they had experienced discrimination from other lawyers.
- Discrimination was most commonly manifested in the forms of racist and sexist comments, denial of opportunities to work on files, exclusion from opportunities to be involved in workplace activities related to career advancement, exclusion from work-related social or business development activities related to career advancement, and negative career consequences as a result of having children or being a parent. In addition, sexual harassment continues to be a serious problem in the profession.

### **Culture**

- Active and inactive survey respondents expressed dissatisfaction with the culture of the legal profession, as it seems to be an “old boys’ club,” increasingly driven by the pursuit of profits, rather than justice.
- 71% of the younger respondents, compared to 22% of the older respondents, agreed that they would consider working reduced hours on a regular basis if they were not concerned about the possible detrimental effect of this on their careers.
- 81% of the younger respondents, compared to 55% of the older respondents, agreed that, in the practice of law, merit is often equated with the willingness to dedicate one’s self to the workplace at the expense of family relationships.
- 64% of the younger respondents, compared to 12% of the older respondents, disagreed that lawyers who wish to take parental leave should bear some of the costs

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## Perceptions about discrimination

- 92% of the women and 69% of the men thought that there is some form of bias or discrimination against women in the profession; 33% of the men and 14% of the women thought there was discrimination against men.
- Among active survey respondents, 91% of the lawyers of colour believed that there is racial discrimination in the profession, 73% of lawyers with disabilities believed there is discrimination on the basis of disability, 88% of gay, lesbian and bisexual respondents believed there is discrimination on the basis of sexual orientation, and 83% of women with children and 32% of men with children believed there is discrimination on the basis of parental status.
- Very few Aboriginal respondents completed a written survey, however, in focus group discussions, both Aboriginal and non-Aboriginal participants strongly agreed that there is extensive discrimination against Aboriginal lawyers throughout the legal profession.
- The most common type of discrimination against women and other diversity groups is perceived to be discrimination in career advancement.

## Consequences of discrimination

- Women respondents worked at least as many hours as men respondents. Women without children worked significantly more hours than women with children and men with or without children.
- There were no significant differences in billing hours between men with children and women with children who billed by the hour. Women without children billed more hours than the other groups. However, in the large firms, men charged a significantly higher hourly billing rate than women.
- Even when number of years at the bar, employment in the public or private sector, and firm size were considered, men respondents earned significantly more on an annual basis than women respondents.
- 55% of women, as compared with 75% of men, had children.
- Men were still far more likely than women, and lawyers without disabilities were more likely than lawyers with disabilities, to be partners in law firms.
- Women and members of other diversity groups were more likely than other respondents to be employed in the public sector.

## General

- Information was collected from both active and inactive lawyers in Alberta. Inactive lawyers were sent a different survey that addressed reasons why they chose to leave the profession. Thirteen per cent of active members returned the survey, of which 43 per cent were female and 57 per cent were male.
- Out of inactive members, 25 per cent returned the survey, of which 56 per cent were female and 44 per cent were male. Focus groups were also conducted throughout the province with 87 individuals, 15 of which were men and 72 of which were women.

