

# Law Firms & COVID-19

## Take Action Now to Prevent Disparate Impact on Diverse Talent

### Dear Managing Partners, Senior Partners, and Chairs

With a severe economic contraction forecast in the United Kingdom because of the unprecedented COVID-19 pandemic, law firms are taking a number of steps to prepare. The majority of firms have deferred or reduced partner distributions. Most are also taking steps impacting the wider workforce – using the Government Furlough scheme, implementing four day working weeks (with commensurate 20% reductions in salary), and implementing general salary reductions for staff. The redundancy programmes now being announced are unlikely to be the last.

This is occurring alongside the disproportionate social and economic impact the pandemic is having on members of protected categories including women, racial and ethnic minorities, LGBT+ and disabled communities. Added to this, there is a heightened focus on inequality in our society and institutions with the Black Lives Matter civil rights movement gaining important momentum.

We understand that management steps need to be taken in response to the economic impact of the pandemic. When considering such steps, we strongly recommend that law firms keep their moral, ethical and legal obligations (including those under the Equality Act 2010) at the forefront of their planning to ensure that protected groups/classes are not disproportionately impacted.

Best practice in this regard should include every step being assessed for disparate impact on these groups. HR, D&I teams, and/or consultants should be an integral part of the formulation and implementation of changes. Specific equality assessments should be undertaken, with a detailed breakdown of staff categorisations, so that management can understand and avoid unintended outcomes in respect of equality and diversity at every stage of the process. Firms should also include additional characteristics in those breakdowns where information is known (for example regarding social mobility markers) and be mindful that those with multiple protected characteristics may require special consideration.

Law firms have an opportunity now to re-affirm their commitments to diversity, inclusion and culture. Our hope is that the legal sector can exit this pandemic with a stronger and more inclusive pool of talent.

Yours sincerely

InterLaw Diversity Forum's Apollo Leadership Institute

#### GRETCHEN BELLAMY

*Special Advisor to the American Bar Association's Commission on Racial & Ethnic Diversity in the Profession*

#### ED BIBKO

*General Counsel for EMEA and Asia, Jefferies*

#### SARAH BLOMFIELD

*Managing Director, Global Head of Compliance, Rothschild*

#### LAURA DURRANT

*Deputy Chair, InterLaw Diversity Forum*

#### DAVID JACKSON

*Managing Director, Head of Group Corporate, Treasury and M&A Legal, Barclays*

#### RUCHI KAUSHAL

*General Counsel, Cable & Wireless Communications*

#### FLEUR KNOWSLEY

*Acting General Counsel, Google Fiber (US)*

#### BARRY MATTHEWS

*Founder, Social Mobility Partnership; Member Board of Directors, Solicitors Regulation Authority*

#### SHELDON MILLS

*Director of Competition, Financial Conduct Authority (FCA)*

#### IKE OSAKI

*General Counsel EMEA, Bank of America*

#### MONICA RISAM

*General Counsel, Lombard International Group*

#### EMMA SLATTER

*General Counsel, Visa Europe*

#### EMILY SMITH-REID

*Deputy General Counsel, HSBC*

#### LISA WEBLEY

*Head of Birmingham Law School*

#### DANIEL K. WINTERFELDT QC (HON)

*Founder and Chair, InterLaw Diversity Forum; Partner, Reed Smith*

#### DAME FIONA WOOLF DBE

*Former Lord Mayor of the City of London; Former President of the Law Society*