

# BREAKING THE GLASS CEILING

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**The gender gap continues to exist in Portuguese law firms, although now it is not in access to employment as in the past, but in promotion to positions where decision-making takes place.**

**Some time ago, the percentage of female students surpassed the male in Portuguese Law schools. In the same way, in law firms the majority of women is an unquestionable reality in positions of less responsibility, not mentioning the historical reality of its majority presence within the administrative staff. But it is in senior positions where the mismatch remains evident. In 2020, women represent 52.3% of the Portuguese legal profession according to the study of the selected firms**



The numbers don't lie. Iberian Lawyer contacted the main law firms in Portugal, according to their turnover. Firms of different sizes, both national and international corporations' headquarters. The objective was clear: to study the presence of women in the legal profession in an environment such as the legal one, immersed in numerous changes, and which is aware of the existence of inequality within the labour sphere. **Joana de Sá**, head partner of the Labour area at **PRA-Raposo, Sá Miranda & Associados**, clearly frames the awareness of the situation and the way in which it is made evident through measures designed to make it visible and raise awareness of the existence of a problem, both within each law firm as well as towards society: "Our firm is developing a document that formalises its internal policies regarding these matters. We believe that we have fostered an environment in the firm where individuals are valued, and their particularities are highlighted, thus enriching the culture of the firm. In this sense, I have to point out that PRA is, since 2017, a signatory of the Portuguese Charter for Diversity, and has tried to minimise any type of the gender gap that may exist. We try to ensure that all the work and discussion groups are made up of different team members, not only with regard to gender but also generational aspect." We sent a questionnaire to the firms with various questions and, based on the data obtained, we made the three rankings that accompany this text.

The firm that appears in the first place of the total numbers with 65.2% of female lawyers, which is the same that holds the second position in the associates and counsel ranking with a 70% female presence, and the third in the partners ranking, 56% in this case, is **SRS Advogados**, whose managing director is a woman, **Paula Ferreira Borges**, who has no problem in clarifying that this situation is not the result of quota policies or equitable measures, but strictly of the merits of its workers: "SRS currently registers an equal composition of women and men in its team of partners, but there is no commitment whatsoever to maintain that parity unchanged. In the future, this team may have the female or male gender under or over represented. More than a commitment to statistical data, what SRS transmits daily to its lawyers is that it will differentiate and reward those who contribute to its growth and consolidation, regardless of their gender, race or creed, and we believe that is what differentiates us." Perhaps the best way to endorse intentions is to put them into practice, and in that

sense, SRS boasts of it: 14 of the 16 new partners of the firm in the last five years are women. Here the proportion of gender among the workers at all levels of the firm does seem to be balanced. But it is not something that occurs in all cases.

### **The first step: from students to professionals**

“Women and girls represent half of the world's population, and therefore half of its potential. As long as gender inequality persists in all aspects, it will only serve to slow down economic and social progress,” says **Carmo Sousa Machado**, president of **Abreu Advogados** Board of Directors. She has indeed broken the “glass ceiling”, and in that sense, she is a benchmark, and frames, albeit in a generic way, the figures, which are more than conclusive. Women timidly outnumber the total number of male lawyers practising at the firms selected for this study. They represent, specifically, 52.3% of the total number of lawyers, including partners, counsel and associates, of the companies on which we have focused our analysis. Some data very close to reality, according to what **Ana Pinelas Pinto**, partner and a member of the Board of Directors of **Miranda & Associados** tells us: “The legal profession is mostly practised by women, today about 55% of the total professionals registered in the Bar Association are women. In 2000, they represented about 25% of those enrolled in the Bar. This tendency to reverse the situation, when it occurs within a society of an eminent patriarchal type and together with a very limited social security system with few benefits, such as that of lawyers and procurators, requires from law firms a special attention to other components that go beyond remuneration for services rendered. The implementation of maternity policies, the balance in coverage, such as childbirth in health policies and the flexibility of schedules to support the children care and family are fundamental aspects that have deserved our care and attention for a long time.”

The majority presence of women in law practice is not surprising if one takes into account that, for a long time, there have been many more female than male students in universities. Pordata, the database of the Manuel dos Santos Foundation, shows that for the last thirty years the number of female students has been greater than male in careers related to Social Sciences, Commerce and Law. In 2019 specifically, the percentage of women exceeded 60% of the student body, an amount around which the gender distribution in these studies has moved according to the same statistics for the last three decades. This distribution is transferred to the percentage of associates and counsel within the firms: only two of the firms surveyed have more men than women hired in these positions.

Despite this, taking as a reference the percentages of students of careers in the sector, there are only seven firms where an equivalence is maintained with the figures of the presence of women in the classroom. This indicates that the first screening already took place in the incorporation of women to work: many of them are studying at university, but they do not manage to integrate into the labour market. Although it is convenient to remember the data provided by the statistics: The female majority among the students is not something recent, but is a phenomenon that has been taking place for three decades now, a whole generation, therefore, far from being able to congratulate themselves on the majority presence of female lawyers, it is something that should be considered as completely logical. Despite this, nine of the law firms in the study continue to present a presence of more male lawyers in the total figures, a reality that should invite reflection. **Rita Samoreno Gomes**, partner and co-director of the Dispute Resolution area at **PLMJ** clearly frames the debate: “For us, diversity policies have to balance meritocracy with what still constitutes barriers for women in their professional lives. Acknowledging those barriers is the first step towards solving a problem that still binds women in 2020 but also curbs firms’ results, by limiting its people's talent and potential.”

To read the interview in full please download issue [N.97](#) here