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Majority against diversity quotas

5 October, 2012 Leanne Mezrani 0 comments

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More than half of respondents to a *Lawyers Weekly* poll are against introducing partner quotas to encourage diversity and believe promotion should be strictly based on merit.

Another 23 per cent voted against quotas but indicated they would support aspirational diversity targets, while just 21 per cent were in favour of quotas.

Tony Holland (pictured), managing partner of DLA Piper, told *Lawyers Weekly* the figures support his view that firms are firmly focused on promoting on the basis of merit.



“Many think quotas don’t drive the underlying aim of ensuring you have the best people in the appropriate positions,” he said.

Holland, whose firm recently released its *2014 Diversity Strategy*, does not support enforceable quotas. He does, however, believe firms must practice what they preach in their diversity policies by creating solid professional development opportunities for women.

“It all comes down to execution [of diversity policies],” he said. “You have to actually do what you say, not just say it as a token.”

While Holland doesn’t think diversity is the enemy of meritocracy, he did claim that quotas mean a firm can’t guarantee it is rewarding effort, which is a key characteristic of a true meritocracy.

Kate Ashmor, president of Australian Women Lawyers, claimed a quota system fundamentally opposes the spirit of meritocracy.

Even so, she said firms must do more to ensure a diverse range of candidates are being promoted. “It’s not enough anymore for firms to say we employ on merit because [this strategy] is not working,” she added.

Thinking outside the box

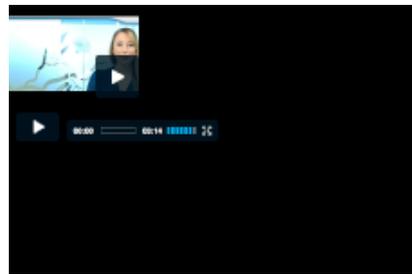
A possible solution, she claimed, is to broaden the criteria for promotion to include part-time employees. Ashmor also suggested that skill-sets deemed necessary for partnership be expanded. For example, retail or small business experience could be seen as contributing financial management skills to the role, she said.

“It’s about thinking a little bit laterally in the criteria ... just because [a lawyer] might not do incredibly long hours doesn’t mean they’re not ambitious or [are] less committed to their job ... they bring skills and experience beyond the traditional set,” she reiterated.

When asked about draft legislation that sets gender quotas for top jobs, which is currently being

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considered by the European Union (EU), Ashmor said she was "troubled" by the move. The legislation drawn up by EU officials includes a rule that requires listed businesses to reserve a minimum of 40 per cent of their non-executive board roles for females by 2020.

"Hitting companies over the head with a stick is not really the spirit in which these matters should be addressed," she said, adding that a positive and collaborative approach would be more effective.

She also applauded the legal profession for openly acknowledging the value of diversity strategies to their bottom line. "Finally we're getting some oxygen on the issue because it's now become a mainstream productivity issue, not solely a discrimination or equality issue, which isn't as sexy," she said. "Diversity is simply good for business."

Just less than 350 readers participated in the online poll, the highest number of respondents to any *Lawyers Weekly* website survey.

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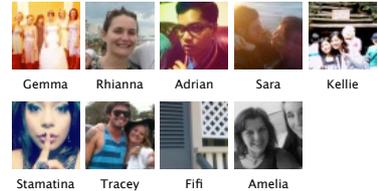
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