

#### About TheCityUK

TheCityUK is the industry-led body representing UK-based financial and related professional services. We champion and support the success of the ecosystem, and thereby our members, promoting policies in the UK, across Europe and internationally that drive competitiveness, support job creation and enable long-term economic growth. The industry contributes over 12% of the UK's total economic output and employs nearly 2.5 million people, with two thirds of these jobs outside London, across the country's regions and nations. It is the UK's largest net exporting industry and generates a trade surplus exceeding that of all other net exporting industries combined. It is also the largest taxpayer and makes a real difference to people in their daily lives, helping them save for the future, buy a home, invest in a business and protect and manage risk.

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## UK legal services 2023



Legal services employ

368,000

people, almost two thirds of whom are based outside London

16,320

disputes were resolved by Alternative Dispute Resolution in the UK





Legal services contributed

£34bn

to the UK economy in 2022

There are over



The UK is home to

43%

of LawTech startups in Europe

Revenue generated by legal activities in the UK increased by



year on year in 2022 to f43 7bn



The UK ranks second globally for legal services fee revenue

Legal services' trade surplus in 2022 was

£5.7<sub>bn</sub>





78 countries
used the Commercial

Courts in 2022-23

Foreword

The UK's legal services sector is a British success story and continues to make a positive contribution to the UK's economy, despite the recent challenging global economic conditions. The sector plays a key role in helping businesses in the UK and across the globe to trade, grow and adapt, including navigating the challenges they face at a time of global political instability and inflationary pressures.

Legal services form an integral part of the UK-based financial and related professional services ecosystem and underpin business stability and growth across the economy. The sector continues to thrive. In 2022 it contributed 1.6% of UK gross value added (GVA) and a trade surplus of £5.7bn.

The UK's legal professionals and the services they provide are recognised across the world for their quality and excellence. The sector's significant economic contribution is well distributed across every nation and region of the country. It employs around 368,000 people, almost two thirds of whom are based outside London.

The UK's court system and legal traditions are world-renowned. Its global reputation as a centre for justice and the rule of law is fundamental to the UK's status as one of the world's leading international financial centres. English common law is by far the most popular choice of governing law for cross-border contracts and the UK is the world's leading centre for international dispute resolution.

The UK's position as leader in legal services innovation is underpinned by a highly developed legal market, a strong technology talent pipeline, a liberal regulatory regime and support from government. The contribution of the LawTech sector to the UK economy is already well established and is predicted to continue to grow, supporting employment across the UK.

Our report, now in its 12th edition, underlines that the UK remains the jurisdiction of choice for international legal services and dispute resolution. The contribution of UK-based legal professionals to society and to the economy makes the sector an important national asset. However, there is no room for complacency in what is a highly competitive global environment. It is essential that we protect and enhance the UK's reputation for its rule of law and legal services excellence, while ensuring the sector continues to innovate and grow.

Maintaining the UK's preeminent status as a global legal centre goes hand in hand with securing the country's future economic success.

#### **James Palmer**

Chair, Legal Services Group, TheCityUK

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# Key findings

#### Legal services in the UK

- The UK remains a world-leading centre of legal excellence and a destination of choice for international legal services and the resolution of legal disputes.
- London leads the way as a global legal centre, but other UK cities such as Belfast, Birmingham, Bristol, Cardiff, Edinburgh, Glasgow, Leeds, Liverpool, Manchester and Newcastle are highly renowned for both their legal services expertise and their contribution to the UK's legal training and education sector.
- The UK's legal services sector employed around 368,000 people in 2022 almost two thirds of whom are based outside London.
- The economic contribution of the sector is distributed across every region and nation. Data for 2021 shows that major centres of legal services employment in that year include London (138,000) Manchester (13,000), Leeds (11,000), Birmingham (10,000), Edinburgh and Glasgow (6,000), Cardiff (4,500) and Belfast (3,330).<sup>1,2</sup>
- The legal sector is also a significant contributor to the UK's public finances. In 2022 it contributed £34bn to the UK economy, equivalent to 1.6% of GVA, and posted a trade surplus of £5.7bn.
- Total revenue from legal activities in the UK increased to £43.7bn in 2022, much of which was generated by the top 100 UK law firms, who netted more than £33.7bn in 2022/23 up 8% from the previous year.
- TheCityUK's research estimates that the total tax contribution of the legal and accounting sectors to the UK public finances in 2020 was £20.5bn, up by 5.4% from 2018. We also estimate that for every £100 of UK turnover made by UK legal and accountancy firms, an amount equivalent to £33.63 is paid in taxes, and for every £100 of profit, £54.60 is paid in tax by the sector.<sup>3</sup>
- The in-house sector has continued to grow. In 2022, 26% of solicitors in England and Wales and 25% of solicitors in Scotland worked in-house, up from 20% and 22% respectively a decade earlier.
- The UK's unique approach to regulation continues to support legal services innovation. Non-lawyers have been able to own and manage legal services businesses in the UK since the Legal Services Act 2007. Around 10% of England and Wales' nearly 10,000 law firms are now operating as alternative business structures (ABS).
- Investment in UK LawTech continues at pace with around 200 UK LawTech companies attracting a total of £674m of private investment in 2020 and employing 7,100 people.

#### The UK's position internationally

- Legal services are an integral part of the financial and related professional services ecosystem that makes the UK one of the world's leading international financial centres. Major international firms are drawn to the UK to access this breadth of services, seek advice from world-class legal and advisory firms, raise finance, and insure their businesses. The health of the UK legal sector is therefore intrinsically linked both to the health of the broader services ecosystem and to the continued strength of trust in the UK as a jurisdiction that provides the highest standards of justice.
- The UK is the largest legal services market in Europe (valued at £43.7bn in 2022) and is second only to the US.
- The UK's global position in legal services is underpinned by the international prestige of English common law. The UK's reputation as the leading centre for international dispute resolution is a strong driver for commercial parties to opt for their contracts to be governed by English law.
- The UK's position as a global legal centre is reflected by the following market indicators:
  - The UK is home to a wide range of international law firms, including more than 200 foreign law firms from around 40 jurisdictions. All of the world's top 40 law firms have offices in London.
  - Seven of the top 20 revenue generating law firms in the world are based in the UK.
  - Eight of the top 20 law firms in the world, based on number of lawyers in 2021/22, have their main base of operations in the UK. The largest international law firms in London have 42% of their lawyers abroad.
- The international expertise of the UK's lawyers is demonstrated by the fact that there are more than 6,500 solicitors of England and Wales, and 800 solicitors of Scotland, working abroad. More than 2,400 barristers of England and Wales now receive instructions from clients based abroad (more than double the figure a decade ago), earning more than £441m from these instructions.
- The UK has become a global hub for LawTech and is home to 43% of all LawTech start-ups in Europe. It benefits from a highly developed legal market, a strong technology talent pipeline, a liberal regulatory regime and support for innovation by the government.
- The UK's world-renowned judiciary has facilitated the growth of the legal sector by establishing the Business and Property Courts, which continue to attract high numbers of international users. In 2022, 83% of Patents Court and 79% of Competition List cases involved an international party. While 57% of Admiralty Court and 41% of Commercial Court cases were entirely international in nature.
- London is seen as the world's preferred centre for international alternative dispute resolution. The number of civil disputes resolved through arbitration, mediation and adjudication in the UK exceeded 16,320 in 2022.

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<sup>&</sup>lt;sup>1</sup> TheCityUK calculations based on Nomis, 'Business register and employment survey: open access', (October 2023)

<sup>&</sup>lt;sup>2</sup> TheCityUK calculations based on data from NISRA, 'Business Register and Employment Survey', (September 2023)

<sup>&</sup>lt;sup>3</sup> TheCityUK, Total tax contribution study for UK legal and accounting activities. (October 2021).

# The enduring benefits of English law

English law is the most widely used legal system, covering 27% of the world's 320 legal jurisdictions. The benefits of English law, and of England and Wales as a jurisdiction for dispute resolution, have not changed. Factors such as its flexibility, stability and predictability underpin its track record of being accepted and used by businesses around the world.

Research commissioned by LegalUK in 2021 examined English law's role as a national asset and its wider commercial importance. It found that English law supports the creation of economic value and is also a critical platform on which other economic activity rests. As the global standard for internationally mobile transactions, English law was estimated to have governed around £250bn of global mergers and acquisitions (M&A), and 40% of global corporate arbitrations in 2019.<sup>5</sup>

# The UK's reputation for the rule of law and legal services excellence

The UK's reputation for the rule of law and as a global centre for legal services excellence continues to endure. Our courts and judiciary are internationally respected for their incorruptibility, independence and expertise, including their knowledge of the international markets and commerce. This position is supported by decades of international investment by the UK legal sector, by the expertise of our legal professionals and the quality of UK legal education and training facilities, which continue to attract high-calibre global talent. It is further reflected in the UK's status as the leading global centre for international dispute resolution and alternative dispute resolution.

The legal services sector underpins both the wider financial and related professional services ecosystem and the wider business and trade ecosystem. It is a crucial component of the UK's position as a leading international financial centre. The UK's reputation as a rule of law jurisdiction, the flexibility and resilience of English law, and the excellence of the UK's legal professionals and the services they provide are the key components which combine to make the UK's legal sector a unique national asset which is vital to our prosperity. The sector employed 268,000 people across the country and contributed £34bn to the UK economy, equivalent to 1.6% of GVA.

The sector should be recognised and celebrated for its contribution, but in an increasingly competitive global environment the UK must work hard to ensure that international parties continue to understand the benefits of using English law and call upon the expertise of the UK's legal sector.

The UK's reputation for the rule of law and legal services excellence depends not only on its judges and legal professionals but on the support of the wider political system and on the quality of the UK's regulation and legislation. Maintaining the UK's unique position as a global legal centre is the shared responsibility of the legal sector, government, regulators and Parliament, together with the wider financial services and business communities.

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<sup>&</sup>lt;sup>4</sup> Sweet & Maxwell, 'English Common Law is the most widespread legal system in the world', (November 2008), available at: https://www.sweetandmaxwell.co.uk/about-us/press-releases/061108.pdf

<sup>&</sup>lt;sup>5</sup> LegalUK, Economic value of English law (October 2021), available at: https://legaluk.org/report/foreword/

## TheCityUK and legal services

The CityUK's Legal Services Group (LSG) brings together senior lawyers from leading UK and international law firms, in-house counsel from large financial institutions and representatives of the main professional bodies. The LSG provides a senior strategic reference point for our legal services work and provides thought leadership on policy and regulation both for the legal sector and the wider financial and professional services ecosystem.

TheCityUK continues to focus on maintaining the international reputation and competitiveness of the UK's legal services sector, including protecting the UK's reputation as a rule of law jurisdiction. We do this by building and maintaining strong relationships among the legal sector, government, regulators, and the wider financial services industry. We bring the expertise of our legal professionals to bear by supporting government and regulators to review, develop and implement legislation and regulation that is practicable and appropriate to support these goals.

We promote the importance of the sector as a foundation for UK economic growth and its value as an export commodity. This work is supported through our ongoing engagement with the Ministry of Justice (MoJ), HM Treasury (HMT), MPs and peers in Parliament, the Scottish Government and Parliament, and other influential groups, including the International Law Committee, and the Professional Business Services Council (PBSC) among many others.

In 2023, TheCityUK had regular engagements with the Lord Chancellor, ministers, and senior officials at the MoJ. The LSG convened discussions with the Chief Executive of the Solicitors Regulation Authority (SRA) and the Chief Executive of the Legal Services Board (LSB). The LSG and our legal services members led or supported many of TheCityUK's responses to government consultations and legislation across a range of policy issues. We:

- Secured substantial changes to the government's proposed Foreign Influence Registration Scheme (FIRS), pointing out significant adverse social and economic consequences of the proposals.
- Raised concerns about proposed reforms to the regulation of legal services in Scotland and their potential impact on the independence of the profession and the international competitiveness of the Scottish legal sector.
- Supported the UK government's proposed accession to the 2019 Hague Convention.
- Responded to HMT's consultation on proposals to change the regulatory supervisory regime for anti-money laundering and counter-terrorism finance.

We continue to promote UK legal services in a range of international jurisdictions, and to support the UK government in international trade and regulatory negotiations.

# The contribution of legal services across the UK

Legal services facilitate a wide range of business activities and provide an essential framework of law and justice that underpins all commercial transactions. The UK's legal sector has both a multiplying and enabling effect for business growth, and offers expertise to support all other parts of the economy. In particular, the success of the UK's broader financial and related professional services ecosystem is supported by the UK's world-leading legal sector. London stands out as a global legal centre, but other cities such as Edinburgh and Glasgow in Scotland; Birmingham, Bristol, Leeds, Manchester and Newcastle in England; Cardiff in Wales; and Belfast in Northern Ireland are also important centres for the UK's legal industry.

This report presents data which demonstrate the strength of the UK's legal services sector and its economic contribution. Yet it is important to remember that the vital contribution of the sector goes far beyond economics. Legal professionals support communities across the country by, for example, helping people to buy and sell property, plan their estates, resolve family disputes, secure justice, access services and enforce their rights.

#### Legal services as an economic contributor

The legal services sector enables economic growth throughout the UK by providing an infrastructure of law and justice that facilitates commerce. The UK's strong legal framework also contributes to fostering stronger financial institutions across the country, which further propel wider economic growth and drive the international competitiveness of the UK as an attractive place in which to do business. The sector brings direct benefits that can be measured in terms of GVA, net exports and employment.

#### Gross Value Added GVA

In 2022, the output of UK legal services was £34bn, or 1.6% of total UK GVA, according to data from the Office of National Statistics (ONS). This data includes legal representation in civil and criminal cases, whether or not it occurred in courts. It includes advice in a range of areas, from corporate transactions to labour law, patents, trademarks and copyright as well as the activities of arbitrators, notaries and bailiffs. This covers retail work (including conveyancing and wills) and social welfare work (including immigration, discrimination and human rights). The main exclusions in the ONS definition are the activities of the law courts, and lawyers employed by non-legal firms whose activity would be credited to the sector of their employer.<sup>8</sup>

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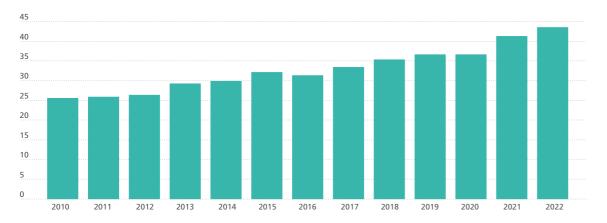
<sup>&</sup>lt;sup>8</sup> TheCityUK calculations based on Office for National Statistics, 'UK businesses: activity, size and location 2022', (28 September 2022), available at: https://www.ons.gov.uk/businessindustryandtrade/business/activitysizeandlocation/bulletins/ukbusinessactivitysizeandlocation/2022

#### Total UK legal activities revenue

Revenue generated by legal activities in the UK has trended strongly upwards in the past decade and increased by a substantial 5.6% year on year in 2022 to £43.7bn (up around 60% since 2012).<sup>9</sup>

Figure 1: Revenue generated by legal activity in the UK, £bn

Source: ONS



#### Exports of UK legal services

Legal services exports are generated from many sources: law firms, including those originating in the UK and international firms with an office in the UK; barristers and advocates providing services to foreign clients; and legal services provided by lawyers employed in-house by other organisations. The sector provides vital support to UK and multinational businesses trading internationally, and is especially helpful to companies seeking to develop a presence in new international markets and to structure multijurisdictional projects.

In 2022, total UK exports of legal services stood at £7,251m, the largest ever figure. Exports from solicitors' firms were estimated at £6,902m, while those by barristers/advocates totalled £113m. Exports generated from lawyers in other organisations totalled £236m in 2022, of which a large proportion was due to activities of patent agents. The remainder is largely attributable to internal billings related to legal services provided by companies to their overseas subsidiaries.<sup>11</sup>

#### Figure 2: Net exports of UK legal services (£m)

Source: ONS

	Exports	Imports	Net exports
2012	4,313	785	3,528
2013	4,653	834	3,819
2014	5,082	902	4,180
2015	5,074	839	4,235
2016	5,529	872	4,657
2017	6,003	976	5,027
2018	6,158	1,008	5,150
2019	6,531	1,212	5,319
2020	6,613	1,401	5,212
2021	6,782	1,428	5,354
2022	7,251	1,509	5,742

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UK legal services consistently generate a trade surplus, helping to offset the UK's trade in goods deficit. Taking account of imports (mainly related to billings of UK businesses from law firms based overseas) **net exports of UK legal services stood at £5,742m in 2022** (Figure 2), an increase of 7.5% on 2021. <sup>10</sup> In the past 10 years, net UK exports of legal services have risen by more than 60%.

<sup>&</sup>lt;sup>9</sup> ONS, 'Turnover of legal activities, January 2010 to March 2022', (May 2022), available at: https://www.ons.gov.uk/economy/grossdomesticproductgdp/adhocs/14620turnoveroflegalactivitiesjanuary2010tomarch2022

<sup>10</sup> Ibio

<sup>11</sup> ONS, 'UK Balance of Payments –03 Trade in services, The Pink Book, (31 October 2023), available at www.ons.gov.uk/economy/nationalaccounts/balanceofpayments/datasets/3tradeinservicesthepinkbook2016

#### Legal services as a national employer

Legal services jobs are highly skilled and distributed across the UK, with clusters of expertise which attract investment and drive growth in every region and nation. The sector provides continuous education, training and apprenticeships to develop the skills of its employees on an ongoing basis.

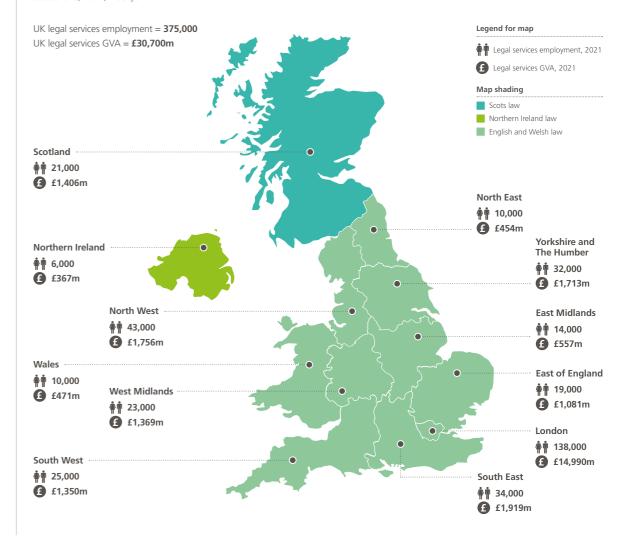
The UK's legal sector is diverse, highly flexible and regularly adapts to client needs. Lawyers in Scotland have developed expertise in energy law to service the 2,000 companies operating in the UK's energy sector, while Belfast has emerged as a leading centre for legal innovation and LawTech. The North West of England is the largest legal hub outside of London and firms based there are benefiting from growing practice areas in maritime and environmental law.

#### Employment

In 2022, the number of people employed and self-employed in legal services in the UK was 368,000 according to ONS data. Almost two thirds of these jobs are outside London.

Figure 3: Legal services across the UK – 2021

Source: ONS, Nomis, TheCityUK



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The scale of the contribution that legal services makes across the nations, regions and cities of the UK is further illustrated by the table below (Figure 4).

### Figure 4: The employment and GVA contribution of legal services across the UK in 2021 (latest year disaggregated data is available)

Source: ONS, Nomis, TheCityUK calculations

	Legal services employment in selected nations/ regions/cities, 2021	Legal services GVA in selected nations/regions/ cities 2021, (£m)
East Midlands	14,000	557
Northampton	700	84
Nottingham	3,500	111
Leicester	1,250	44
Derby	1,500	38
East of England	19,000	1,081
Cambridge	2,000	49
Norwich	1,500	35
Ipswich	1,000	19
Chelmsford	900	40
Peterborough	700	24
Watford	400	36
Southend-on-Sea	600	15
London	138,000	14,990
North East	10,000	454
Newcastle	4,000	156
Sunderland	600	18
North West	43,000	1,756
Manchester	13,000	474
Liverpool	7,000	100
Preston	500	39
Stockport	1,000	45
Warrington	500	118
Salford	1,500	141
Northern Ireland	6,000	367
Belfast	3331	299
Scotland	21,000	1,406
Edinburgh, City of	6,000	407
Glasgow, City of	6,000	462

	Legal services employment in selected nations/ regions/cities, 2021	Legal services GVA in selected nations/regions/ cities 2021, (£m)
Aberdeen, City of	1,500	118
Fife	700	21
South East	34,000	1,919
Guildford	1,750	42
Southampton	1,500	96
Reading	1,500	58
Brighton and Hove	1,500	45
Milton Keynes	1,000	243
Oxford	1,000	32
Crawley	500	14
South West	25,000	1,350
Bristol	9,000	580
Exeter	2,000	40
Cheltenham	1,500	24
Bournemouth	1,000	50
Gloucester	500	21
Swindon	450	15
Poole	350	49
Wales	10,000	471
Cardiff	4,500	214
Swansea	800	31
West Midlands	23,000	1,369
Birmingham	10,000	720
Coventry	1,000	30
Yorkshire and the Humber	32,000	1,713
Leeds	11,000	703
Sheffield	6,000	216
York	1,250	59
Bradford	1,500	226
Halifax	700	35

### The UK's legal professions

#### Solicitors, barristers and legal executives

The UK's main legal professions have continued to grow year on year.

#### Figure 5: The UK's main legal professions and bodies

Source: TheCityUK

Jurisdiction	Profession	Number of members (2022)	Professional body	Regulator
England and Wales	Solicitor	156,976	Law Society of England and Wales (TLS)	Solicitors Regulation Authority (SRA)
	Barrister	17,538	General Council of the Bar ('the Bar')	Bar Standards Board (BSB)
	Legal Executives	14,575	Chartered Institute of Legal Executives (CILEX)	CILEX Regulation
Scotland	Solicitor	13,300	Law Society of Scotland	Law Society of Scotland
	Advocate	435	Faculty of Advocates	Faculty of Advocates
Northern Ireland (NI)	Solicitor	6,121	Law Society of NI	Law Society of NI
	Barrister	700	The Bar Council of NI	The Bar Council of NI

#### Solicitors

The solicitor profession in England and Wales remains by far the largest legal profession in the UK. In 2022, the profession continued to grow and there were 156,976 practising solicitors. In Scotland, there were 13,300 practising solicitors, while in Northern Ireland there were 6,121.

Solicitors in private practice include those employed by law firms and independent practitioners. The number of solicitors employed in private practice in law firms in England and Wales was 95,729 in 2022, while those not in private practice have reached record highs at 61,247. Law firms in Scotland and Northern Ireland employed around 8,000 and 2,300 solicitors respectively.

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<sup>&</sup>lt;sup>12</sup> This figure does not include lawyers employed in the UK who are qualified in another jurisdiction or practising certificate holders employed in private practice outside England and Wales.

Figure 6: Practising certificate holders in England and Wales

Source: Law Society of England & Wales, Annual Statistics Report

	Total private practice	Total non-private practice	Total
2012	87,768	41,010	128,778
2013	86,840	40,836	127,676
2014	90,306	40,076	130,382
2015	91,062	42,305	133,367
2016	91,166	45,010	136,176
2017	93,155	46,469	139,624
2018	93,825	49,342	143,167
2019	95,028	51,925	146,953
2020	96,091	53,831	149,922
2021	97,414	55,868	153,282
2022	95,729	61,247	156,976

#### Barristers and advocates

The number of barristers in independent practice in England and Wales totalled 17,538 in 2022, including 2,016 King's Counsel (KC).<sup>13</sup> In Scotland, there were around 435 practising advocates in 2022 of which 144 were KC. In Northern Ireland there are around 700 barristers, including over 100 KC.

#### Legal executives

In 2022, the total number of legal executives and paralegals in England and Wales was 14,575, down slightly from 15,385 the previous year.

#### Figure 7: Members of the Charted Institute for Legal Executives (CILEX)

Source: Data provided by CILEX

		2019	2020	2021	2022
CILEX	Lawyers	8,664	8,719	8,485	8,623
	Paralegals	7,217	7,252	6,900	5,952
	Students	5,300	4,668	3,397	2,703
	Total	21,181	20,639	18,782	17,278

#### Training contracts and pupillages

According to the Law Society of England and Wales there were a total of 4,952 training contracts in the 12 months to 31 July 2022. This is an almost 10% decrease on the previous year and a continued downward annual trend. At the Bar in England and Wales, there were 1,055 people undertaking their pupillage in 2021-22, up significantly from 893 the previous year, but more in line with pre-pandemic levels. At CILEX there were 2,703 students in 2022, continuing a significant downward annual trend from 5,300 in 2019.

#### Figure 8: Top 20 UK law firms by number of training contracts offered, 2023/24

Source: Legal Cheek

Company	Number of training contracts offered
 Clifford Chance	110
Freshfields Bruckhaus Deringer	100
Linklaters	100
CMS	95
Slaughter and May	95
Allen & Overy	80
Clyde & Co	73
Pinsent Masons	69
DLA Piper	65
Herbert Smith Freehills	65
Addleshaw Goddard	63
Irwin Mitchell	51
Accutrainee	50
Eversheds Sutherland	50
Express Solicitors	50
Hogan Lovells	50
Norton Rose Fulbright	50
White & Case	50
TLT	47
Ashurst	40

<sup>&</sup>lt;sup>13</sup> Bar Standards Board, 'Statistics on practising barristers', available at: https://www.barstandardsboard.org.uk/news-publications/research-and-statistics/statistics-about-the-bar/practising-barristers.html

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<sup>14</sup> Ibid

#### The in-house sector

The in-house sector continues to grow across the UK. Some in-house legal teams have taken on more routine legal work as they can often perform this more cost-effectively than external legal advisers. Many larger in-house teams have created their own litigation, regulatory and compliance capability. This is particularly visible across highly regulated sectors such as financial services, pharmaceuticals, telecoms and technology. The majority of in-house solicitors work in the private sector, with many concentrated in the financial services sector. Major UK financial institutions are known to have in-house litigation teams consisting of between 15 and 40 people.

Data from the Law Society of England and Wales shows that the in-house sector continues to grow and is now home to more than 26% of all practising solicitors totalling 34,680 as of July 2022, up from 20% a decade earlier. <sup>15</sup> According to the Law Society of Scotland, 25% of Scottish solicitors were working in-house in 2022.

#### Diversity and inclusion in UK legal services

Across the sector, law firms, chambers, in-house teams and the judiciary are eager to draw upon the diversity of talent available in the UK. By some measures, diversity in the legal profession is well established but, as is the case across financial and related professional services, progress is still needed and the sector is working hard to address historical imbalances.

#### In England and Wales

- In 2022, Law Society data shows women made up at least 53% of all solicitors with practising certificates. 16 Women make up a larger proportion of the in-house community, at 56.4%.<sup>17</sup>
- Representation of ethnic minority groups among practising solicitors rose to 18.4% (up slightly from 18.1% in 2021).18
- Solicitors Regulation Authority (SRA) data shows that women make up 52% of all lawyers in law firms (compared to 48% of overall UK workforce). Ethnic minority lawyers represent 18% of the workforce in law firms (compared to 13% of overall UK workforce).

- Meanwhile, 3.5% of solicitors identify as lesbian, gay or bi-sexual (LGB) and 5% declare a disability.
- In 2022, of the practising barristers who disclosed the data, 39% were women and 61% were men. While for pupillages the split was 56% female to 44% male<sup>20</sup>.
- In 2022, of the practising barristers who disclosed the data, 19% were of ethnic minority background, although the figure is much higher for pupils at 31% pupils for 2021-22.21
- In 2022, only 19.2% of King's Counsel were women, but up slightly from 18.1% in 2021<sup>22</sup>
- In 2022, 76% of CILEX members were women, while 16% were of ethnic minority background.<sup>23</sup>
- As of 1 April 2023, judiciary figures show that 37% of court judges and half of tribunal judges were female, and 11% of judges were ethnic minority individuals.<sup>24</sup>
- In October 2023, Dame Sue Carr was appointed as the Lady Chief Justice (President of the Courts of England and Wales and Head of the Judiciary of England and Wales). She is the first woman to hold the post in its 800 year history.

#### In Scotland

- In 2022, Law Society of Scotland figures show that 58% of the more than 13,300 practising solicitors in Scotland are women, making up more than two thirds of the country's practising lawyers under the age of 40.25
- In 2022, according to the Faculty of Advocates, only 28% of the 435 practising advocates are women. Of the 144 King's Counsel, only 24% are women.

#### In Northern Ireland

• As of January 2023, Law Society of Northern Ireland figures show 51.4% of solicitors in the role are female while 48.6% are male.

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<sup>&</sup>lt;sup>15</sup> Data from the Law Society Annal Statistics Report 2022.

<sup>16</sup> Data from the Law Society Annal Statistics Report 2022. The number of practising solicitors with unknown sex was nearly 8% (increased from less than 1% due to a change in the way sex was identified from the data).

<sup>17</sup> Ibid

<sup>18</sup> Ibid

<sup>19</sup> SRA data, 'How diverse is the solicitors' profession?', (June 2023), available at: www.sra.org.uk/sra/equality-diversity/diversity-profession/diverselegal-profession/#:~:text=for%20this%20question.-,All%20lawyers,in%20England%2C%20Scotland%20and%20Wales <sup>20</sup> BSB data, available at: www.barstandardsboard.org.uk/news-publications/research-and-statistics/statistics-about-the-bar/practising-barristers.html 21 Ibid

<sup>22</sup> Ibid

<sup>&</sup>lt;sup>24</sup> Diversity of the judiciary: Legal professions, new appointments and current post-holders 2023 Statistics (September 2023), available at: https:// www.gov.uk/government/statistics/diversity-of-the-judiciary-2023-statistics/diversity-of-the-judiciary-legal-professions-new-appointments-andcurrent-post-holders-2023-statistics#ethnicity-1

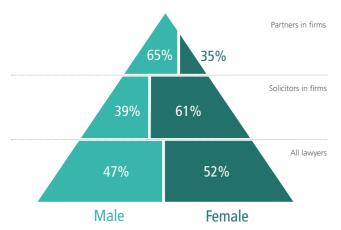
<sup>&</sup>lt;sup>25</sup> The Law Society of Scotland

#### Remaining challenges

Despite making up the majority of the profession, and having done so for many years, female lawyers continue to be underrepresented at senior levels. The Law Society's 2019 'Women in Leadership in Law' project found that female lawyers do not uniformly occupy leadership roles commensurate with their qualifications and experience. The research also found that unconscious bias is the main barrier for career progression, and that a significant disparity in pay still exists between female lawyers and their male colleagues who perform similar roles.<sup>27</sup>

Figure 9: Gender diversity in law firms in England and Wales 2021-22

Source: SRA data



Another challenge the profession faces is ensuring that talented people from all backgrounds can enter the sector. Currently, lawyers are disproportionately likely to come from relatively privileged backgrounds. SRA figures show that 23% of solicitors attended fee paying schools, compared with 7.5% of the general population.<sup>28</sup> Partners are more likely to have attended fee paying schools (26%), and privately educated lawyers are more frequent still at law firms that mostly do corporate work (33%).

The sector is working hard to address this imbalance. In 2022, legal services organisations have climbed the 'Top 75 Social Mobility Employer Index', now making up more than half of the list, with 52% of entries, including four entries in the top 10 (up from two in the previous year).

The list, compiled by the Social Mobility Foundation, recognises firms for initiatives such as outreach programmes, objective recruitment systems and career progression policies. Legal services organisations that ranked highly include Allen & Overy, Herbert Smith Freehills, CMS, DLA Piper, Baker McKenzie, Slaughter and May, Linklaters, Pinsent Masons, Hogan Lovells, Freshfields Bruckhaus Deringer, Shoosmiths, Simmons & Simmons, Eversheds Sutherland, Shepherd and Wedderburn, Addleshaw Goddard and White & Case.<sup>29</sup>

As part of its work on fair access to the profession, the Law Society of Scotland established the Lawscot Foundation, a charity that supports academically talented students from less-advantaged backgrounds in Scotland through their legal education journey. Combining financial support with professional mentoring, the foundation is now supporting its sixth cohort of students through university. The Law Society of Northern Ireland has embarked on a diversity action plan which includes the launch of a new Female Leadership Programme, a Diversity & Equality toolkit for its member firms and plans to launch a centenary bursary for under-represented groups.

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<sup>&</sup>lt;sup>26</sup> The Law Society of Northern Ireland, 'Diversity and Equality Report' (September 2022), available at: https://www.lawsoc-ni.org/societypublishes-diversity-and-equality-report

<sup>&</sup>lt;sup>27</sup> The Law Society www.lawsociety.org.uk/campaigns/women-in-leadership-in-law

<sup>&</sup>lt;sup>28</sup> Solicitors Regulation Authority, 'How diverse is the solicitors' profession?', (April 2022), available at: https://www.sra.org.uk/sra/equalitydiversity/diversity-profession/diverse-legal-profession/

<sup>&</sup>lt;sup>29</sup> Social Mobility Foundation, Employer Index 2023, available at www.socialmobility.org.uk/employerindex

## UK legal sector market trends

#### Number of law firms

ONS figures show that the legal services market in the UK comprised 32,620 firms in 2022/2023, with 29,970 in England and Wales, 1,660 in Scotland and 990 in Northern Ireland.<sup>30</sup> This is down slightly from 32,900 firms reported in 2021/2022. These firms compete with a range of other legal professionals to differing extents. Within reserved work these include barristers, notaries, legal executives, law costs draftsmen, trademark attorneys, licensed conveyancers and patent attorneys. Within unreserved work these include the wider legal services market delivered by unregulated providers such as will writers.

#### UK law firm fee revenue and key market trends

Despite economic challenges from inflation and high interest rates, revenue for the UK's top 100 firms (ranked by revenue) rose by 8% to £33.77bn in 2023, a figure which has grown more than 75% over the past decade (this figure stood at £19.1bn in 2013). The revenue of the top 25 firms rose by 7.7% to £26.4bn, which now accounts for almost 80% of the revenue of the top 100 firms. The top 10 firms' £18.3bn collective turnover for 2022/23 is almost as much as that earned by the entire top 100 in 2013 (£19.1bn).

In 2022/23, firms ranked 26-50 also showed resilience, experiencing an 7% increase in average revenues and an increase in total revenues of more than £300m to £4.5bn. For the firms ranked 51-100, average turnover was up 6%.

While the UK has a fully developed and diverse legal sector with markets larger than £1bn across a wide range of practice areas, it is notable that more than one third of the UK's market by revenue (37%) is made up by the corporate, insolvency and banking areas.

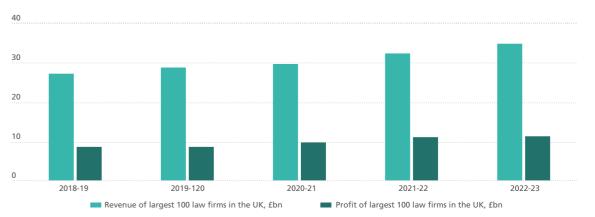
Figure 10: UK legal services market practice areas by market size (percentage of total market revenue)<sup>31</sup>

Source: Strategy&/PwC UK Legal Services Market Report 2022



Figure 11: Revenue and profit of the largest 100 law firms in the UK, £bn

Source: Legal Business



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<sup>&</sup>lt;sup>30</sup> ONS, 'UK businesses: activity, size and location 2023', (27 September 2023), available at: www.ons.gov.uk/businessindustryandtrade/business/activitysizeandlocation/datasets/ukbusinessactivitysizeandlocation

<sup>&</sup>lt;sup>31</sup> Market is defined by Strategy& / PwC as the total turnover of solicitor firms headquartered within the UK; therefore the market excludes spend on US headquartered firms with UK offices; this market excludes further spend on barristers, other legal service providers (patent agents, etc.)

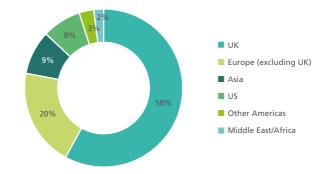
The UK's top 100 law firms have increased headcount over the past year (up 7%) to 82,188.

Figure 12: Total fee-earning headcount of the largest 100 UK-based law firms



The UK's position as a hub for international commerce and law is exemplified by the top 100 UK law firms continuing to build their international practices, with 42% of the lawyers employed by these firms currently being overseas. Despite the mass withdrawal of UK-based law firms from Russia which occurred during the latest financial year, Europe (including Russia) remains the leading region for lawyers from top 100 firms, with 20% based there (down from 21% in 2022). Asia is next with 9% (no change), then the US with 8% (no change) followed by 'Other Americas' 3% (no change) and Middle East and Africa also 2% (no change).<sup>32</sup>

Figure 13: Geographical distribution of lawyers in largest 100 UK law firms (% share), 2022/23 Source: Legal Business



#### International legal services firms in London

London is one of the leading global centres for international financial services. The co-location and clustering effect of banking, insurance, fund management and other financial services helps to underpin London's position as a global legal services centre and consolidate its status as the world's most preferred jurisdiction for dispute resolution.

The UK legal market has an extensive history of being open and welcoming to international law firms. Today there are more than 200 foreign law firms based in the UK from over 40 jurisdictions. US firms have a particularly established presence in the UK, with around 100 having offices in the country, and London is the main European hub for most of them. Initially, US firms based in London tended to focus on helping European clients to access the US market and vice versa. Now, around half of the foreign firms in the UK offer a full-service English law capability. Many of these firms derive a considerable percentage of their revenue from their offices in London. The largest non-UK firms ranked by London fee-earners on this list include Baker McKenzie, Kirkland & Ellis, Latham & Watkins (Figure 7).<sup>33</sup>

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<sup>&</sup>lt;sup>32</sup> Legal Business 100 (2023) available at: www.legalbusiness.co.uk/analysis/lb100-overview-here-comes-the-rain-again/

<sup>33</sup> Legal Business, 'Global London 2023: Main table', (April 2023), available at: https://www.legalbusiness.co.uk/analysis/global-london-2023/global-london-2023-main-table/

Figure 14: The largest offices of non-UK law firms in London, 2022/23

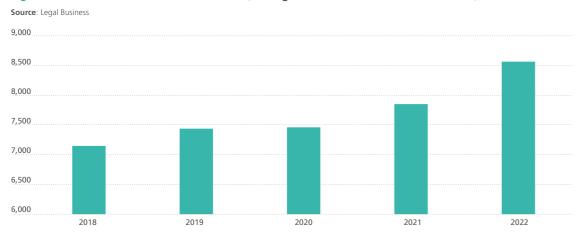
Source: Legal Business

	London fee-earners	Of which England & Wales qualified	Other qualified
Baker McKenzie	563	550	13
Kirkland & Ellis	497	388	33
Latham & Watkins	589	391	198
White & Case	502	406	96
Simpson Thacher & Bartlett	196	145	51
Dentons	395	310	85
Bryan Cave Leighton Paisner	433	421	12
Reed Smith	365	331	34
Debevoise & Plimpton	148	100	48
Goodwin	234	231	3
Mayer Brown	291	261	30

The headcount of the largest 50 foreign law firms in London reached a record 8,569, in 2022. The total number of partners also grew to a new high of 2,361 (an increase of 5% from 2,243 in 2021).

The continued presence of large international law firms helps explain London's prominence as a global legal hub.

Figure 15: Total headcount of fee-earners (50 largest overseas law firms in London).



International law firms in London feature prominently in rankings of the largest global firms (Figure 16). US firms have traditionally been more focussed on their domestic market, given the greater scale of the US economy. However, with ongoing merger activity combined with the pressure to expand internationally and the continued prominence of English Law in commercial contracts, it is becoming more common for leading US firms to have between 25-40% of their lawyers based outside the US.

International law firms in London are leading advisers on deals which take place in the world's international capital markets. They offer a wide range of services, including advising on M&A, securities, project finance, tax and intellectual property. Other smaller firms are world leaders in their own niche practices, providing deep sector-specific experience. A combination of professional expertise and a high-quality Admiralty Court has ensured that the UK continues to be the world's leading centre for international maritime law.

#### Figure 16: Top 50 Largest UK law firms in the UK, by revenue, 2022/23

Source: Legal Business

Firm name	Location	Turnover, (£m)
DLA Piper	International	2833
Allen & Overy	International	2080
Clifford Chance	International	2062
Hogan Lovells	International	1971
Linklaters	International	1901.1
Freshfields Bruckhaus Deringer	London	1840
Norton Rose Fulbright	International	1690
CMS	International	1587.7
Eversheds Sutherland	International	1192.6
Herbert Smith Freehills	International	1186
Ashurst	International	879
Slaughter and May	London	812
Clyde & Co	London	788.6
Bryan Cave Leighton Paisner	London	683.9
Pinsent Masons	International	605.9
Gowling WLG	International	530.8
Simmons & Simmons	London	521
Bird & Bird	International	495
Addleshaw Goddard	National	443.2
Taylor Wessing	London	439
Womble Bond Dickinson	National	424.8
DWF	National	380
Osborne Clarke	Bristol	378.9
Fieldfisher	London	370
Kennedys	London	313

Firm name	Location	Turnover, (£m)
AC Beachcroft	National	300
1acfarlanes	London	296.6
/ithers	International	288
win Mitchell	National	276.4
lishcon de Reya	London	255.9
tephenson Harwood	London	228
FW	London	225.3
/atson Farley & Williams	London	215.4
avers Smith	London	197.5
hoosmiths	National	194
harles Russell Speechlys	London	193.7
ateley	Birmingham	162.7
PC	London	157.4
IT	Bristol	157
1ills & Reeve	National	147
nights	National	142
owers & Hamlins	London	135.6
ill Dickinson	Liverpool	129.6
reeths	Midlands	128.7
urges Salmon	Bristol	128.2
/eightmans	National	124.2
eoghs	Bolton	107.7
enningtons Manches Cooper	London	106.7
rodies	Scotland	106.3
rowne Jacobson	Nottingham	105

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#### Figure 17: Top 20 largest UK law firms outside London, by revenue, 2022/23

Source: Legal Business. Note: The table excludes firms identified by Legal Business as 'national', 'London' or 'International'.

Firm name	Location	Turnover, (£m)
Osborne Clarke	Bristol	378.9
Gateley	Birmingham	162.7
TLT	Bristol	157
Hill Dickinson	Liverpool	129.6
Freeths	Midlands	128.7
Burges Salmon	Bristol	128.2
Keoghs	Bolton	107.7
Brodies	Scotland	106.3
Browne Jacobson	Nottingham	105
Ampa	Birmingham	104.8
Birketts	lpswich	85.2
Burness Paull	Scotland	83.3
IMW	Manchester	74.3
Walker Morris	Leeds	67
Shepherd and Wedderburn	Scotland	66.7
Bevan Brittan	Bristol	65.9
Foot Anstey	Exeter	60.8
Clarke Willmott	Bristol	60.8
RWK Goodman	Bath	53
Ashfords	Exeter	50.2

### The UK as a leader in legal sector innovation

#### The development of LawTech

The global market for LawTech is now worth at least \$29.8bn.<sup>34</sup> The UK has become a global hub for the sector, and is home to 43% of all LawTech start-ups in Europe (EU + UK).<sup>35</sup> It benefits from a highly developed legal market, a technology talent pipeline, a competitive tax system, a liberal regulatory regime and support for innovation by the government.

Investment in UK LawTech continues at pace with around 200 UK LawTech companies attracting a total of £674m of private investment in 2020 and employing 7,100 people.<sup>36</sup> LawTechUK estimates that by 2026 total employment in the sector could reach 15,000 people, and the GVA generated by the sector could reach £1.5bn.<sup>37</sup> LawTechUK commissioned research estimates the potential annual demand for LawTech services to be worth between £7bn-£22bn to the UK economy.<sup>38</sup>

In 2018, the UK LawTech Delivery Panel was formed to identify policies to support innovation in legal services. In 2019, the UK government announced £2m to support the LawTech Delivery Panel's work to drive innovation and help the LawTech sector to grow.<sup>39</sup> In 2022, the government announced a further £4m to deliver a second phase of the programme, supporting the development of new technology like machine learning and data analytics tools.<sup>40</sup>

In 2020, the LawTech Delivery Panel announced the 'LawTechUK Vision' and work programme to help accelerate the digital transformation of the UK's legal sector. The centrepiece of the Vision has been the LawTech Sandbox – a development and testing environment modelled on the pioneering regulatory sandbox in financial services, encouraging tech businesses, experts and public bodies to come together to innovate and establish new products and frameworks that reinvent service delivery and benefit businesses and wider society.

The Financial Times ranked the top 40 law firms in Europe in 2022 and in the innovation category UK-based firms made up the top 10 places and 15 of the top 20.<sup>41</sup> The UK's leading position is the result of an extensive network of 'tech labs' created by law firms, universities and others including financial services businesses. These centres of innovation

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<sup>34</sup> https://www.thomsonreuters.com/en-us/posts/legal/practice-innovations-legal-tech-latin-america/

<sup>35</sup> https://legalsolutions.thomsonreuters.co.uk/content/dam/openweb/documents/pdf/uki-legal-solutions/report/tr-legaltech-startup-report-2019.pdf
36 https://lawtechuk.io/explore/shaping-the-future-of-law-the-lawtechuk-report-2021

<sup>37</sup> Ibid

<sup>38</sup> Ibid.

<sup>&</sup>lt;sup>39</sup> Ministry of Justice, 'Legal services and LawTech bolstered with £2 million of government funding', (June 2019), available at: www.gov.uk/government/news/legal-services-and-lawtech-bolstered-with-2-million-of-government-funding

<sup>&</sup>lt;sup>40</sup> Ministry of Justice, 'A Further investment in digital transformation of UK's legal sector'. (August 2022) available at: www.gov.uk/government/ news/further-investment-in-digital-transformation-of-uk-s-legal-sector

<sup>&</sup>lt;sup>41</sup> Financial Times, 'FT law firm index — Europe', (October 2022), available at: www.ft.com/content/ba7220ec-991c-49c0-9aaa5f5bd74bdbc3

are providing employment across the UK. Ashurst has one in Glasgow; Hogan Lovells in Birmingham; and Bryan Cave Leighton Paisner, Freshfields Bruckhaus Deringer and Latham & Watkins have centres in Manchester.

Belfast has emerged as a leading centre for legal innovation. It hosts LawTechs such as Axiom, iManage and BRIEFED as well as legal services centres for Allen & Overy, Baker McKenzie and Herbert Smith Freehills.

#### Regulatory innovation and its impact on the market

Most jurisdictions around the world prohibit non-lawyers from involvement in law firms. However, in England and Wales the Legal Services Act 2007 permits business models, known as Alternative Business Structures (ABS), that allow investment, ownership and management by non-lawyers. In 2023, Thomson Reuters found that the value of the global Alternative Legal Service Provider (ALSP) market is \$20.6bn, up from \$13.9bn in 2019.<sup>42</sup>

This regulatory innovation has allowed the entry of the 'Big Four' accounting firms (Deloitte, EY, KPMG and PwC) into the legal services market, challenging the established order of the sector. Globally, the Big Four's legal divisions are already considerable. PwC has more than 3,500 lawyers operating in over 100 countries, while Deloitte has more than 2,500 lawyers in 85 countries, KPMG more than 3,000 lawyers in 80 countries and EY more than 2,400 lawyers in over 90 countries. In the UK alone, PwC has a headcount of 400. EY has around 200 UK lawyers, while KPMG has approximately 100. Deloitte now has around 35 partners and 150 UK lawyers.

As these relatively recent market entrants evolve, law firms are having to consider whether to change their operating models. Law firms are increasingly turning to mergers and acquisitions to build scale, deepen specific practice experience and enter new geographical markets. There have been 198 publicly reported mergers involving UK-based law firms in the Lawyer 100 rankings since 2011 and 80 involved a UK firm merging with a firm in another jurisdiction.<sup>43</sup>

# The UK's position internationally

Research on the global legal services market indicates that it was worth approximately \$839bn in 2023, up 6.6% from 2022.<sup>44</sup> The UK is the largest market in Europe and is second only to the US.

The revenue of the world's largest 100 law firms (ranked by revenue) grew by 15% in 2021/22 to \$147.5bn.<sup>45</sup> Sixty-five of the world's top 100 firms now turn over more than \$1bn, compared to 51 last year, with 20 firms reporting turnover greater than \$2bn.<sup>46</sup>

While over two thirds of global 100 law firms in 2021/22 were American, UK-based firms continue to feature prominently in the rankings:

- Eight of the top 20 law firms in terms of the number of lawyers employed were headquartered in the UK in 2020/21. DLA Piper was the largest UK-based law firm on this measure, followed by Eversheds Sutherland, Norton Rose Fulbright, Clifford Chance, Linklaters, Hogan Lovells, Allen & Overy and Herbert Smith Freehills.
- UK-based firms also held seven of the top 20 places based on revenue. DLA Piper was the largest UK-based law firm on this measure, followed by Clifford Chance, Allen & Overy, Hogan Lovells, Linklaters, Freshfields Bruckhaus Deringer and Norton Rose Fulbright.
- All of the top 50 law firms by revenue have an office in London.

The number of lawyers employed by the world's largest 100 law firms increased by 6% to a record 174,007 (from 164,006) (Figure 20).

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<sup>&</sup>lt;sup>42</sup> Thomson Reuters, 'Alternative legal services providers', available at: https://www.thomsonreuters.com/en-us/posts/wp-content/uploads/sites/20/2023/01/2023-ALSP-Report.pdf

<sup>&</sup>lt;sup>43</sup> Jomati, 'UK Law Firm Mergers', (October 2023), available at: http://jomati.com/uk-mergers

<sup>44</sup> The Business Research Company, 'Legal Services Global Market Opportunities And Strategies', (May 2021), available at: www.thebusinessresearchcompany.com/report/legal-services-market

<sup>45</sup> Legal Business, 'Global 100 overview: Playing a blinder', (December 2022), available at: Global 100 overview: Playing a blinder - Legal Business

<sup>&</sup>lt;sup>46</sup> Legal Business, 'Global 100: main table', (December 2022), available at: Global 100: Main table 2022 - Legal Business

Legal excellence, internationally renowned: UK legal services 2023

Figure 18: Revenue and gross profit of the world's largest 100 law firms (ranked by revenue), \$bn Source: Legal Business



Figure 19: Headcount of the world's largest 100 law firms

Source: Legal Business



Most of the largest global firms continued to increase headcount in 2021/22. Dentons again had the most lawyers worldwide with over 13,000, followed by Chinese firm Yingke (13,299), Baker McKenzie (5,057) and CMS (4,640) (Figure 20).

#### Figure 20: Largest law firms by number of lawyers, 2021/22

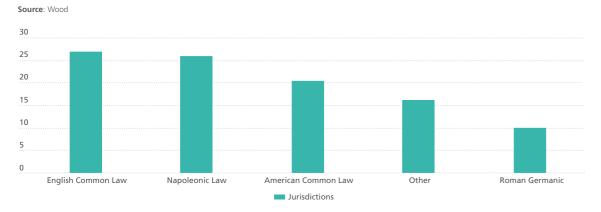
Source: Legal Business

Law firm	Headquarters	Number of lawyers	
Dentons	International		
Yingke	Beijing	13,299	
Baker McKenzie	International	5,057	
CMS	International	4,640	
DLA Piper	International	4,585	
DeHeng Law Offices	Beijing	4,015	
Allbright	Beijing	3,715	
Eversheds Sutherland	International	3,439	
Norton Rose Fulbright	International	3,296	
Kirkland & Ellis	Chicago	3,086	
Latham & Watkins	National (US)	3,078	
Clifford Chance	International	3,047	
Linklaters	International	2,837	
Hogan Lovells	International	2,802	
Zhong Lun	Beijing	2,759	
King & Wood Mallesons	Hong Kong	2,599	
White & Case	International	2,552	
Allen & Overy	International	2,462	
Herbert Smith Freehills	International	2,434	
Jones Day	National (US)	2,406	
Greenberg Traurig	National (US)	2,209	
Clyde & Co	London	2,015	
Morgan Lewis	National (US)	2,009	
Freshfields Bruckhaus Deringer	London	2,009	

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The popularity of English law strengthens the position of UK-qualified lawyers and UK-based law firms. Contracting parties are free to enter a jurisdiction clause to decide where disputes over contractual obligations will be determined. Many parties opt for their agreements to be governed by English law. It is the most widely-used legal system, covering 27% of the world's 320 legal jurisdictions.<sup>47</sup> US common law is, by contrast, used by around 20% of the world's jurisdictions

Figure 21: Comparison of global legal systems



English law is by some distance the most widely-used foreign law in fast growing Asian markets. A 2019 survey of more than 600 legal practitioners and in-house counsel who engage in cross-border transactions in Asia, conducted by the Singapore Academy of Law, found that English law remains the most popular choice of governing law in contracts. It was selected as the most frequently used governing law by 43% of respondents and was often used in transactions with little or no other link to the UK.<sup>48</sup>

Kirkland & Ellis remains the largest law firm globally by gross revenue (with \$6.04bn), ahead of Latham & Watkins (\$5.48bn) and DLA Piper (\$3.63bn).

When considering the composition of the top 100 firms, it is important to remember that UK law firms that account in sterling continue to suffer from the strong US dollar as the revenues we cite are reported in dollars. Many of these firms recorded strong growth in their own currency.

#### Figure 22: Largest law firms by gross revenue, 2021/22

Source: Legal Business

Law Firm	Headquarters	Gross revenue \$m		
Kirkland & Ellis	Chicago			
Latham & Watkins	National (US)	5488.8		
DLA Piper	International	3639.4		
Baker McKenzie	International	3300		
Skadden	New York	3022.4		
Dentons	International	2943.6		
White & Case	International	2869.8		
Sidley	Chicago	2795.4		
Clifford Chance	International	2710.1		
Ropes & Gray	Boston	2674		
Allen & Overy	International	2673		
Hogan Lovells	International	2606 2577.7		
Morgan Lewis	National (US)			
Gibson Dunn	Los Angeles	2480.4		
Linklaters	International	2453.8		
Jones Day	National (US)	2446		
Freshfields Bruckhaus Deringer	London	2341.3		
Simpson Thacher	New York	2224.2		

Law Firm	Headquarters	Gross revenu \$m	
Norton Rose Fulbright	International	2100	
Greenberg Traurig	National (US)	2003.8	
Cooley	San Francisco	1986.8	
CMS	International	1986	
Goodwin	Boston	1973.4	
Davis Polk	New York	1970	
Weil	New York	1856.2	
Paul Weiss	New York	1850	
Mayer Brown	International	1840	
King & Spalding	Atlanta	1828.1	
Sullivan & Cromwell	New York	1765.4	
McDermott Will & Emery	Chicago	1665.2	
Quinn Emanuel Urquhart & Sullivan	Los Angeles	1655.3	
Paul Hastings	National (US)	1572.3	
Herbert Smith Freehills	International	1502	
Eversheds Sutherland	International	1501.5	
Covington	Washington DC	1501.1	
Reed Smith	International 1821	1434	

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The global prominence of English law means that the global demand for solicitors qualified in England and Wales is high and many choose to work overseas. The growth in UK legal professionals operating overseas is not, however, restricted to solicitors and law firms. Many barristers' chambers, especially those specialising in various forms of commercial law, are establishing permanent presences in locations such as Singapore, Hong Kong, Abu Dhabi, New York, Doha and Geneva to focus on dispute resolution and arbitration.

<sup>&</sup>lt;sup>47</sup> Sweet & Maxwell, 'English Common Law is the most widespread legal system in the world', (November 2008), available at: https://www.sweetandmaxwell.co.uk/about-us/press-releases/061108.pdf

<sup>&</sup>lt;sup>48</sup> Singapore Academy of Law, '2019 Study on governing law & jurisdictional choices in cross-border transactions', (April 2019, available at: www.sal.org.sg/sites/default/files/PDF%20Files/Newsroom/News\_Release\_PSL%20Survey\_2019\_Appendix\_A.pdf

Law Firm	Headquarters		
King & Wood Mallesons	Hong Kong	1430	
Cleary Gottlieb	New York	1418.8	
Holland & Knight	National (US)	1402.5	
Milbank	New York	1359	
Dechert	National (US)	1341.5	
Wilson Sonsini	San Francisco	1336	
Debevoise & Plimpton	New York	1329.3	
Orrick	San Francisco	1316.3	
WilmerHale	National (US)	1297.1	
Yingke	Beijing	1258.9	
Morrison Foerster	San Francisco	1230	
Akin Gump Strauss Hauer & Feld	National (US)	1220	
Willkie Farr & Gallagher	New York	1220	
K&L Gates	National (US)	1179.3	
Proskauer	New York	1168.4	
Perkins Coie	Seattle	1155.6	
Winston & Strawn	Chicago	1153.2	
Squire Patton Boggs	International	1137	
Kim & Chang	Seoul	1114.5	
Wachtell, Lipton, Rosen & Katz	New York	1111.7	
Ashurst	International	1098.4	
Slaughter and May	London	1045	
Arnold & Porter	Washington DC	1033	
Troutman Pepper	Atlanta	1029.5	
Foley & Lardner	Milwaukee	1024.8	
Alston & Bird	Atlanta	1023.9	
Shearman & Sterling	New York	1012.1	
Sheppard Mullin	Los Angeles	1005.1	
Cravath, Swaine & Moore	New York	1001	
Faegre Drinker	Minneapolis	987.7	
McGuireWoods	Richmond 953.5		

Law Firm	Headquarters	Gross revenue \$m	
Fried Frank	New York	951.3	
Allbright	Beijing	919.9	
Vinson & Elkins	Houston	912.3	
O'Melveny	Los Angeles	911.5	
Clyde & Co	London	894.7	
Bryan Cave Leighton Paisner	International	878.4	
Baker & Hostetler	National (US)	836	
Hunton Andrews Kurth	Richmond	830	
Fragomen	New York	805.7	
Seyfarth Shaw	National (US)	786.6	
Pillsbury	San Francisco	781.4	
Pinsent Masons	International	731	
Fenwick & West	Mountain View	723.3	
Baker Botts	Houston	723.2	
Lewis Brisbois	National (US)	722.5	
Venable	National (US)	717	
Katten	National (US)	713.9	
Gowling WLG	International	700.6	
Polsinelli	National (US)	697.3	
Nelson Mullins	National (US)	680.8	
Blake Cassels & Graydon	Toronto	669.2	
Littler	National (US)	658.6	
Fox Rothschild	Philadelphia	650	
Zhong Lun	Beijing	646.9	
Simmons & Simmons	London	628	
DeHeng Law Offices	Beijing	620.1	
Bird & Bird	International	609.1	
Duane Morris	National (US)	596.6	
Mintz Levin	Boston	588.5	
Ogletree Deakins	National (US)	585.2	
Cozen O'Connor	Philadelphia	584.8	

### Dispute resolution in London and the UK

The Business and Property Courts (B&PCs) are specialist courts within the High Court in the Rolls Building in London and at seven regional court centres which decide disputes in business and commercial cases, property, company law, insolvency and bankruptcy, intellectual property and other Chancery disputes and technology and construction disputes, both domestic and international with the aims of ensuring that:

- International business and domestic enterprises are equally supported in the resolution of their disputes.
- Cases are managed to deliver progress to trial without delay.
- Cases are tried, and appeals heard, by the most appropriate judge (whether a High Court Judge or other specialist judge).
- Judges provide an efficient and effective service utilising modern technology to best advantage.

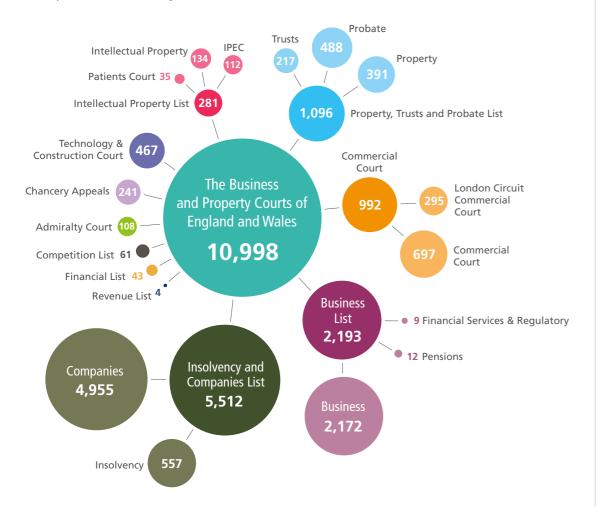
The B&PCs are the worlds biggest business, property and commercial court. The work of the B&PCs continues to underpin the position of English law as the global business law of choice with decisions of B&PCs judges having a wide impact in financial, business, commodities, insurance, shipping and other markets.

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Figure 23: Cases issued by list, January – December 2022

Source : Civil Justice statistics quarterly: October 2022 to December 2022 @ Crown copyright

Note: includes only cases issued in the Rolls Building, London.



#### The Commercial Court

The number of claims issued in the Commercial Court in 2022/23 increased from 702 to 885, and the total number of claims issued in the London commercial courts (i.e. also including the Admiralty Court, the London Circuit Commercial Court and the Financial List) increased from 1,172 to 1,352. In the Commercial Court, there were 429 trial sitting days, and 1,135 total sitting days (a similar level to the previous year). The number of paper applications increased substantially, to 4,108 for the Commercial Court, and 5,377 for all the London commercial courts. There were 161 reserved judgments handed down in the Commercial Court, and 212 in all London commercial courts. A survey of judgments between April 2022 and March 2023 (257 judgments) revealed that 60% of litigants came from countries other than the UK (the highest proportion recorded to date), with litigants from 78 countries appearing. A survey of claims issued in the 2022 calendar year showed that 63% of claims issued in the Commercial Court involved at least one international party, and 41% comprised exclusively international parties.

Major litigation before the court has included a challenge to a billion-dollar arbitration award entered against Nigeria, a large case brought by another African state, a billion dollar fraud claim relating to investments in Thailand, substantial litigation relating to the insurance of leased aircraft arising from the Russia-Ukraine conflict, and a continuing volume of insurance litigation arising from the pandemic. There have also been a number of cases dealing with the effects of Russian sanctions. The steady stream of applications for injunctive relief in cross-border disputes continues, with the number of applications of this kind brought over the summer being particularly noteworthy. Finally, the volume of arbitration-related cases coming before the court has remained significant, reflecting the enduring popularity of England and Wales as a seat for international arbitration. The Judges of the Commercial Court have provided input into the work which has been done by the Law Commission to ensure that the arbitration law of England and Wales remains conducive to the efficient and effective determination of disputes in the twenty-first century.

#### **Financial List**

Four major trials took place in the Financial List in the calendar year 2023 and there are currently seven trials set down for hearing in 2024. 43 claims were issued in the Financial List in 2022 which is higher than usual, though a number of them were related claims. 23 cases have been issued in the Financial List so far in 2023, which is consistent with the number of cases filed in 2021 (25). There are periodic Users' Group meetings which provides a forum for solicitors active in the area, financial institutions and regulators.

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#### The Technology and Construction Court

There was a small drop in the number of new claims issued in the Technology and Construction Court (TCC) in 2022/23 to 467. For comparison, the numbers were 480 in 2019/20, 521 in 2020/2021 and 492 in 2021/22.

The TCC continues to hear claims requiring specialist technical input, including complex technology disputes, raising issues of system delivery failures, digital twin technology, reverse engineering and infringement of rights under the Software Directive. The court is dealing with one of the world's largest opt-in class actions, arising out of the Fundao Dam disaster in Brazil, together with other international environmental pollution claims and renewable energy disputes.

Cases concerning building safety issues in high rise buildings are increasing as a result of the Grenfell tragedy and the Building Safety Act 2022, although many are still at the procedural stages and have yet to give rise to full trials.

Procurement work continues to form an increasing share of TCC work, including challenges to the award of large public infrastructure contracts. Depending upon the circumstances of the case, applications and early trials are often heard very quickly, such as the National Lottery procurement challenge, where an expedited trial of preliminary issues was ordered to be heard within 2 months of application and a reserved judgment handed down one month after trial.

The number of adjudication enforcement claims issued in the TCC has remained steady at 138, reflecting the popularity and success of adjudication, protecting cash flow and an effective means of dispute resolution for the construction industry. The TCC has a tailored expedited procedure for adjudication enforcement claims, issuing directions within about 3 days of issue and fixing a hearing date for the summary judgment application within about 6-8 weeks thereafter. The use of remote hearings for most adjudication business enables the TCC to allocate the claims wherever there is capacity, to ensure an early hearing date. Most enforcement claims are settled before the hearing and the adjudication often results in a final resolution of the dispute without the necessity for a trial or arbitration.

#### The Patents Court

The Patents Court has seen a sustained, high level of trials and interim hearings being conducted during 2022-2023. The annual rate of new claims being started has maintained its level of the last few years. Patent trials and hearings have been taken by the two full time Patents Judges, other Chancery Division Judges with authorization to hear patent matters, and specialised Deputy High Court Judges. A costs-capping regime for the Shorter Trials Scheme (STS) has been approved and will take effect in January 2024, and as well as using the STS, in cases where there is commercial urgency the Patents Court will direct trials even more quickly than its 12-month standard time to trial, assisted by hearing trials in September if necessary. Cases in the Patents Court are often of international significance, because they have global participants and set precedents that are followed or replicated elsewhere. Over 90% of cases currently listed in the Patents Court involve at least one international party. A number of new cases involve fair, reasonable and non-discriminatory (FRAND) terms, as it is presently one of only two jurisdictions in the world able to set global rates, and the only one to use the power so far.

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### Case studies – Philips v Oppo, Panasonic v Xiaomi, Moderna v Pfizer and BioNTech

A major part of the Patents Court's work is SEP/FRAND litigation between patent owners and patent implementers in the field of telecoms.

In Philips v Oppo the Patents Court will hear technical trials concerning the validity and infringement of two of Philips' SEPs in November 2023, followed by a FRAND assessment of global licence rates in January-February 2024.

In Panasonic v Xiaomi the Patents Court will proceed straight to determining global FRAND rates without the need for technical trials, at the request of the Defendant, Xiaomi, in the light of recent changes in practice through Patents Court decisions. This will allow an overall resolution of the real issue between the parties much faster than has been the case previously.

For efficiency, these litigations are split into FRAND rate setting trials and (where necessary) technical validity and infringement trials. Different judges may be assigned to different trials.

The trials involve multiple complex patents and important points about the obligations of the owners of standards-essential patents to give licences to the patents on terms which are fair, reasonable and non-discriminatory ("FRAND"), and about the methods to be used for setting rates.

Moderna v Pfizer and BioNTech concerns the validity and infringement of Moderna patents for COVID vaccines. Unusually, Moderna is not seeking an injunction if it wins, but only monetary compensation, and the defendants, as well as challenging Moderna's patent rights, argue that Moderna waived its right to payment by public "pledges" during the pandemic. The pledge issues involve arguments of US Federal and State law and are being litigated in multiple jurisdictions internationally. The Patents Court has the flexibility to assign different judges to the patent and the pledge issues to bring about judgments more quickly following the trials.

The technical complexity of the cases continues to show the scientific proficiency of the judges of the Patents Court in the UK, and their familiarity with commonly-litigated fields of technology like telecoms and life sciences, which along with the speed of bringing cases to trial make the court an attractive forum for major technology companies. Similarly, the judges are building up a highly specialised body of experience in worldwide licence-fee rate setting.

#### The Insolvency and Companies Court

The 2021, a World Bank Report stated that a: "Well-functioning legal, regulatory, framework and systematic approach to debt resolution and insolvency strengthens the investment climate and advances economic growth." England and Wales is one of only a few jurisdictions with a specialist Insolvency and Companies Court (ICC). The ICC's seven full-time judges and 14 deputies have a deep understanding of insolvency laws and regulation; they provide a consistent approach and ensure that cases are managed and concluded efficiently.

There is a steady stream of restructuring plans and schemes of arrangement that come before High Court Judges in the Chancery Division. These typically concern the restructuring of financing companies within global groups, and are frequently brought before the court, and resolved, on an urgent basis. The flexibility of the UK restructuring regimes is a factor that continues to attract a large amount of international work in this area.

There have been 110 restructuring plans and schemes of arrangement hearings that have come before High Court Judges in the Chancery Division between January and October 2023, compared with 91 in the whole of 2022.

As an early adopter of the UNCITRAL model law on cross border insolvency, Great Britain has the tools for achieving coordinated, global solutions for all stakeholders of an insolvency proceeding. Recognition of a foreign insolvency can result in an automatic stay of all proceedings against the financially distressed entity in this jurisdiction. The ICC can also grant practical assistance to foreign insolvency officeholders, such as by permitting them to exercise the powers that an equivalent UK insolvency officeholder would have.

Consistency of approach often requires courts around the world to determine where an entity that operates across borders has its centre of main interests or "COMI".

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#### **Anonymised Case Study**

Company X was incorporated in the BVI and traded in oil and petroleum. It entered a charterparty with P for a shipment to Turkmenistan. X stated its address to be in the BVI and the charterparty provided for disputes to be resolved by arbitration in London under English law.

P's buyer refused to take delivery and the cargo was rerouted to Russia. P commenced LCIA arbitration proceedings in London claiming that X had breached the charterparty and seeking demurrage. X disputed the jurisdiction of the LCIA on the basis that the charterparty did not cover the second part of the journey to Russia and the arbitration did not proceed.

P brought a claim for demurrage against X in the BVI and obtained a judgment in default. X moved its registered office to Malta and managed to set aside the default judgment, but it did not inform P of its change of address. P obtained a second default judgment in the BVI, served a statutory demand on X at its BVI address and presented a winding-up petition in London based upon the BVI judgment debt. P argued that X's COMI was in England because six of its main contracts were governed by English law, it had participated in the English arbitration proceedings and had no physical office, directors or employees in Malta.

The case progressed through the ICC to the Court of Appeal where it was found that none of the factors relied upon by P were, individually or collectively, sufficient to establish that X actually conducted the administration of its interests on a regular basis in England (or any other particular location) so as to displace the presumption that its COMI was in the jurisdiction of its registered office, namely Malta.

### Alternative dispute resolution

Alternative dispute resolution (ADR) provides a way of resolving disputes between parties without going to court. Arbitration is a form of ADR that allows contracting parties to choose a neutral venue where their disputes are settled.

The UK is a global leader in international arbitrations. This position is underpinned by the Arbitration Act of 1996 (and in Scotland the Arbitration (Scotland) Act 2010) which governs how awards are enforced. This is reinforced by:

- The depth of expertise of UK practitioners on the commercial issues involved, particularly in large and complex cases.
- A well-respected judiciary and appropriately resourced courts system which provides vital support for a wellfunctioning ADR sector.
- Availability of suitable venues and supporting services such as interpreters, translators, stenographers and IT services.

In 2023, the Law Commission published a review of the Arbitration Act 1996, finding that the Act works well, and that root and branch reform is not needed or wanted.<sup>49</sup> It is estimated that there are at least 5,000 domestic and international arbitrations in England and Wales every year, potentially worth at least £2.5bn to the economy, although the actual figures may be much higher.<sup>50</sup>

London is the most popular, and widely used, seat for international commercial arbitration by a wide margin. More of these take place in London than in any other city in the world. As an example, it is estimated that more than 80% of the world's maritime arbitrations are handled in London.<sup>51</sup>

Analysis by LexisNexis of the caseload statistics of the six largest international commercial arbitration bodies shows that the London Maritime Arbitrators Association (LMAA) continues to outperform its counterparts by a significant margin. <sup>52</sup> In 2022, the LMAA had 1,807 new cases in representing 48.9% of the total new international arbitration cases that year, while the International Chamber of Commerce (ICC) came behind with 19.2%, and London Court of International Arbitration (LCIA) had just 327 cases representing 8.9%. <sup>53</sup> A major reason for the LMAA's increased caseload in 2022 will have been the effect of turmoil and fluctuations in the markets (as a consequence of the Russian invasion of Ukraine) in which many of its users are involved. <sup>54</sup>

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<sup>49</sup> https://lawcom.gov.uk/project/review-of-the-arbitration-act-1996/

<sup>50</sup> Ihir

<sup>51</sup> HFW, 'The Maritime Arbitration Universe in Numbers' (July 2020), available at: www.hfw.com/downloads/002203-HFW-MaritimeArbitration-in-Numbers-July-2020.pdf

 $<sup>^{52} \</sup> https://www.lexisnexis.co.uk/blog/research-legal-analysis/arbitration-statistics-2022-ad-hoc-strengthens-as-institutions-receded and the state of the properties of$ 

<sup>53</sup> Ibid

<sup>54</sup> Ibid

The arbitrations conducted under the rules of these bodies are predominantly international. The LCIA reports that in 2022, 88% of parties in its arbitrations came from 90 countries other than the UK.<sup>55</sup> Non-UK arbitrators were selected in 63% of LCIA Court appointments despite 85% of LCIA Arbitrations being governed by English law and 88% of its arbitrations seated in London.<sup>56</sup>

In the UK, ADR services continue to be provided across a range of activities and sectors at a domestic and international level. The UK has signaled its commitment to the use of mediation by signing the Singapore Convention on Mediation in May 2023 and committing to ratify it. The total number of commercial and civil disputes resolved through arbitration, mediation and adjudication totaled 16,320 in 2022. Almost 13,000 of these were domestic and almost 3,500 mostly international (Figure 24).

Figure 24: Arbitrations, mediations and adjudications in the UK (number of referrals, appointments or cases submitted)

	2018	2019	2020	2021	2022
Mostly international					
London Maritime Arbitrators Association	1,582	1,789	1,797	1,668	1,807
London Court of International Arbitration	317	395	440	377	333
Lloyd's Open Form	53	41	44	37	34
Grain and Feed Trade Association (Gafta)	526	388	291	310	337
ICC Int. Court of Arbitration (UK seated)	72	115	85	94	NA
Centre for Effective Dispute Resolution	793	4,635	3,665	1,563	919
CiARB Dispute Appointment service	NA	NA	NA	NA	67
Total international	3,043	7,063	6,022	3,749	3,497
Mostly UK domestic					
Royal Institution of Chartered Surveyors	4,897	3,702	3,478	4,178	3,684
Centre for Effective Dispute Resolution	24,055	17,775	24,366	11,462	7,063
Adjudication Society	1,685	1,905	1,945	2,171	1,903
CiARB Dispute Appointment service	NA	NA	NA	NA	173
Total domestic	30,637	24,402	29,789	17,811	12,823
Total	33,680	31,465	35,811	21,560	16,320

This report demonstrates the key role the legal services sector plays in underpinning the UK's position as a world-leading international financial centre.

The sector's contribution to the UK economy is substantial and it supports employment across every nation and region of the country.

The breadth of expertise, professionalism and diversity of the UK's legal professionals are recognised around the world. The UK legal sector's status as a leading centre for innovation and LawTech means it is well placed to thrive in the future.

Alongside the international prestige of English common law and the strength of the judicial institutions which underpin it, the UK's legal sector remains a national asset and an essential component of the broader financial and related professional services ecosystem that puts the UK at the heart of global business.

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Conclusion

 $<sup>^{55}\</sup> www.lcia.org/News/lcia-news-annual-report-on-2022-updates-on-the-lcia-court-and.aspx$ 

<sup>56</sup> Ibid

### Sources of information

Data comparing law firms is mainly based on gross fee earnings and the number of lawyers and fee-earners employed by each firm, including an indication of the number of lawyers employed overseas. These figures are published in league tables including the Legal Business 100 and the Legal Business Global 100. Data on the UK's professions, including diversity and inclusion statistics, are provided by the professional bodies and/or regulators. We are particularly grateful to the Law Society of England and Wales for providing the latest data available prior to its official publication. We are grateful for the ongoing support of HM Judiciary, in particular, the staff of the Office of the Chancellor of the High Court, who are responsible for producing most of the judicial content herein.

Adjudication Society, www.adjudication.org

Advocate General for Scotland, www.oag.gov.uk

Bar Council, www.barcouncil.org.uk

Centre for Effective Dispute Resolution, www.cedr.com

Chartered Institute of Arbitrators, www.ciarb.org

Chartered Institute of Legal Executives, www.cilex.org.uk

Cision PR Newswire, www.prnewswire.com

Commercial Bar Association, www.combar.com

The Faculty of Advocates, www.advocates.org.uk

HM Judiciary, www.judiciary.uk

International Bar Association, www.ibanet.org

International Chamber of Commerce, www.iccwbo.org

Jomati Mergers, www.jomati.com/uk-mergers

Law Gazette, www.lawgazette.co.uk

The Law Society of England and Wales,

www.lawsociety.org.uk

The Law Society of Northern Ireland, www.lawsoc-ni.org

The Law Society of Scotland, www.lawscot.org.uk

The Lawyer, www.thelawyer.co.uk

Legal Business, www.legalbusiness.co.uk

Legal Services Board, www.legalservicesboard.org.uk

LexisPSL Arbitration www.lexisnexis.co.uk

Lloyd's Open Form, www.lloyds.com

London Court of International Arbitration, www.lcia.org

London Maritime Arbitrators Association, www.lmaa.london

Ministry of Justice, www.justice.gov.uk

Office for National Statistics, www.ons.gov.uk

Royal Institute of Chartered Surveyors, www.rics.org/uk

Social Mobility Foundation, www.socialmobility.org.uk

The Solicitors Regulation Authority, www.sra.org.uk

PwC, www.pwc.co.uk

Thomson Reuters, www.thomsonreuters.com

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