

THOUGHT LEADERSHIP 2011

.....
Advancement of women in the profession
.....

REPORT AND RECOMMENDATIONS



THE LAW SOCIETY
OF NEW SOUTH WALES



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INTRODUCTION



The Law Society of New South Wales has a long history of championing the advancement

of women in the legal profession. Alongside countless examples of women from all sectors of legal practice who have excelled in their careers is a common recognition that barriers or impediments to the progression of women in the profession continue to exist. In late 2010, the Law Society Council decided that identifying these barriers and developing strategies to address them should become the focus of the Law Society's major thought leadership initiative for 2011. The Law Society is in a unique position to lead discussion on this issue, highlighting success stories and accelerating change.

A crucial element of this project was to speak with Law Society members about their views and experiences. In the course of the project, we spoke directly and at length with almost 100 members, and hundreds more have attended our panels and launch events. This member participation has been both enlightening and enlivening, giving the project a vibrancy and momentum that reflects the commitment of many practices and solicitors to a profession which is diverse at all levels.

There is one recurring theme which has emerged throughout this project and which implicitly underlies the work in this report. It is a theme which I have personally found to be inspiring, and which I have seen embodied in our

participants throughout the program – that is, success can be achieved and enjoyed in many different ways.

Taking the time to mentor a colleague on a different career path can be very fulfilling.

Further study, long after the original degree was completed, can open a new world of opportunities.

Leaving the security of a larger practice to become a sole practitioner can be both terrifying and utterly satisfying.

Not everyone has to work full time to be admired or appreciated by clients.

One of the initial triggers for this project came from some demographic data about NSW solicitors. The Law Society has stored consistent data about the solicitors of NSW since the 1980s, including the results of an annual survey which started in 1993-1994. Thanks to this data, we know that the number of women solicitors has grown much faster than the number of men. For women, the increase has been 452% since 1988, compared to only 64% for men. In 1988, there were 2000 women, making up 20% of solicitors. In 2010, there were 11,000 women, making up 46% of the profession.

Despite the relatively rapid equalisation in the male to female ratio, change has been slower to reach the ranks of partners and principals. Last year, women comprised 23% of principals in law firms with more than 20 partners. In firms with between 2 and 20 partners, nearly 18% were women. These figures do show improvement, with the proportions now 5 percentage points greater than they were in 2005.

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INTRODUCTION continued

This project began by investigating whether impediments still exist to prevent more women reaching senior positions and what can be done to overcome those impediments. As the project developed, and I spoke with more and more members across the State, I realised there may also be an issue with the retention of women in the profession and barriers to their return. The Law Society has now analysed data from 1982 to 2011 to try to create a picture of retention of female practitioners over time. This data, published for the first time in this report, indicates that a large number of young practitioners, both male and female, leave the profession during the first 5 years of practice. It appears that there is little difference between the rate at which males and females are leaving when looking at the profession as a whole. However, analysis of each segment shows that for private practice, there is a larger proportion of young women leaving than young men.

This report investigates the barriers and impediments encountered by women who aspire to long and successful careers in the law by examining our profession and the experiences of those who practise within it. The recommendations aim to provide women from all segments of practice with appropriate choices if they wish to remain in, return to or advance within the profession. With the assistance of the participants in our project, the Law Society has identified a number of ways in which we can play a role in facilitating the achievement of this objective. These initiatives include developing continuing professional development programs for those returning to work or wishing to improve their networking skills, publishing information to encourage the successful adoption of flexible working arrangements and facilitating mentoring opportunities at key career stages. The Law Society is also keen to disseminate some of the successful strategies for practitioners and practices identified by members in our series of roundtable discussions.

I would like to take this opportunity to thank the guest speakers and roundtable participants who gave up their time to share their stories and experiences with us during our thought leadership program. We really value your contributions and those of the other members who attended all of our events. It is our members who make a project like this a reality and we are grateful for your support.

I would also like to thank and acknowledge the authors of this report, Heather Moore and Kate Potter, and events coordinator Lauren Hann, for all their hard work on this project.

I commend this report to the legal profession. I hope you will read it, reflect on the findings and look for opportunities to effect change in your own career or practice.

Stuart Westgarth
President
1 December 2011

Success can be achieved and enjoyed in many different ways.





METHODOLOGY

Comparative examples

The Law Society has undertaken some significant projects, over a number of years, relating to the advancement and retention of women in the profession. There have been at least three major projects on this theme in the last decade with a focus on equal opportunity, the role and experience of women in the legal profession and flexible working. These three key publications were considered as part of the current project and are summarised in Appendix 1.

Several other jurisdictions have undertaken similar projects on the advancement and retention of women confirming this as an issue of international importance. The Law Society has reviewed initiatives from three comparable jurisdictions (England and Wales, the United States and Canada) which examine impediments to, or implement new measures to promote, the advancement and/or retention of women. The findings and outcomes of these projects demonstrate a high level of consistency with our own and are summarised in Appendix 2. This appendix also outlines the strategy for the recruitment

and retention of women barristers and solicitors recently adopted by the Law Council of Australia at the national level. The Law Society of NSW is the largest constituent member of the Law Council.

Statistical analysis

Each year, the Law Society publishes a range of demographic data on NSW practitioners in its *Profile of the Solicitors of NSW* prepared by Urbis. The data in the profiles is obtained from census data drawn from the Law Society's database in October each year and from the Annual Practising Certificate Survey conducted by the Law Society. Data published in the annual profiles was analysed to identify discernible trends about participation by women in the legal profession.

In conducting this analysis, it became apparent that our published statistics were unable to provide an indication of rates of retention or attrition for female solicitors. New data was extracted from the Law Society's database with the objective of developing an understanding of the numbers of women practising over time. A type of cohort analysis was conducted so that

the number of women in their first 5 years of practice in any particular year could be compared with the number of women 5 years later who had been admitted for 6-10 years, 10 years later who had been admitted for 11-15 years, and so on.

Qualitative research

In addition to our analysis of demographic data and comparative research, the Law Society wanted to find out about the views and experiences of NSW practitioners, both male and female. To achieve this in-depth understanding of the issues and possible solutions, the Law Society spoke with members from all segments of practice and from across the State.

It was important for us to seek out this cross-section of the membership to determine whether different issues, and therefore different solutions, become relevant with varying conditions of practice. Twelve roundtable discussions were held over a 3 month period tapping into the views of close to 100 members (as set out below).

Roundtable discussions were facilitated by the Law Society President and staff. For all but one roundtable which was

Date	Location	No. of members in attendance	Participant type	Law Society and support staff in attendance
24 Jun 2011	Sydney CBD	12	Regional Presidents	Stuart Westgarth, Heather Moore, Kate Potter, Pam Hall (note taker)
18 Jul 2011	Newcastle	7	Regional practitioners	Stuart Westgarth, Kate Potter, Rebecca Fren (note taker)
19 Jul 2011	Parramatta	9	Suburban practitioners	Stuart Westgarth, Kate Potter, Marcelle Drinkwater (note taker)
20 Jul 2011	Cronulla	8	Suburban practitioners	Stuart Westgarth, Kate Potter, Cathy Wiecek (note taker)
20 Jul 2011	Kirribilli	4	CBD and suburban practitioners	Stuart Westgarth, Heather Moore, Kate Potter, Margaret Bowman (note taker)
25 Jul 2011	Sydney CBD	10	Large law firms	Stuart Westgarth, Kate Potter, Pam Hall (note taker)
25 Jul 2011	Sydney CBD	10	Corporate lawyers	Stuart Westgarth, Heather Moore, Kate Potter (note taker)
27 Jul 2011	Sydney CBD	5	CBD practitioners	Stuart Westgarth, Kate Potter, Pam Hall (note taker)
27 Jul 2011	Sydney CBD	6	Government lawyers	Stuart Westgarth, Heather Moore, Marcelle Drinkwater (note taker)
14 Sep 2011	Wollongong	10	Regional practitioners	Stuart Westgarth, Kate Potter, Cathy Wiecek (note taker)
21 Sep 2011	Armidale	7	Regional practitioners	Stuart Westgarth, Kate Potter, Laura McDonald (note taker)
06 Oct 2011	Sydney CBD	5	Younger practitioners	Kate Potter, Heather Moore, Pam Hall (note taker)

attended by younger lawyers, most participants were more than 10 years qualified and a principal or senior member of their legal practice. Solicitors were invited to participate following a recommendation or other suggestion that they might be in a position to make a significant contribution. An equal number of men and women were invited to participate, although a majority of women chose to attend.

Two short briefing notes setting out key statistics and discussion themes were provided to the participants a few days before each roundtable and copies distributed at the event (Appendix 3). This provided a consistent structure for each discussion within which participants could consider issues without constraint. It allowed us to hear different perspectives on the same theme but was flexible enough for participants to raise issues unique to their experience.

Comprehensive notes were taken at every roundtable discussion, either by a shorthand note taker or by a computer typist. No attributions were recorded to maintain confidentiality and the raw data will not be published.

Two panel discussions were held during July to provide the broader profession with an opportunity to participate in the program. The panelists invited to participate (Appendix 4) were intended to inspire with their personal stories and it was not anticipated that these discussions would directly influence the content of this report. A record was taken of these discussions, however, and where appropriate, ideas and themes have been incorporated in the report findings. The project was launched with a breakfast event with guest speaker the Honourable Justice Julie Ward on Friday 29 July 2011.

Following on from the success of these events in July, two further events were held in early November co-sponsored by two member organisations of the Law Society. In response to requests made by Law Society members, the first of these events was a panel discussion where our members could hear from women who were both successful and representative of the wider profession in continuing to advance in their careers while juggling both personal and career commitments. The second event targeted corporate lawyers, providing the opportunity to hear from inspirational individuals within the profession. The profiles of our panelists at these events are contained in Appendix 4.

Up to 100 members attended each of these 5 events on which feedback from participants was very positive.

Report limitations

The methodology did not include consultation with women or men who have left the profession. Nor did we seek out practitioners who had changed from one practice segment to another (although some roundtable participants did fall into this category).

We know from the 2010-2011 Annual Practising Certificate Survey that one quarter of respondents were considering leaving the profession within the next 5 years. Three per cent of respondents intended to leave in the next 12 months, 7% in 1-2 years and 15% in 3-5 years. Male respondents were more likely to be considering leaving than females (28% compared with 20%). However this can be attributed primarily to retirement as males represent the majority of older practitioners. Respondents aged over 50 years were most likely to consider leaving the profession (40%). Other

than for retirement (15% of males and 4% of females), male and female respondents were intending to leave the profession for similar reasons, such as lifestyle (both 8%) and better salary (both 7%). Private practitioners (27%) were more likely to consider leaving the profession than non-private practitioners (19%) and more suburban and country practitioners were considering leaving the profession (both 28%) than their counterparts in the city (22%).

When NSW solicitors choose not to renew their practising certificates they are asked to indicate the reason for non-renewal. For the 2011-2012 renewals process, the Law Society's records show that 28% of solicitors who did not renew chose to answer this question (33% of males and 24% of females). The three most common reasons supplied by men were retirement (25% of male respondents), moving to a non-legal position (16%) and moving interstate (16%). The three most common reasons for women were moving interstate (21% of female respondents), family (18%) and moving to a non-legal position (15%). Less than 1% of males nominated family as the reason for non-renewal and only 8% of females said they were retiring.

We are aware there are limitations on the information presented in this report. We wish to note that there are other organisations doing work in this area, including the Law Council of Australia. We hope that over time the results of these other projects will assist the Law Society to provide important updates on our own findings. We will also be investigating options for further research as recommended in this report.

FINDINGS: STATISTICAL ANALYSIS

Overview of statistical findings

The Law Society has stored consistent data about NSW solicitors since the 1980s, including the results of our Annual Practising Certificate Survey which started in 1993-1994. The analysis set out below draws on published statistics prepared for the Law Society by Urbis and new data extracted directly from the Law Society's database. While statistics are a useful tool for identifying demographic trends, they do not give us the reasons for those trends or allow us to explore some of the more complicated interactions between factors. They do however give us some important information about the advancement and retention of women in the profession.

Published statistics on women solicitors

These statistics indicate that:

- The number of female solicitors has increased much faster than the number of males with the proportion of women approaching 50%.
- The proportion of women is greater in the corporate and government segments than in private practice.
- Female practitioners outnumber males in younger age groups but are greatly outnumbered in the older age groups.
- The proportion of female partners is much lower than the proportion in which females are represented in the general private practice population. However, the overall increase in the proportion of women partners since 2005 indicates a greater increase in new appointments.
- Part time working is more common for women than men with one fifth of female respondents reporting they worked part time.

Newly published statistics on retention and attrition

Data held by the Law Society allows us to examine the number of practising certificates issued to women and men at different stages of their careers based on the number of years since they were admitted. There are limitations inherent in this analysis, including that we can only count the number of practising certificates rather than follow the paths of individual people. However, it is possible to identify some trends which are relevant to the retention and attrition of women solicitors over time:

- There is little change over time in the proportion of women compared to men in the legal profession overall. If women were roughly 40% of new solicitors in a particular year, then women are likely to make up roughly 40% of the same group 5, 10 or 15 years later.
- However, in private practice, we can see a decrease over time in the proportion of women compared to men. This decrease largely occurs during the first 5 years of practice and is followed by a long period of relative stability. At between 2 and 6 percentage points, this decrease is less severe than we had expected. For example, if

The number of female solicitors has increased much faster than the number of males with the proportion of women approaching 50%.

women were roughly 40% of new private practitioners in a particular year, then women might make up roughly 35% of the same group 5, 10 or 15 years later.

- The reverse is true for corporate and government practice, where there is generally an increase over time in the proportion of women compared to men.
- When you look at the actual numbers of individuals taking out practising certificates, there is a substantial drop in the total number of female practitioners during the first 5 years of practice. There is also a large drop in the number of individual male practitioners. The decrease is only slightly higher for women than for men for the profession overall.
- However, for private practice, the rate of decrease in the first 5 years is around 7-11 percentage points higher for women than for men. For example, when comparing the number of women in their first 5 years of private practice in 2000 to the number of

women in the same group 5 years later, there was a decrease of 51%. The decrease for male private practitioners over the same period was 42%.

- The reverse is true for corporate practice where the number of female corporate practitioners increases after the first 5 years since admission. More recently, there have also been increases in the number of males.
- For government practice, there appears to be a drop-off in the number of both male and female government practitioners in the first 5 years but the rate of decrease is typically lower for women than for men.

- Overall, it appears that there is little difference between the rates at which men and women solicitors leave the profession. However, analysis of each segment of practice suggests that more young women solicitors are leaving private practice than young men and that some of these women appear to be moving to in-house roles.



FINDINGS: STATISTICAL ANALYSIS continued

Published statistics on women solicitors

Statistics in this section are sourced from the 2010 and 2005 *Profiles of the Solicitors of NSW* prepared for the Law Society by Urbis. The data in the profiles is obtained from census data drawn from the Law Society's database in October each year and from the Annual Practising Certificate Survey conducted by the Law Society. All statistics refer to holders of NSW Practising Certificates.

Growth in number of women solicitors

Table 1 and Table 2 show the gender split of the profession as a whole and of each of the private, government and corporate sectors. In 2010, the proportion of women had increased to 46%, up from 20% in 1988. Last year, there were 10,915 women compared to 1,979 in 1988. This can be contrasted with the much smaller increase in the number of men, up to 12,845 in 2010 from 7,829 in 1988. There is however, a marked gender difference across the three practice sectors. In 2010, female practitioners constituted 41% of private practitioners, 54% of corporate lawyers and 63% of government solicitors.

Age of women solicitors

Figure 1 depicts the differing age profiles of men and women solicitors. Female practitioners tend to be younger, making up 65% of solicitors under 30 and 56% of solicitors aged 30-39 years. Male solicitors are older and constitute the great majority of practitioners in the categories 50-59 years (71%), 60-69 years (84%) and 70+ years (91%).

Seniority of women solicitors

Table 3 shows the number of men and women principals in private practice in 2010 and 2005. The greatest proportion of female principals is in firms with 21 or more partners where women comprised 23% of partners in

Table 1: Women solicitors 1988 - 2010

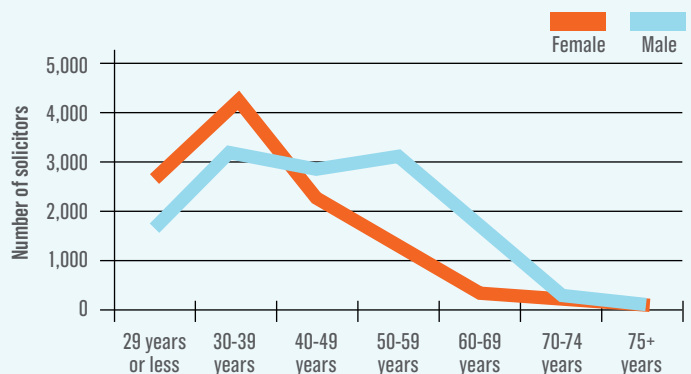
There has been a 451.5% increase in women solicitors since 1988

Year	Male	Female	Total
2010	12,845 (54.1%)	10,915 (45.9%)	23,760
2008	12,260 (55.5%)	9,845 (44.5%)	22,105
2003	11,112 (61.4%)	6,980 (38.6%)	18,092
1998	9,414 (67.9%)	4,457 (32.1%)	13,871
1993	8,859 (74.1%)	3,098 (25.9%)	11,957
1988	7,829 (79.8%)	1,979 (20.2%)	9,808

Table 2: Gender of solicitors by employment sector in 2010

Sector	Male	Female	Total
Private	9,815 (58.9%)	6,857 (41.1%)	16,672
Government	1,015 (36.8%)	1,745 (63.2%)	2,760
Corporate	2,014 (46.5%)	2,313 (53.5%)	4,327
No response	1	0	1
Total	12,845 (54.1%)	10,915 (45.9%)	23,760

Figure 1: Age profile of solicitors in 2010



2010. This was an increase of nearly 5 percentage points since 2005. The proportion of female principals in firms with between 2 and 20 partners also increased 5 percentage points, up to nearly 18%. There has been a smaller increase in the proportion of female sole practitioners. In 2010, nearly 23% of sole practitioners were women, compared with 20% in 2005.

Given the increase in the overall proportion of women partners, it follows that there must have been a greater increase in the proportion of new appointments of female partners compared to males. However, these statistics do not allow us to quantify that increase.

Employment conditions of women

Table 4 shows the estimated income of practitioners working full time in private practice as reported by solicitors who completed the relevant question in the Law Society's 2010-2011 Practising Certificate Survey. While this data cannot provide a definitive insight on remuneration for the private profession, it does indicate that male practitioners, when taken as a group, tend to earn more than female practitioners. This trend is evident from the first years of practice with males earning an average \$5,000 more than females in their first year and almost \$12,000 more per annum in the first 5 years. However, this data cannot distinguish between factors including general and specialist areas of practice and size of firm. Nor does it provide

any indication that there is a difference in the income levels of male and female practitioners doing the same work or in the same firm.

Table 5 sets out the number of solicitors working part time as reported by practitioners who completed the relevant questions in the Law Society's 2010-2011 Practising Certificate Survey. Part time working is still more popular with women, who made up 65% of the 1,243 solicitors reporting less than full time hours. In total, 21% of female respondents, compared with 10% of male respondents, said they worked part time. Part time work was more common among respondents over the age of 35 and amongst those working in small firms (up to 4 partners) or in sole practice.

Table 3: Gender profile of partners and principals in private firms 2010 and 2005

	Male		Female		Total	
	2010	2005	2010	2005	2010	2005
Sole Practitioners	3,165 (77.3%)	2,774 (79.9%)	929 (22.7%)	696 (20.1%)	4,094	3,470
2-4 partners	1,057 (82.3%)	1,180 (87.3%)	228 (17.7%)	171 (12.7%)	1,285	1,351
5-10 partners	379 (82.9%)	427 (87.1%)	78 (17.1%)	63 (12.9%)	457	490
11-20 partners	170 (81.7%)	174 (87.0%)	38 (18.3%)	26 (13.0%)	208	200
21+ partners	896 (76.7%)	1,025 (81.5%)	272 (23.3%)	233 (18.5%)	1,168	1,258

Note: This table includes both salaried and equity partners.

Table 4: Estimated income of solicitors in 2010

	1 year		1-5 years		6-10 years		11-15 years		16-30 years		30+ years		All	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Estimated mean income	\$62,100	\$57,100	\$88,600	\$77,000	\$121,100	\$108,800	\$148,300	\$122,500	\$156,100	\$130,500	\$137,900	\$106,600	\$130,900	\$101,300

Notes: Estimated income is for respondents working full time in private practice.

Data is only available for practitioners who chose to estimate their income for the 2010-2011 Practising Certificate Survey.

Table 5: Part time working by solicitors in 2010

	Male	Female	All solicitors reporting part time working
Total number reporting part time working	428 (34.4%)	812 (65.3%)	1,234
Mean hours worked	1,015 (36.8%)	1,745 (63.2%)	2,760

Note: Total does not reflect totals of males and females as gender not stated in some cases.

Data is only available for practitioners who chose to report part time working in the 2010-2011 Practising Certificate Survey.

FINDINGS: STATISTICAL ANALYSIS continued

Newly published statistics on women solicitors

Data published in the 2010 *Profile of the Solicitors of NSW* showed a much smaller proportion of women practising more than 15 years after admission, compared with all other categories. While women made up 48% of practitioners in the 11-14 year category in 2010, only 29% of practitioners in the 15+ category were women. However, our figures could not tell us whether this simply reflects the smaller number of women entering practice more than 15 years ago or whether there is a significant drop-off in the number of women solicitors. The Law Society has now analysed data from 1982 to 2011 to try to create a picture of retention and attrition of female practitioners over time. This data has

been sourced from the Law Society database as at October each year. All statistics refer to holders of NSW Practising Certificates.

Retention of women solicitors 1982-2011

This section attempts a cohort analysis of women on the basis of years since admission to practice (in NSW or another jurisdiction). The aim of this analysis is to construct a picture of the number of women moving through the profession from admission to senior levels of post qualification experience. There are several limitations inherent in this exercise which can only identify the number of males and females holding a practising certificate in a given year and the number of years since their admission. Identifiable limitations include the following:

- There are some practitioners for whom the admission date is unknown.
- A number of practitioners move from or to interstate or international jurisdictions each year.
- There will be some practitioners who are admitted at a later stage in their careers than others and therefore cannot be expected to have the same longevity in the profession.
- There will be some practitioners who hold practising certificates without actually practising.

Notwithstanding these limitations, we believe it is possible to identify some overarching trends in this data and to draw some conclusions about the retention of women in the profession.

Table 6: Retention of women solicitors 1982-2011 – Whole Profession

Cohort start date	Years since admission over time												
	At start date		5 yrs after		10 yrs after		15 yrs after		20 yrs after		25 yrs after		
	Admitted 1-5 yrs	Admitted 6-10 yrs	Admitted 11-15 yrs	Admitted 16-20 yrs	Admitted 21-25 yrs	Admitted 26-30 yrs	Admitted 1-5 yrs	Admitted 6-10 yrs	Admitted 11-15 yrs	Admitted 16-20 yrs	Admitted 21-25 yrs	Admitted 26-30 yrs	
Women as % of total	Whole no. of women	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women
2011	59.8	4462											
2010	59.6	4529											
2009	59.1	4564											
2008	58.8	4485											
2007	57.4	4150											
2006	55.4	4052	54.2	2653									
2005	54.4	3879	52.7	2463									
2004	52.6	3574	51.2	2215									
2003	50.8	3199	49.2	1921									
2002	50.0	2871	49.3	1778									
2001	49.0	2550	47.6	1572	47.7	1405							
2000	48.4	2306	47.7	1419	47.4	1254							
1999	48.2	2065	47.2	1275	47.5	1148							
1998	47.4	1875	46.4	1226	47.3	1122							
1997	46.7	1849	46.0	1177	45.4	1046							
1996	44.4	1693	45.0	1157	43.7	1025	43.7	937					
1995	42.1	1642	42.2	1112	40.3	962	41.7	909					
1994	41.7	1612	41.0	1066	39.5	940	40.2	848					
1993	39.9	1561	39.6	1061	38.5	910	39.6	827					
1992	38.7	1546	37.5	1033	37.6	889	38.8	819					
1991	36.0	1441	34.9	986	35.5	841	35.9	789	36.8	738			
1990	34.5	1395	34.5	942	34.4	787	35.0	736	35.3	672			
1989	33.5	1269	31.7	849	32.4	733	31.7	666	32.7	626			
1988	31.7	1133	29.3	762	28.8	663	28.9	597	29.3	548			
1987	28.9	982	26.2	628	25.7	567	25.8	501	25.8	459			
1986	25.1	836	24.2	561	24.0	508	24.1	460	23.5	408	23.6	379	
1985	23.7	748	22.0	483	22.3	447	22.5	415	21.2	357	20.6	317	
1984	22.2	663	20.1	434	20.4	400	20.4	362	19.5	319	19.4	292	
1983	20.9	633	17.5	364	18.1	344	17.4	295	16.9	269	17.2	254	
1982	19.8	555	16.9	344	16.0	299	15.5	268	15.1	238	14.9	218	

Figure 2: Retention of women solicitors – Whole Profession

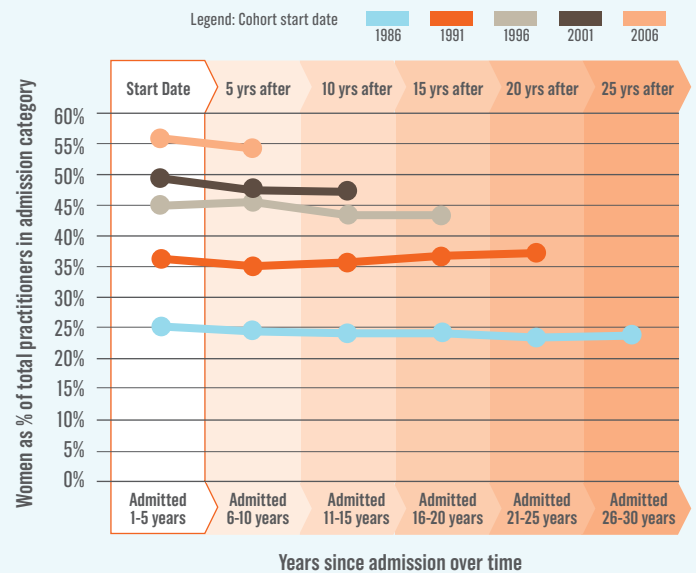


Table 6 Notes: For each year in the "cohort start date" column, the table records the number of women holding NSW practising certificates who had been admitted for between 1 and 5 years in the "1-5" column. This data is recorded in terms of the whole number of women and also as a percentage of all practitioners admitted for 1-5 years. The figures in the "6-10" column show the position 5 years later, that is, 5 years after the year in the "cohort start date" column. At this point, the women admitted for 1-5 years in the starting year will have been admitted for 6-10 years. For the cohort start dates falling between 1982 and 1986 we can repeat this exercise for six categories of admission, from 1-5 up to 26-30 years since admission. To give an example from the table: In 1995, women made up 42.1% of solicitors admitted for 1-5 years. 5 years later in 2000, women comprised 42.2% of solicitors admitted for 6-10 years. Ten years later (2005), 40.3% of solicitors admitted for 11-15 years were women. The final entry in the table shows that 15 years after the cohort start date (2010), 41.7% of solicitors admitted for 16-20 years were women.

Retention of women solicitors – whole profession

Scrutiny of the statistics in Table 6 indicates that there is **no marked reduction over time in the proportion of each category that is comprised by women.** For example, for the 1995 cohort, women made up 42% of practitioners admitted 1-5 years with very little variation over time so that 15 years later 42% of the practitioners admitted 16-20 years were women. This trend is repeated for almost all of the cohort groups. There is slightly more variation for the earlier cohort start dates, but even in 1982 when the number of women in their first 5 years of practice was only 555, the overall proportionate decrease is less than 5 percentage points over 25 years. See Figure 2 on the previous page where

this trend has been graphed for selected cohorts.

Analysis of the whole numbers in Table 6 (rather than the percentages) for each category adds a layer of complexity. While there is no marked reduction in the proportion of each category comprised by women, there is a **significant drop-off in the actual number of women practising between the 1-5 and 6-10 year categories.** For each cohort this appears to be followed by a long period of relative stability in the whole number of practitioners. However, given the negligible proportionate change, it follows that there must be a **similar significant drop-off in the actual number of men practising between the 1-5 and 6-10 year categories.**

This finding prompted us to conduct further analysis of these figures to compare the rates of attrition of male and female lawyers between 1-5 and 6-10 years since admission. The results of this analysis are set out in the “Attrition” section below.

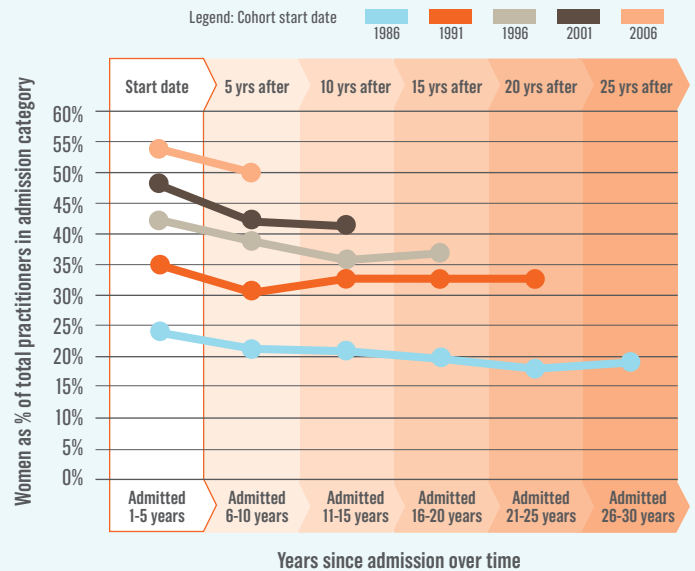
Retention of women solicitors – private practice

Table 7 reveals apparent differences in the retention of women solicitors between private practice and the overall profession. **For private practice, there is a discernible decrease between the proportion of women making up the 1-5 year category and the proportion still present in the 6-10 year category.** At between 2 and 6 percentage points, this decrease was not as severe as expected. However,

Table 7: Retention of women solicitors 1982-2011 – Private Practice

Cohort start date	Years since admission over time											
	At start date		5 yrs after		10 yrs after		15 yrs after		20 yrs after		25 yrs after	
	Admitted 1-5 yrs	Admitted 6-10 yrs	Admitted 11-15 yrs	Admitted 16-20 yrs	Admitted 21-25 yrs	Admitted 26-30 yrs	Admitted 1-5 yrs	Admitted 6-10 yrs	Admitted 11-15 yrs	Admitted 16-20 yrs	Admitted 21-25 yrs	Admitted 26-30 yrs
	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women
2011	58.5	3173										
2010	57.9	3085										
2009	57.6	3070										
2008	57.3	3074										
2007	55.7	2916										
2006	53.5	2928	50.1	1450								
2005	52.8	2850	47.8	1333								
2004	51.3	2714	46.8	1236								
2003	49.8	2464	45.1	1112								
2002	48.9	2233	45.4	1075								
2001	47.7	1988	43.1	979	41.8	784						
2000	46.8	1764	42.6	870	41.5	702						
1999	46.3	1563	41.7	767	41.5	651						
1998	45.4	1425	40.7	753	41.4	657						
1997	44.3	1375	39.4	708	39.0	607						
1996	41.8	1247	38.9	703	36.4	574	37.2	537				
1995	40.3	1224	36.6	666	34.2	556	36.4	534				
1994	39.7	1179	35.9	634	33.6	549	34.9	492				
1993	37.4	1120	34.6	622	34.0	551	34.8	492				
1992	36.9	1129	32.6	610	34.0	563	34.5	508				
1991	34.5	1081	30.8	615	32.2	540	32.1	501	32.7	469		
1990	33.2	1065	30.1	605	30.1	497	30.5	467	30.5	428		
1989	31.4	946	27.8	564	28.0	464	27.8	437	28.4	412		
1988	29.3	826	26.2	529	24.9	438	24.8	391	24.5	353		
1987	27.2	733	22.5	429	21.6	376	21.7	330	21.3	302		
1986	23.6	634	21.3	395	20.4	348	19.9	301	18.8	258	19.5	252
1985	22.3	572	19.4	340	19.2	312	19.2	283	17.5	235	17.5	220
1984	20.9	508	17.2	297	17.9	290	17.7	257	16.2	215	15.8	196
1983	19.8	505	14.9	246	15.7	247	15.2	212	14.3	189	13.8	171
1982	18.6	443	13.9	226	13.6	211	13.5	195	12.8	169	12.2	152

Figure 3: Retention of women solicitors – Private Practice



FINDINGS: STATISTICAL ANALYSIS continued

it is repeated consistently across all cohort start dates. This decrease is followed, for most cohorts, by a period of relative stability where the proportion of women tends to decrease (but in some cases increases) by up to around 2 percentage points.

See Figure 3 on the previous page where this trend has been graphed for selected cohorts.

As reported for the whole profession above, analysis of the whole numbers in Table 7 shows a significant drop-off in the actual number of women in private practice between the 1-5 and 6-10 year categories. These results are analysed more closely below (see Table 11).

Retention of women solicitors – corporate and government practice

The position is quite different for corporate and government practice as shown in Tables 8 and 9. In these segments there is no evidence of a drop-off in the proportion of women making up the 1-5 year category and the proportion still present in the 6-10 year category. Indeed, **for all but one cohort in the government sector, and two cohorts in the corporate sector, there was an increase in the proportion of women present in the 6-10 year category.** One possible explanation for this is that some of the women leaving private practice in the first 5 years since admission may be moving in-house.

Unsurprisingly, the figures do not show a large drop-off in the actual number of women in corporate and government practice between the 1-5 and 6-10 year categories. Indeed for corporate practice, the whole numbers tend to increase. These results are analysed more closely below (see Tables 12 and 13). It is difficult to draw further conclusions about these segments as the numbers are much smaller than for private practice and the trends less clear.

Table 8: Retention of women solicitors 1982-2011 – Corporate Practice

Cohort start date	Years since admission over time											
	At start date		5 yrs after		10 yrs after		15 yrs after		20 yrs after		25 yrs after	
	Admitted 1-5 yrs		Admitted 6-10 yrs		Admitted 11-15 yrs		Admitted 16-20 yrs		Admitted 21-25 yrs		Admitted 26-30 yrs	
	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women
2011	58.4	684										
2010	58.2	784										
2009	57.7	861										
2008	58.1	821										
2007	57.0	682										
2006	56.5	613	54.6	738								
2005	55.8	558	55.7	704								
2004	53.5	469	54.0	632								
2003	51.6	408	52.5	512								
2002	50.5	351	52.7	422								
2001	49.8	304	54.7	362	55.4	393						
2000	50.9	286	56.3	334	54.9	342						
1999	53.0	263	58.2	303	56.6	300						
1998	52.6	231	58.9	274	55.3	258						
1997	53.4	235	61.6	261	55.4	232						
1996	53.5	214	59.8	250	57.7	247	54.6	222				
1995	49.5	191	55.1	223	54.3	222	50.7	191				
1994	49.2	178	53.0	214	54.9	220	50.5	191				
1993	45.2	126	52.2	211	50.7	189	49.9	171				
1992	42.0	113	48.4	197	46.0	159	49.3	149				
1991	39.0	110	43.1	159	42.4	137	46.2	141	46.1	131		
1990	39.6	116	44.0	142	43.7	139	46.1	135	46.2	120		
1989	39.7	108	39.6	118	40.5	122	38.6	102	42.4	97		
1988	36.3	99	32.8	79	39.0	104	39.8	101	42.8	92		
1987	33.3	84	36.5	77	36.9	86	37.3	81	41.9	75		
1986	31.8	75	32.3	65	34.0	67	37.8	77	40.3	81	35.2	62
1985	30.1	71	29.4	57	33.9	62	33.9	64	36.0	67	34.2	51
1984	27.3	62	27.9	53	30.5	50	30.2	52	33.0	59	34.5	50
1983	24.7	42	26.0	47	26.9	40	23.6	38	26.6	41	33.6	45
1982	23.9	34	26.9	43	23.7	33	22.1	31	25.2	33	29.0	33

Table 9: Retention of women solicitors 1982-2011 – Government Practice

Cohort start date	Years since admission over time											
	At start date		5 yrs after		10 yrs after		15 yrs after		20 yrs after		25 yrs after	
	Admitted 1-5 yrs		Admitted 6-10 yrs		Admitted 11-15 yrs		Admitted 16-20 yrs		Admitted 21-25 yrs		Admitted 26-30 yrs	
	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women	Women as % of total	Whole no. of women
2011	70.7	605										
2010	71.5	660										
2009	70.2	633										
2008	69.0	590										
2007	68.4	552										
2006	67.2	511	71.8	465								
2005	64.4	471	68.5	426								
2004	61.8	391	67.1	347								
2003	59.4	327	63.9	297								
2002	59.7	287	64.0	281								
2001	60.3	258	62.8	231	63.2	228						
2000	59.4	256	63.6	215	63.3	210						
1999	58.6	239	60.5	205	61.8	197						
1998	57.9	219	60.3	199	64.7	207						
1997	57.9	239	61.0	208	62.7	207						
1996	54.5	232	58.8	204	59.5	204	60.5	178				
1995	47.3	227	53.7	223	51.8	184	55.1	184				
1994	47.7	255	51.1	218	49.7	171	51.4	165				
1993	49.5	315	48.0	228	46.6	170	49.4	164				
1992	46.0	304	47.3	226	46.1	167	47.9	162				
1991	42.7	250	46.0	212	44.3	164	44.6	147	48.4	138		
1990	39.9	214	49.5	195	46.6	151	48.4	134	51.2	124		
1989	42.8	215	47.6	167	47.4	147	47.9	127	50.0	117		
1988	43.1	208	46.0	154	44.0	121	44.7	105	47.9	103		
1987	36.9	165	43.0	122	45.5	105	43.7	90	44.3	82		
1986	31.1	127	38.9	101	42.7	93	42.7	82	42.3	69	45.8	65
1985	29.3	105	35.5	86	36.1	73	37.0	68	35.5	55	34.6	46
1984	29.1	93	34.7	84	35.1	60	35.3	53	33.1	45	36.8	46
1983	28.0	86	28.6	71	32.6	57	33.3	45	32.8	39	35.2	38
1982	27.1	78	30.1	75	30.1	55	29.4	42	29.5	36	31.4	33

Attrition of women solicitors 1982-2011

This section examines the relative rates at which men and women leave the profession between 1-5 years and 6-10 years since admission for the whole profession and for the private practice, corporate and government segments. The same cohort methodology is used as described above with the tables showing the actual number of female and male practitioners in the 1-5 and 6-10 year categories for each cohort start date. The decrease in whole numbers and as a percentage has then been calculated. The same limitations apply to this analysis as set out on page 10.

Attrition of women solicitors - whole profession

Our initial analysis above suggested a marked drop-off in the actual number of women practising in the first 5 years for the whole profession. However, the relative stability in the proportion of each category comprised by women suggested there was also a substantial drop-off in the number of men. Table 10 confirms this. It also shows that for pre-1990 cohorts there was a substantial difference in the rates at which men and women dropped out, up to 14% for the 1982 and 1983 cohorts. However, this has stabilised over the last 20 years, with the

attrition rate for the whole profession only 2-4% greater for women than for men in cohorts since 1990. See Figure 4 below where this trend has been graphed for selected cohorts.

Table 10: Attrition by gender between 1-5 and 6-10 years since admission - Whole Profession

Cohort start date	Female				Male			
	No. of practitioners in admission category		Decrease in practitioners		No. of practitioners in admission category		Decrease in practitioners	
	At cohort start date	5 yrs after	Whole number	%	At cohort start date	5 yrs after	Whole number	%
	Admitted 1-5 yrs	Admitted 6-10 yrs			Admitted 1-5 yrs	Admitted 6-10 yrs		
2011	4462				2994			
2010	4529				3066			
2009	4564				3163			
2008	4485				3146			
2007	4150				3085			
2006	4052	2653	1399	34.5	3267	2239	1028	31.5
2005	3879	2463	1416	36.5	3254	2210	1044	32.1
2004	3574	2215	1359	38.0	3225	2113	1112	34.5
2003	3199	1921	1278	39.9	3095	1984	1111	35.9
2002	2871	1778	1093	38.1	2871	1831	1040	36.2
2001	2550	1572	978	38.4	2658	1731	927	34.9
2000	2306	1419	887	38.5	2460	1555	905	36.8
1999	2065	1275	790	38.3	2216	1424	792	35.7
1998	1875	1226	649	34.6	2080	1419	661	31.8
1997	1849	1177	672	36.3	2108	1384	724	34.3
1996	1693	1157	536	31.7	2118	1414	704	33.2
1995	1642	1112	530	32.3	2258	1526	732	32.4
1994	1612	1066	546	33.9	2257	1532	725	32.1
1993	1561	1061	500	32.0	2350	1617	733	31.2
1992	1546	1033	513	33.2	2448	1725	723	29.5
1991	1441	986	455	31.6	2563	1839	724	28.2
1990	1395	942	453	32.5	2645	1787	858	32.4
1989	1269	849	420	33.1	2514	1830	684	27.2
1988	1133	762	371	32.7	2446	1835	611	25.0
1987	982	628	354	36.0	2417	1773	644	26.6
1986	836	561	275	32.9	2492	1753	739	29.7
1985	748	483	265	35.4	2414	1710	704	29.2
1984	663	434	229	34.5	2319	1724	595	25.7
1983	633	364	269	42.5	2392	1719	673	28.1
1982	555	344	211	38.0	2253	1695	558	24.8

Figure 4: Attrition by gender between 1-5 and 6-10 years since admission Whole Profession

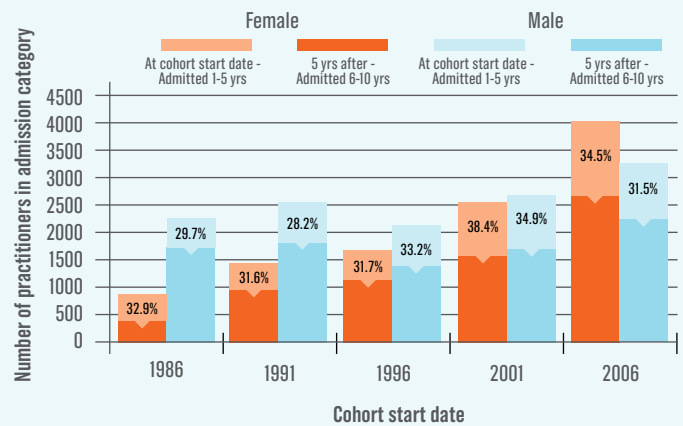


Table 10 Notes: To take an example from Table 10: 2360 women and 2460 men were in their first 5 years of practice in 2000. Five years later, the number of women had decreased by 38.5% (to 1419) and the number of men had decreased by 36.8% (to 1555).

FINDINGS: STATISTICAL ANALYSIS continued

Attrition of women solicitors – private practice

Our initial analysis also indicated a substantial drop-off in the first 5 years for women in private practice. Table 11 confirms this and shows that there is a significantly greater decrease for women than for men. Interestingly, the rate of decrease was much lower for men in pre-1990 cohorts, typically between 25% and 30%. However, over the last 20 years, the rate of attrition for men has increased so that it sits at around 7-11 percentage points lower than the rate for women. It is therefore evident that a larger proportion of young women are leaving private practice than young men. However, the attrition rate

for women is only 7-11 percentage points greater than for men in cohorts since 1990.

See Figure 5 below where this trend has been graphed for selected cohorts.

Attrition of women solicitors – corporate and government practice

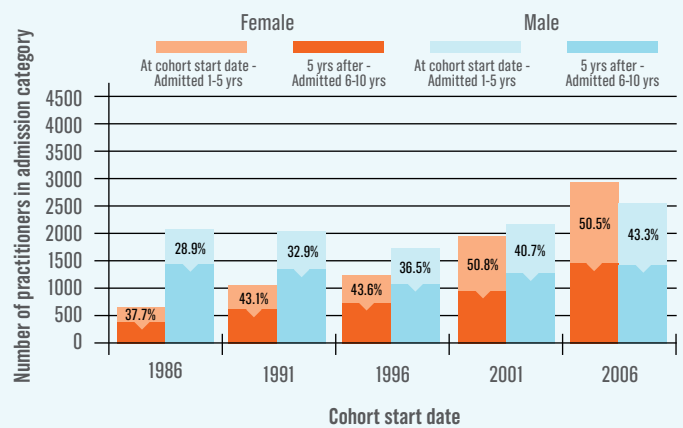
We suggested above that trends on attrition appeared to be very different for corporate and government practice. Table 12 confirms that for the corporate segment there have been significant increases over 20 years in the number of female corporate practitioners between 1-5 and 6-10 years since admission. There have also been significant increases in the number of male corporate practitioners in

cohorts since 2002. For government practice, Table 13 indicates that there is a drop-off in the number of both male and female government practitioners between 1-5 and 6-10 years since admission. However, the rate of decrease is typically much lower for women than for men. It is difficult to draw further conclusions about these segments as the numbers are much smaller than for private practice and the trends less clear.

Table 11: Attrition by gender between 1-5 and 6-10 years since admission – Private Practice

Cohort start date	Female				Male			
	No. of practitioners in admission category		Decrease in practitioners		No. of practitioners in admission category		Decrease in practitioners	
	At cohort start date	5 yrs after	Whole number	%	At cohort start date	5 yrs after	Whole number	%
	Admitted 1-5 yrs	Admitted 6-10 yrs			Admitted 1-5 yrs	Admitted 6-10 yrs		
2011	3173				2255			
2010	3085				2240			
2009	3070				2263			
2008	3074				2290			
2007	2916				2316			
2006	2928	1450	1478	50.5	2545	1443	1102	43.3
2005	2850	1333	1517	53.2	2552	1454	1098	43.0
2004	2714	1236	1478	54.5	2575	1404	1171	45.5
2003	2464	1112	1352	54.9	2488	1352	1136	45.7
2002	2233	1075	1158	51.9	2333	1294	1039	44.5
2001	1988	979	1009	50.8	2181	1294	887	40.7
2000	1764	870	894	50.7	2009	1173	836	41.6
1999	1563	767	796	50.9	1814	1072	742	40.9
1998	1425	753	672	47.2	1713	1097	616	36.0
1997	1375	708	667	48.5	1729	1088	641	37.1
1996	1247	703	544	43.6	1738	1103	635	36.5
1995	1224	666	558	45.6	1810	1152	658	36.4
1994	1179	634	545	46.2	1793	1133	660	36.8
1993	1120	622	498	44.5	1875	1177	698	37.2
1992	1129	610	519	46.0	1935	1263	672	34.7
1991	1081	615	466	43.1	2056	1380	676	32.9
1990	1065	605	460	43.2	2145	1407	738	34.4
1989	946	564	382	40.4	2063	1466	597	28.9
1988	826	529	297	36.0	1997	1492	505	25.3
1987	733	429	304	41.5	1967	1477	490	24.9
1986	634	395	239	37.7	2050	1458	592	28.9
1985	572	340	232	40.6	1996	1417	579	29.0
1984	508	297	211	41.5	1927	1429	498	25.8
1983	505	246	259	51.3	2043	1408	635	31.1
1982	443	226	217	49.0	1935	1404	531	27.4

Figure 5: Attrition by gender between 1-5 and 6-10 years since admission Private Practice



In 2010, the proportion of women had increased to 46%, up from 20% in 1988. Last year, there were 10,915 women compared to 1,979 in 1988.

Table 12: Attrition by gender between 1-5 and 6-10 years since admission – Corporate Practice

Cohort start date	Female				Male			
	No. of practitioners in admission category		Decrease in practitioners		No. of practitioners in admission category		Decrease in practitioners	
	At cohort start date	5 yrs after	Whole number	%	At cohort start date	5 yrs after	Whole number	%
	Admitted 1-5 yrs	Admitted 6-10 yrs			Admitted 1-5 yrs	Admitted 6-10 yrs		
2011	684				488			
2010	784				563			
2009	861				631			
2008	821				591			
2007	682				514			
2006	613	738	+125	+20.4	472	613	+141	+29.9
2005	558	704	+146	+26.2	442	560	+118	+26.7
2004	469	632	+163	+34.8	408	539	+131	+32.1
2003	408	512	+104	+25.5	383	464	+81	+21.1
2002	351	422	+71	+20.2	344	379	+35	+10.2
2001	304	362	+58	+19.1	307	300	7	2.3
2000	286	334	+48	+16.8	276	259	17	6.2
1999	263	303	+40	+15.2	233	218	15	6.4
1998	231	274	+43	+18.6	208	191	17	8.2
1997	235	261	+26	+11.1	205	163	42	20.5
1996	214	250	+36	+16.8	186	168	18	9.7
1995	191	223	+32	+16.8	195	182	13	6.7
1994	178	214	+36	+20.2	184	190	+6	+3.3
1993	126	211	+85	+67.5	153	193	+40	+26.1
1992	113	197	+84	+74.3	156	210	+54	+34.6
1991	110	159	+49	+44.5	172	210	+38	+22.1
1990	116	142	+26	+22.4	177	181	+4	+2.3
1989	108	118	+10	+9.3	164	180	+16	+9.8
1988	99	79	20	20.2	174	162	12	6.9
1987	84	77	7	8.3	168	134	34	20.2
1986	75	65	10	13.3	161	136	25	15.5
1985	71	57	14	19.7	165	137	28	17.0
1984	62	53	9	14.5	165	137	28	17.0
1983	42	47	+5	+11.9	128	134	+6	+4.7
1982	34	43	+9	+26.5	108	117	+9	+8.3

Table 13: Attrition by gender between 1-5 and 6-10 years since admission – Government Practice

Cohort start date	Female				Male			
	No. of practitioners in admission category		Decrease in practitioners		No. of practitioners in admission category		Decrease in practitioners	
	At cohort start date	5 yrs after	Whole number	%	At cohort start date	5 yrs after	Whole number	%
	Admitted 1-5 yrs	Admitted 6-10 yrs			Admitted 1-5 yrs	Admitted 6-10 yrs		
2011	605				251			
2010	660				263			
2009	633				269			
2008	590				265			
2007	552				255			
2006	511	465	46	9.0	250	183	67	26.8
2005	471	426	45	9.6	260	196	64	24.6
2004	391	347	44	11.3	242	170	72	29.8
2003	327	297	30	9.2	224	168	56	25.0
2002	287	281	6	2.1	194	158	36	18.6
2001	258	231	27	10.5	170	137	33	19.4
2000	256	215	41	16.0	175	123	52	29.7
1999	239	205	34	14.2	169	134	35	20.7
1998	219	199	20	9.1	159	131	28	17.6
1997	239	208	31	13.0	174	133	41	23.6
1996	232	204	28	12.1	194	143	51	26.3
1995	227	223	4	1.8	253	192	61	24.1
1994	255	218	37	14.5	280	209	71	25.4
1993	315	228	87	27.6	322	247	75	23.3
1992	304	226	78	25.7	357	252	105	29.4
1991	250	212	38	15.2	335	249	86	25.7
1990	214	195	19	8.9	323	199	124	38.4
1989	215	167	48	22.3	287	184	103	35.9
1988	208	154	54	26.0	275	181	94	34.2
1987	165	122	43	26.1	282	162	120	42.6
1986	127	101	26	20.5	281	159	122	43.4
1985	105	86	19	18.1	253	156	97	38.3
1984	93	84	9	9.7	227	158	69	30.4
1983	86	71	15	17.4	221	177	44	19.9
1982	78	75	3	3.8	210	174	36	17.1

FINDINGS: QUALITATIVE RESEARCH

Definition of “Advancement”

Most participants emphasised that the notion of advancement of women will be different from person to person, but there are some common elements which should guide our thinking:

- Different life stages will influence how advancement is defined. Women in their early careers may be focused more on salary, the type of work received, and opportunities for promotion based on title. Women later in their careers, juggling both work and family, may view advancement as the ability to work part time while still maintaining an interesting work portfolio.
- Advancement in private practice is often associated with promotion to partnership. Women may leave an established firm to start a sole practice if this promotion does not appear to be forthcoming.
- The opportunity for advancement is as important as the promotion itself. Women want to know that they will be treated equally to men throughout the whole of their career.

“As a young lawyer, I was very ambitious and wanted to become a partner. Later on, however, I realised I wanted to be married to someone other than the firm and ultimately declined a partnership. I don’t need to be a partner to make me feel like a valued employee.” Female regional practitioner

Advancement doesn’t need to occur according to anyone’s timetable but your own. “If you are going to work until 70, what’s the great rush?” Female sole practitioner

Flexible working

Discussion participants generally held the view that flexible working policies are published with good intentions, but that the practicalities are not as positive. Many participants commented that client demands often determine whether or not flexible working will be permitted, although with some creativity, these demands can be met. A team approach was highlighted as one mechanism for achieving success in all segments. This was recognised by sole practitioners who described the absence of team support as a particular disadvantage of sole practice.

“An effective team approach makes a huge difference as to whether flexible working arrangements will be accepted by clients and by a firm. One partner at my firm divides her time between Australia and an overseas office, but does so with such a level of team support that no one even thinks about the fact she is working flexibly.” Male partner, large law firm

Despite being in control of their own practice and work decisions, sole practitioners emphasised difficulties in working flexibly due to a fear of losing clients. This also extended to taking career breaks, such as maternity leave.

“Sole practitioners never really turn off. When on holidays they take their blackberry and laptop and for all intents and purposes, business is operating as usual – their clients don’t know they are overseas. This is because someone may take advantage of it.” Female suburban sole practitioner

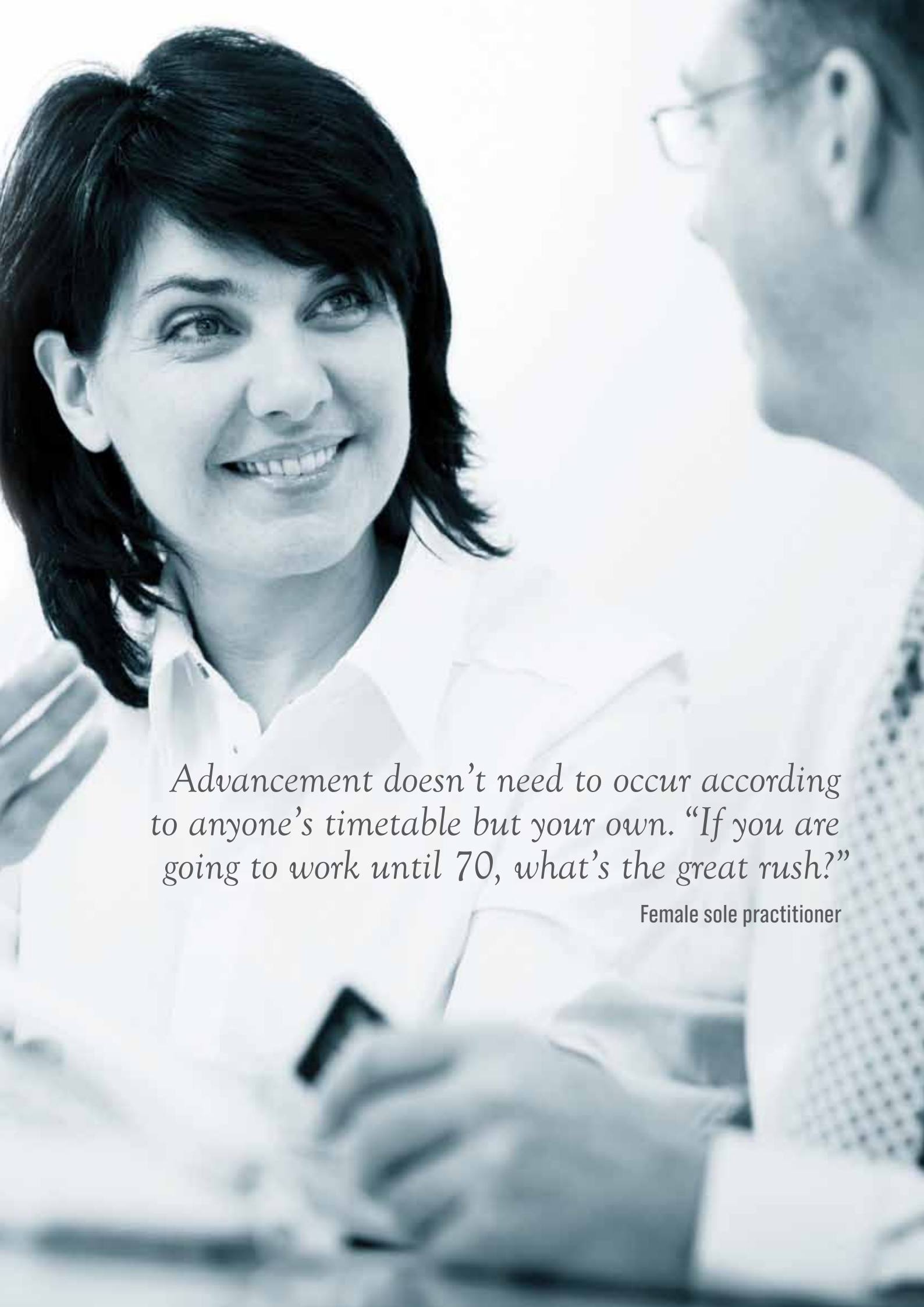
Team support was considered vital in making flexible working arrangements a practical solution. Not being present or available at all times necessitates that at least one other person, who is trusted by the client, must always be up to speed with a matter. Examples from

corporate practitioners demonstrated that this can result in seamless delivery to the extent that others in the organisation may not even have an awareness of the particular arrangements in place.

“In a team of four lawyers, only I [the General Counsel] am full time. We have made this arrangement work through a very strong team approach which allows us to be seen to be available and to provide good service through quality advice in a timely manner.” Female corporate lawyer

Women must put together a compelling business case for alternative work arrangements. There must be collaboration between the individual, team and organisation to make flexible working arrangements viable and to ensure everyone has the same understanding of roles and responsibilities.

For those women working in firms, many had experienced difficulties with meetings being scheduled for their days off or at times when caring responsibilities made it impossible to attend. It was noted that working around these parameters would not be difficult in many cases. There was also the corresponding view that a decision to work part time will necessarily mean that meetings will be scheduled on days off and that “missing out” on these was just part of not working full time.



Advancement doesn't need to occur according to anyone's timetable but your own. "If you are going to work until 70, what's the great rush?"

Female sole practitioner

FINDINGS: QUALITATIVE RESEARCH continued

“I am the only partner in a group of six who works full time. The others in the group have a combination of flexible work arrangements. They manage their own systems and have terrific assistants. Everyone has a blackberry and laptop and all partners have an awareness of all matters so any emergencies can be dealt with.” Female partner, large law firm

Flexible working was reported as more common in government practices where employers may be obliged to consider or permit alternative practice arrangements. There was a perception that flexible working was less of a barrier to career advancement in these circumstances. While most government practices are not driven by profit-making, they deal with demanding clients (for example, ministers and senior officials) and have high level performance indicators.

Networking and mentoring

“Networking and mentoring are the best ways to assist women in reaching senior positions.” Regional President

If approached with a facilitative attitude within a safe environment, participants recognised that networking and mentoring opportunities are beneficial for all lawyers. These support networks undoubtedly make a difference to career development and satisfaction of both men and women.

Networking

“If a senior woman takes a step forward, then she should pull another woman up with her.” Female partner, mid-tier firm

Participants spoke about networking in two distinct contexts. First, networking can be used as a tool for enhancing connections to promote personal career development and progression. Secondly, networking can take place in a business development context where it involves engagement with clients or potential clients, often outside the usual business setting.

The view was expressed that women might not invest in personal career networking to the same extent as men. Several reasons were advanced for this proposition, including that personal networking may take place after hours when women with family responsibilities need to be at home or, if during working hours, women are less able to allocate time which is constrained by other commitments outside the office. In some instances, women suggested they may not be welcomed to join existing networking opportunities if already dominated by men and traditionally “male” activities such as attending sporting events.

Similar views were expressed in relation to business development networking, with much of this taking place outside of business hours.

Smaller firms also noted that such networking often had a “blokey” flavour, disincentivising women from participating. Business development networking was less relevant to most government practices, with the notable exception of those which compete with private firms for work.

Although we know of no empirical data to support this perception, many of the female roundtable participants expressed a view that women did not network as well as men. Discomfort was experienced in relation to networking with both men and women, which was exacerbated by the concern that following up these events with one-on-one networking could be misconstrued. It was also felt that women have an inclination to deprioritise networking as compared with other elements of being a lawyer.

This absence from networking may have an impact in terms of career progression where there may be an advantage for candidates who have pursued business development opportunities or are more well-known within the practice. Networking with members of other firms or practice teams can also give rise to new job opportunities.

Participants noted that feeling confident when approaching networking events made a significant difference to outcomes achieved.

“Every single successful woman has a champion or sponsor. If you want a smooth transition to success, someone has to pick you up and bring you up through the ranks.” Female sole practitioner

Mentoring

There was recognition across every segment that mentoring at all levels of a career is important. However, coaching on specific skills and sponsorship were described as having the potential to make more of a direct impact on someone's career path. Having a sponsor or champion may be particularly powerful as he or she will actively promote a lawyer's advancement.

"Every single successful woman has a champion or sponsor. If you want a smooth transition to success, someone has to pick you up and bring you up through the ranks."
Female corporate lawyer

While mentoring programs are often established, or mentoring relationships encouraged, at early stages in a lawyer's career, support of this kind is limited during a woman's 30s – a time when key decisions are being made about career prospects.

Many participants expressed the view that it is important for all lawyers to have the opportunity to be mentored. It is critical that the right chemistry exists between a mentor and mentee, which does not always develop in a structured mentoring program. At the same time, finding a mentor outside the established work environment can be equally as important to allow objectivity of advice and confidentiality of discussions. Both men and women can be good mentors, with several women reporting that their mentors and champions have been men.

Maternity leave, other "breaks" and returning to work

"Anticipating my desire to have a second child, I negotiated my return to work strategy in my partnership contract, including maternity leave, part time and subsequent full time work arrangements. I found this has worked very well."
Female regional practitioner

A number of concerns were noted in relation to taking long term breaks from work, particularly maternity leave. All lawyers in private practice were worried about losing their clients to other lawyers while away. This was a key factor in the early return of some women from maternity leave.

The existence of paternity leave, and the growing number of practitioners taking advantage of this opportunity, helps to make maternity leave, the protection of a practice and the return to work process more straightforward.

"Years ago when I had my child, I returned to work after 5 months otherwise I would not have had a job. Fortunately, that has changed with the introduction of paid maternity leave and more time being afforded women through legal requirements and generous work conditions." Female partner, large law firm

It was said by some that the law could change so quickly that even short breaks of 6 to 12 months would result in lawyers feeling out of touch. A few women felt a particular lack of confidence in returning to the workforce; the longer the absence, the more reluctance was experienced in returning.

For those women not returning to their previous employer, promoting their value as new employees was often found to be difficult.

Three main areas were identified as needing focus for developing confidence in returning to work:

- updating legal skills
- reaffirming skills already possessed, and
- updating technological skills.

It was also acknowledged that keeping in touch with colleagues and clients during an absence can ease the return to work. One government lawyer said that her practice has invited lawyers on maternity leave to attend client events and continuing legal education activities to maintain their connection with the profession.

"Women shouldn't have to feel that they will lose their practice if they take their full maternity leave. Firms need to reward their staff and partners for looking after the practice of another partner who is on leave."
Female partner, large law firm

FINDINGS: QUALITATIVE RESEARCH continued

Recruitment and promotion

“Wouldn't it be great to be able to work less and earn less and still be promoted?” Female corporate lawyer

When considering the promotion aspirations of women within their current organisations, roundtable participants suggested that women may be less comfortable than men in promoting their skills. This reluctance to self-promote was equally applicable when applying for a new position. Participants also noted a hesitation in women to apply for a position, internal or external, where they did not meet all of the selection criteria. Similarly, it was suggested that women are less likely to negotiate aggressively for better pay or work conditions. Interestingly, in the short term, this might give female candidates an advantage over males. However, over time this will create a level of dissatisfaction as the female practitioner comes to realise that her conditions of employment are not as favourable as her male counterparts.

“A lawyer I know was working as a temporary in-house counsel for a company and they employed someone from outside to the permanent position. The new in-house counsel, a man, is working four days a week, two of which he works from home. The temporary in-house counsel would have worked 5 days a week and would not have asked to work from home because she thought she would not get the job if she asked for flexible arrangements.”

Female suburban sole practitioner

It is important for employers to recognise that not all lawyers, men or women, will aspire to partnership or its equivalent in corporate and government practice. In recognising this, the opportunity is created to develop new positions to suit the needs of and capitalise on the skills of staff.

Comments were also made about recruiters who are uncomfortable placing women who have been out of the workforce or placing women in part time positions. This discomfort is not necessarily reflected by the workplace seeking staff, but attitudes such as these will impact on the confidence and ability of women to actively seek employment different to the traditional full time model.

“There are still many people today who hold the view that ‘more women would succeed if they had the merit’. They just don't say it out loud as often anymore.” Female corporate lawyer

Career pathways

Female practitioners in smaller firms reported a tendency to leave and start a sole practice if they determine that promotion will not be available to them. By contrast, female practitioners in larger firms may gravitate towards corporate or government roles to find the flexibility desired in their job.

Career pathways are also impacted by home responsibilities. This has implications for expectations of rainmaking or business development which may require considerable additional hours in excess of expected billable hour targets.

“I have two children and I have been told that until I prioritise my job over my children there is no way I will ever become a partner or progress in the firm.”

Female regional practitioner

There is also the contention that women accept a trade-off in career aspirations for work life balance. However, this may be overly simplistic given it was suggested that career expectations may change during a woman's life; beginning with a preparedness to fulfil the demands of employers and clients, but later on seeking stability and security.

“My firm has tried to offer partnerships to women who have knocked them back. We have spoken to our staff to find out what they want and have tried offering extended maternity leave, job sharing, part time work and a variety of other flexible work arrangements. The reasons why women turn down partnership are not always obvious.” Male partner, large law firm

Many women in the regions reported being encouraged to practice in particular areas of law, notably family law, regardless of whether they had any interest in the work. Crime was noted as an area in which women were not encouraged by their employer to practise; perseverance is an essential skill.

Some women have also felt their career pathways to be somewhat dictated by their decisions about family and personal life. Particular types of work, including litigation, may be accompanied by a perception that they are not appropriate for flexible working. If this cannot be overcome, either long term career planning or a mid-career change may become necessary.

“Wouldn’t it be great to be able to work less and earn less and still be promoted?”

Female corporate lawyer

Remuneration

All roundtable participants were surprised at the statistics which show a difference between male and female remuneration levels as early as year one. It was generally believed that such obvious discrimination did not occur and that the differences could be otherwise explained. Interestingly, one of these alternate explanations was that more men than women are taking positions with large city law firms which pay higher salaries. However, this explanation does not address why more women may be taking positions in suburban or regional firms. It was also suggested that women may be working in less lucrative areas of the law within firms.

“Many women work in areas of lower financial reward in a legal practice, such as conveyancing, or are ‘herded’ into family law, children’s issues or legal aid. Their salaries will reflect this.” Regional President

Client expectations

The impact of client expectations on the availability and success of flexible working has been described above. It was reported that clients are not always supportive of their “favourite” lawyer not being available at a moment’s notice. Others noted, however, that this can often be overcome with consideration of the client’s needs

when designing a flexible arrangement. Clear communication of the revised service along with assurances that quality will not be compromised can go a long way to maintaining the confidence of clients. This can be very difficult for a sole practitioner where there are no other team members on whom to rely.

“While some scepticism remains about working from home and other flexible work arrangements, clients will always tell you if that person is not doing the required work.”
Female government solicitor

Workplace culture

“We have a moderate expectation of profit in our business model. We have a target of six billable hours per day, and it is celebrated when staff achieve this. We have had no staff turnover in nine years.”
Partner, small CBD law firm

Generation Y is considered to have had an enormous impact on the culture of organisations. Work life balance and promotion opportunities feature prominently as topics during graduate interviews. There is a recognition that changes in workplace culture have been noticeable over the last 20 years and it is expected that changes will continue in a positive direction for both women and men.

Workplace culture will impact on all facets of career progression, although stories were generally encouraging about change over time.

“We are now seeing a generation of men who are not prepared to follow the traditional template for work and we should look at this as an opportunity to change the way of working, defining jobs and defining what success means.” Female government lawyer

An observation was made that effecting the right sympathetic culture for change within a whole organisation, or at least within sub-components of the organisation (such as practice groups within firms), may create a “tipping point”. This is the point where there are enough women working in personally satisfying ways to begin a change in cultural attitudes. If that tipping point is maintained, it will make it easier to keep in place an acceptance that women can achieve both their personal and career aspirations with the full support of their employer and colleagues.

CONCLUSION

Women are valued and successful members of all segments of the legal profession. However, the experiences of many women suggest there are still barriers and impediments to be faced by women solicitors who wish to progress in their careers. These barriers are more obvious in private practice where there are indications that a greater proportion of young women leave the profession than young men. According to Law Society statistics, there are also significantly fewer senior women than senior men at partnership level in private firms. While we do not have comparable figures for the corporate and government sectors, the feedback from roundtable discussions suggested it is more likely for women to be in positions of leadership in these organisations than is the case in private law firms. We know from our participants that not every woman in private practice aspires to partnership and that there are many definitions of success. However, we also know that women lawyers expect to have the same opportunities as men to progress to senior positions should they wish to do so.

Key areas in which roundtable participants identified impediments to the advancement of women were the availability of flexible working arrangements and returning to work after an absence, particularly maternity leave. While most employers have policies for flexible working, difficulties were experienced in translating those policies into appropriate workplace arrangements. Those participants who reported positive experiences suggested that discussion between individuals, supervisors and colleagues, including clients where necessary, can be effective in devising an arrangement which meets the needs of the individual, the work team, the practice and the client. The Law Society believes it can facilitate this process by publishing information on different types of flexible working and the business case for these, as well as providing tips on developing appropriate arrangements.

Returning to work after an absence is a second area where the existence of a policy may not translate to a successful transition back to practice. One strategy identified for improving the experience of women was to maintain a connection with the profession during an absence. It was also suggested that women may benefit from continuing professional development (CPD) activities which are targeted at those who have been absent from practice. The Law Society believes it can assist in both of these areas with online resources and tailored CPD and networking opportunities. The Law Society also plans to review the effectiveness of its locum service in providing coverage for parental leave and other breaks, particularly for practitioners in sole practice and small firms.

Mentoring and networking were highlighted in roundtable discussions as key factors in achieving success in the legal profession. It was suggested that women should seek out mentors, sponsors and champions and that practices should consider in-house mentoring schemes. Further work which the Law Society can do in this area is to publish information on how to make the most of a mentoring relationship and to investigate the formal mentoring opportunities available to women at key stages during their careers including into and beyond their 30s.

In relation to networking, it was suggested that women need to make this more of a priority in their working lives and that practices should ensure networking opportunities are available during business hours. There is a role for the Law Society here in providing training for women to improve their skills in either business development or personal career networking.

Consistent with the Law Society's approach throughout the project, we are not advocating in our recommendations for the adoption of mandatory requirements or quotas for gender diversity in legal practices. Apart from requiring modification of current regulatory arrangements which would be, at best, slow and at worst, divisive, we believe there is an appetite for continued change which can be further stimulated by the facilitative

recommendations in this report. It is recognised, however, that there is a need for continued monitoring of progress. The Law Society will therefore report on the implementation of the recommendations and publish updated statistics in around 18 months and will conduct an evaluation in 3 years.

The Law Society is also keen to understand whether the increasing number of women lawyers is having a substantial impact on new appointments to senior positions. We know that the total proportion of female partners in private firms is increasing slowly, but it is unclear whether there is a faster growth in the proportion of women amongst new partner appointments. Statistics are published for the largest firms by *The Australian* and *The Australian Financial Review*, but this information is not available across all practices. Research on the gender breakdown of senior appointments would also allow us to establish a clearer picture of female participation in leadership roles in the corporate and government sectors. The Law Society will investigate the options for research in this area.

Throughout the project, the Law Society has been eager to learn from practitioners' successes as well as the difficulties they have experienced. We would like to share some of the successful strategies discussed by roundtable participants which may assist either individual practitioners or practices. These are included as "tips" following the recommendations in this report. Similarly, we are planning to hold a further thought leadership event in 2012 which profiles the advancement of women, either through success in diverse career paths or in establishing effective flexible working arrangements.

The Law Society hopes that the findings published in this report on the experiences of women solicitors will inform future discussions about the advancement of women in the profession. We invite individual practitioners and practices to learn from the collective wisdom of the participants in our project, as we have tried to do in formulating the recommendations set out in the next section. The Law Society will be working hard to implement these recommendations which we believe will have a positive impact on the experiences of women in our profession. We commend the report to both men and women who are interested in a more flexible, more diverse profession at all levels.

Women are valued and successful members of all segments of the legal profession. However, the experiences of many women suggest there are still barriers and impediments to be faced by women solicitors who wish to progress in their careers.

RECOMMENDATIONS

1. Publish tips for practitioners and practices arising from roundtable discussions.
2. Publish information to assist practitioners and employers who are considering flexible work arrangements including:
 - information on different types of flexible working
 - tips on developing an appropriate arrangement, and
 - information on the value of flexible working.
3. Host a thought leadership event in 2012 which profiles the advancement of women across the profession including alternative career paths and/or effective flexible work arrangements. Publish case studies following the event.
4. Develop and deliver a continuing professional development session for practitioners returning to work after parental leave or other absence. Consider how the session could accommodate different areas of practice and levels of experience.
5. Develop an online resource for practitioners who are absent from the profession including information on:
 - CPD opportunities including the return to work program
 - applying for a new practising certificate
 - networking events, and
 - associate membership.
6. Review the effectiveness of the Law Society's locum service in providing coverage for absences during parental leave and other breaks, particularly for practitioners in sole practice and small firms.
7. Investigate options for improving opportunities for mentoring of practitioners at key stages of their careers including by:
 - publishing mentoring materials, and
 - considering the development of a new mentoring scheme or service for women lawyers.
8. Develop and trial a workshop for women who wish to improve their business development or personal networking skills.
9. Trial networking events for lawyers to attend with their children, especially practitioners on parental leave.
10. Investigate commissioning further research on the gender breakdown of senior legal appointments across all segments.
11. Publish updated statistics and a progress report on implementation of the recommendations by June 2013.
12. Conduct an evaluation by the end of 2014.

TIPS FOR PRACTICES AND PRACTITIONERS FROM ROUNDTABLE DISCUSSIONS

During the roundtable discussions, participants identified a number of strategies which they had seen work well for individual practitioners or practices. The following tips for practitioners and practices attempt to capture some of that collective wisdom.

Tips for practitioners from roundtable discussions

1. Identify your personal definition of success. Don't judge your own career against others'.
2. Develop a career plan which anticipates major life changes. Don't be worried when you change the plan.
3. Plan ahead for career breaks. Start talking to your employer early on and consider whether specific arrangements should be included in your employment contract.
4. Try to stay in touch with colleagues and clients during an absence from practice. Think about attending CPD.
5. Be prepared to make a business case for flexible working. You are more likely to be successful if there are benefits for your employer as well as for you.
6. Be aware of the impact of flexible working on your colleagues. They are your greatest allies in making it work.
7. Identify a more senior practitioner to approach as a prospective mentor.
8. Look for opportunities to act as a mentor to a more junior practitioner.
9. Consider how networking could be given greater priority in your calendar to assist with developing your career or business development opportunities.
10. Prepare in advance for negotiations relating to promotion and salary.
11. Be brave. Work out what you want and ask for it.

Tips for practices from roundtable discussions

1. Practitioners are more likely to stay with your practice if they know there is a career pathway which matches their goals.
2. Think about the needs of staff returning to work after career breaks including rebuilding their client base or re-skilling.
3. Invite staff on parental or other extended leave to attend CPD and other events.
4. Ensure workplace policies, particularly for flexible working, are capable of implementation in practice. Find ways to make the policy work for individuals.
5. Ensure immediate supervisors do not make practitioners uncomfortable when they need to take sick or carers leave.
6. Make working off-site a practical reality by providing effective access to technology.
7. Don't overestimate the resistance of clients to flexible work arrangements. Talk to them.
8. Consider establishing an in-house mentoring program.
9. Arrange business development networking opportunities during business hours – and with a range of activities suited to both men and women – to accommodate a wider range of practitioners.
10. Be vigilant to avoid the perception that non-performance related factors may affect salary or promotion.
11. To avoid a long hours culture, recognise the work done not the hours spent in the office.

APPENDIX 1: A DECADE OF COMMITMENT TO SUPPORTING AND RETAINING WOMEN IN THE PROFESSION

The Law Society has a long record of supporting female practitioners in NSW. Set out below are summaries of three of the major initiatives undertaken in the last 10 years.

2001 Equal Opportunity Handbook and Model Policies

In November 2001, the Law Society Council adopted the *2001 Equal Opportunity Handbook and Model Policies* (the 2001 Handbook). The aims of the 2001 Handbook were to:

- inform practitioners about the importance and relevance of EEO law to the profession
- identify practitioners' legal obligations under discrimination law, and
- provide practical tools for implementing workplace change.

The 2001 Handbook contained the following model policies and procedures:

- Law Society of NSW Model Equal Opportunity Policy 2001
- Law Society of NSW Model Harassment Policy 2001
- Law Society of NSW Model Grievance Procedure 2001

The 2001 Handbook updated the Law Society's 1996 Equal Opportunity Policy which contained model policies on equal employment and promotion, the provision of part time work and the prevention of harassment as well as model grievance handling procedures.

After Ada: a new precedent for women in law

In September 2002, the Law Society Council adopted the paper *After Ada: a new precedent for women in law* (the After Ada paper). The aims of the After Ada paper were to evaluate the role and experience of women in the legal profession at the beginning of the 21st century and to provide an agenda for change. The After Ada paper was published in 2002, 100 years after the graduation of Australia's first female law student, Ada Evans.

In 1902 Ada Evans was Australia's first female law graduate, completing her studies at the University of Sydney. For 16 years, Ada lobbied authorities in Sydney and London to allow her, as a woman, to register as a student-at-law. As "there [was] no precedent" for this, Ada had to wait until the *Women Legal Status Act* in 1918 before she was able to register as a student-at-law. In 1921 Ada was admitted as a barrister to the Supreme Court of New South Wales but elected not to practice on the basis that so much time had elapsed since her graduation. She did not wish "women's standing in the profession to be undermined by a show of incompetence."

After considering the gender profile of the profession, the experience and expectations of women in the legal profession and changes in the workplace, the After Ada paper suggested:

...that the profession is failing to recognise that there are flaws in the profession that mitigate against women securing senior positions within it. Further, the profession also needs to recognise that it is incumbent on the profession to identify and fix the flaws or risk losing a significant segment of their profession. As the professional association, the Law Society has a leadership role to assume to assist the profession to work through these complex issues to ensure substantive and sustainable change.

The After Ada paper concluded:

The issue about women as partners in the legal profession is a complex one. As this paper illustrates, the low number of women at senior levels in the private profession is due to a number of complex factors such as the limitations of the current structures and practices in law firms, the barriers created by the profession's own culture, changes in the demographic mix of the profession and changes in society's expectations about the role of work and work/life balance.

The 16 recommendations made in the After Ada paper included proposals for publications, further work on business structures, ideas for professional development and possible areas of further research.

The Case for Flexibility – Delivering best practice in integrating work and life in the legal profession: A guide to implementing a flexible workplace

In February 2005, the Law Society published *The Case for Flexibility – Delivering best practice in integrating work and life in the legal profession: A guide to implementing a flexible workplace* (the Case for Flexibility). Publication of the Case for Flexibility followed a growing recognition over a number of years that a study was needed to assist legal practitioners and firms to develop and implement flexible work practices successfully. In particular, the key objectives of the study were to:

- raise awareness of the benefits of implementing flexible work practices (particularly in private practice)
- build commitment to implementing flexibility in the legal profession
- provide practical advice on implementing flexibility in the legal profession
- increase the use of flexibility in the legal profession
- attract and retain talent in the legal profession
- increase productivity and profitability, and
- improve client service in the legal profession.

To achieve these objectives, the study methodology focused on the examination of legal firms which were reputedly best practice models in implementing flexibility. In order to develop a holistic perspective, comments on the implementation of flexibility were sought from partners/supervisors, human resources managers and practitioners working flexibly.

The Case for Flexibility identified 8 key findings which contribute to the success of flexibility within law firms:

- articulate and promote the value of flexibility
- demonstrate leadership
- provide support for supervisors
- grow effective behaviours and attitudes in the employee working flexibly
- develop a communication plan
- identify barriers to flexibility and develop creative solutions
- develop Flexibility Principles, and
- create the pathway for implementation.

The Case for Flexibility presents a compelling case for flexibility in the legal profession, both as a strategy to help practitioners to integrate their work and life commitments, and as a pathway to enhancing the profession's diversity, quality and commitment to service. Some of the information and strategies identified in the Case for Flexibility will form the basis of the information to be published under Recommendation 5 in this report.

APPENDIX 2: CASE STUDIES FROM OTHER JURISDICTIONS

Recognition that more work is needed on the advancement of women in the profession is not unique to NSW or even Australia. In this section we summarise the outcomes of four projects on this theme from four different but comparable jurisdictions. The first two focus on identifying barriers and the second two consider new measures to support the retention and advancement of women.

Identifying the obstacles

England and Wales

In 2010, the Law Society of England and Wales undertook a project looking at the “obstacles and barriers to the career development of woman solicitors”. The Law Society of England and Wales held 4 roundtable discussions followed by some in-depth one-on-one interviews.

Five primary themes were found to impact on the advancement of women which correlate closely with the findings of the NSW Law Society:

1. Flexible working practices

Flexible working practices were noted as a significant obstacle in women progressing in their careers. The following points were discussed as the main components of the issue:

- There is often reluctance by management to support flexible working as it requires effective, and possibly more time consuming, management of staff.
- Many firms have a long hours culture, where being seen in the office is considered very important.

- Asking for flexible arrangements amounts to “stepping off the career ladder”.
- Client expectations, or perceived expectations, can hinder the implementation of flexible working requests.
- Recruiters can perpetuate the impression that employers require standard full time employees, refusing to discuss flexible work options when placing staff.
- Despite officially working part time, a full time load is expected to be achieved in less time.
- New and developing technologies are a double edged sword, enabling work to be done outside the office, but also facilitating an expectation that more work will be completed outside of formal hours.
- Flexible working often takes place at senior levels, but is not acknowledged as such eg “I’ll be in a meeting this afternoon” which translates to, “I’ll be at my child’s school concert”. This creates a confusing view of what is acceptable under the guise of flexible work.

2. Organisational culture

Organisational culture has an impact through:

- A lack of positive female role models.
 - Culture gaps between established policies and the day-to-day behaviour of partners managing teams.
- Established culture which requires lawyers to be on call 24/7.
 - Some women feeling that client relationship building is often geared more towards men, with an emphasis on sport and drinking.

3. Infrastructure

Infrastructure, which refers to the structure of a typical legal firm, including business model, career development, management style and working practices, impacts on advancement of women as follows:

- The profession is quite insular and as a result, is not applying best practice from other industries where women may be progressing more smoothly through their careers.
- Lawyers’ perceptions of clients’ expectations perpetuate current working practices, resulting in a marked difference between the perceived and actual needs of the client.
- The standard of people management is not perceived to be particularly high.
- Mentoring was mentioned as an important element for overcoming perceived inadequacies in firm culture and management.

4. Measurements of professional achievement

Measurements of professional achievement can provide a disheartening place to work as these measures do not necessarily reflect different definitions of success:

- Billable hours are the core driver and principal measure of quality of work and assessment for promotion.
- Success measures are very male-oriented, including an emphasis on winning work rather than keeping it.
- Criteria for being made up to partner are considered to be inconsistent, unclear and not transparent leading to an inferred discrimination against promoting women.
- Presenteeism is valued so highly as to encourage an environment of deception if personal matters needed to be attended to. For instance, leaving a jacket on the back of the chair or saying one is attending a “meeting” when actually attending to family matters.

5. The perceptions of women

Women were often noted to play a role in creating obstacles to their own progression.

- Women are deciding much earlier that a career in law, particularly a law firm, is not for them. This is occurring long before conversations about flexible working, or other supportive arrangements, are required indicating that women are not feeling supported, even in the early career stages.

- There is a tendency for women to consider they need to be completely skilled before applying for promotion. This contrasts with men who will often try for a new role, whether or not they possess the advertised skill set.
- Some women are perceived as achieving higher roles by imitating traditionally male behaviours.
- It is still considered that women bear a higher domestic load, even if they are achieving and succeeding in their professional life. This creates an environment of frustration with women perceiving they always need to be achieving at a higher level than their male counterparts who have domestic assistance at home.

United States

In response to a call from United States District Court Judge Nancy Gertner to give attention to the lack of women in positions of leadership in the law, in 2004 an Equality Commission was established with representatives from the Boston Bar Association, the Massachusetts Bar Association, the Women’s Bar Foundation and the Women’s Bar Association. During 2005-2006 a research project was commissioned to look into the rates of attrition in Massachusetts law firms and career decisions in the practice of law.

The results showed that as at March 2006, women made up only 17% of firm partners. It was found that women primarily left the partnership track due to a lack of real support for flexible working arrangements.

The study showed that women leaving law are not leaving the workforce altogether, with only 3% choosing to no longer work. Of the reasons cited for leaving law, the most common for women was “difficulty integrating work with family/personal life”, while men tend to focus on elements of the work environment.

Approximately 65% of women who were not equity partners, practising in a firm in 2005, reported using some kind of flexible working arrangement. This contrasted with just 9% of the comparable category of men using flexible working.

The availability of flexible working will retain female staff, with women below partner level who worked flexibly reporting they were 20% more likely to stay with their firm than other pre-partner women. However, women who had been at the same firm for at least 4 years and had used flexible working were 7% less likely to have made partner than their counterparts who did not use these arrangements.

APPENDIX 2: CASE STUDIES FROM OTHER JURISDICTIONS *continued*

Introducing new measures

Canada

On 22 May 2008, the Law Society of Upper Canada released the final report of its Retention of Women in Private Practice Working Group. The report made 9 recommendations approved by the Convocation of the Law Society to enhance the retention of women in private practice. In October 2010 and June 2011, status reports were published outlining the progress made in implementing each of the recommendations:

1. The Justicia Project

This 3 year pilot project for firms of more than 25 lawyers was launched on 25 November 2008 and had 57 participating firms 2 years later. Justicia firms have committed to adopting programs for the advancement and retention of women and collaborate through a number of working groups and managing partners' summits. Resources developed by and made available to Justicia participants include:

- Guide to Assist Law Firms and Lawyers in Developing Successful Flexible Work Arrangements
- Gender Data Collection – Guide for Law Firms
- Gender Data Collection Template
- New Parent Tool Kit Template
- Preparing for a Lawyer's Pregnancy or Parental Leave – Guide for Law Firms
- Guide to Assist Law Firms in Developing Pregnancy and Parental Leave Policies for Associates
- Guide to Assist Law Firms in Developing Pregnancy and Parental Leave Policies for Partners, and
- Law Firm's Self-Assessment Tool.

2. Direct Support

The Law Society of Upper Canada has run a number of events under the banner of the Women's Leadership Institute. These included the Women Lawyers' Symposium – Fostering and Celebrating Success and a panel discussion entitled Guide to Success – A Dialogue with Women in Law. Three workshops were held from November 2010 to February 2011 with future events foreshadowed in the Retention of Women in Private Practice Status Report in June 2011. Direct support has also been provided by way of online resources including the materials under 1 above and 5 below.

3. Contract Lawyer's Registry

The Contract Lawyers' Registry is available online to assist women to find competent lawyers to maintain their practice during an absence. The site includes specific tools to help lawyers hire a contract lawyer including sample contract clauses.

4. Parental Leave Assistance Program

The Law Society of Upper Canada launched a 3 year pilot parental leave program to provide financial assistance to practising lawyers who are partners in firms of 5 or fewer lawyers and meet the eligibility criteria. A fixed sum of \$750 a week is provided to eligible applicants for up to 12 weeks. Assistance is only available to applicants who have no access to other maternity, parental or adoption financial benefits under a public or private plan. New Canadian laws have provided self-employed persons with benefits including maternity, parental and adoption benefits that were previously available only to wage earners and salaried workers.

5. Direct Resources

The Law Society of Upper Canada has launched a Women's Online Resource Centre which includes practical resources for women, particularly in sole practices and small firms (see <http://tc.lsuc.on.ca/jsp/worc/index.jsp>).

6. Beginning at Law School

Between 2009 and 2011, representatives of the Law Society of Upper Canada visited all of the Ontario law schools to give presentations on women's issues. The Law Society also co-hosted a symposium for law students and sole and small firm practitioners on Articling & Beyond – Finding Work that Works for You.

7. Creation of Advisory Group

The Women's Equality Advisory Group was created to assist with the implementation of the recommendations and is composed of 10 women with expertise in issues related to equality and diversity.

8. Networking

The Law Society of Upper Canada partners with relevant organisations to facilitate the development of networking strategies for women from aboriginal, francophone or equality seeking backgrounds.

9. Evaluation of Programs

The Equity Initiatives Department of the Law Society of Upper Canada provides monthly reports on implementation with pilot programs to be evaluated at the end of their 3 or 5 year pilot period.

Australia-wide

The Law Council of Australia (LCA) has recently adopted a Strategic Framework for Recruitment and Retention of Women Lawyers (Strategic Framework). The Strategic Framework sets out a number of initiatives to promote the recruitment and retention of women barristers and solicitors, including the following:

1. scoping research into a national study of the attrition of women lawyers in the profession
2. developing a wider diversity policy to promote equality and diversity in the legal profession, and
3. implementing the 2009 Court Appearance Survey: Strategy and Action Plan which aim to address the findings of a 2009 survey on court appearances of male and female barristers. The key findings of the survey were as follows:
 - Overall, male and female barristers appeared in matters in the same gender proportion that they existed in the Bar population (81% male, 19% female).

- However, appearances by female barristers were lower in matters resulting from briefings by private law firms (86% male, 14% women).
- In addition, average appearance time for male barristers was significantly longer than for female barristers (3.8 hours male, 2.8 hours female).

A key element of implementation is to promote the LCA's Equitable Briefing Policy.

APPENDIX 3: STATISTICS AND THEMES FOR DISCUSSION



THE LAW SOCIETY OF NSW

THOUGHT LEADERSHIP 2011

Advancement of women in the profession

Statistics on women in the profession

Women solicitors 1988–2010

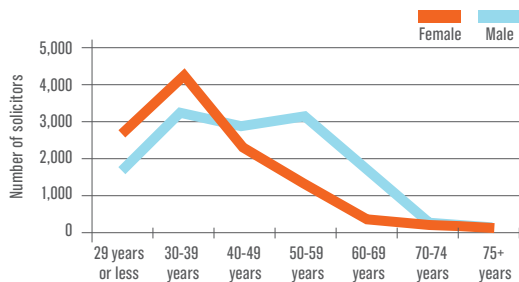
There has been a 451.5% increase in women solicitors since 1988

Year	Male	Female	Total
2010	12,845 (54.1%)	10,915 (45.9%)	23,760
2008	12,260 (55.5%)	9,845 (44.5%)	22,105
2003	11,112 (61.4%)	6,980 (38.6%)	18,092
1998	9,414 (67.9%)	4,457 (32.1%)	13,871
1993	8,859 (74.1%)	3,098 (25.9%)	11,957
1988	7,829 (79.8%)	1,979 (20.2%)	9,808

Years since admission in 2010

	Male	Female	Total
< 1 year	993 (40.8%)	1,442 (59.2%)	2,435
1-5 years	2,024 (40.1%)	3,020 (59.9%)	5,044
6-10 years	2,266 (45.6%)	2,700 (54.4%)	4,966
11-14 years	1,344 (51.7%)	1,256 (48.3%)	2,600
15+ years	6,218 (71.3%)	2,498 (28.7%)	8,716
Total	12,845 (54.1%)	10,916 (45.9%)	23,761

Age profile of solicitors in 2010



Gender of solicitors by employment sector in 2010

Sector	Male	Female	Total
Private	9,815 (58.9%)	6,857 (41.1%)	16,672
Government	1,015 (36.8%)	1,745 (63.2%)	2,760
Corporate	2,014 (46.5%)	2,313 (53.5%)	4,327
No response	1	0	1
Total	12,845 (54.1%)	10,915 (45.9%)	23,760

Part time working by solicitors in 2010

	Male	Female	All solicitors reporting part time working
Total number reporting part time working	428 (34.4%)	812 (65.3%)	1,243
Mean hours worked	19.99	25.66	23.90

Note: Total does not reflect totals of males and females as gender not stated in some cases.

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Notes: Unless otherwise stated, statistics are sourced from the 2010 and 2005 Profiles of the Solicitors of NSW, prepared for the Law Society of NSW by Urbis. The data in the Profiles is obtained from the annual census data drawn from the Law Society's database on 25 October 2010 and from the Annual Practising Certificate Survey conducted by the Law Society. All statistics for solicitors refer to holders of NSW Practising Certificates.



THE LAW SOCIETY OF NEW SOUTH WALES



THE LAW SOCIETY OF NSW

THOUGHT LEADERSHIP 2011

Advancement of women in the profession

Statistics on women in the profession

Gender profile of partners and principals in private firms 2010 and 2005

	Male		Female		Total	
	2010	2005	2010	2005	2010	2005
Sole Practitioners	3165 (77.3%)	2774 (79.9%)	929 (22.7%)	696 (20.1%)	4094	3470
2-4 partners	1057 (82.3%)	1180 (87.3%)	228 (17.7%)	171 (12.7%)	1285	1351
5-10 partners	379 (82.9%)	427 (87.1%)	78 (17.1%)	63 (12.9%)	457	490
11-20 partners	170 (81.7%)	174 (87.0%)	38 (18.3%)	26 (13.0%)	208	200
21+ partners	896 (76.7%)	1025 (81.5%)	272 (23.3%)	233 (18.5%)	1168	1258

Women barristers in 2010 and 2005 (holders of NSW practising certificate)

	Male		Female		Total	
	2010	2005	2010	2005	2010	2005
All PC holders	1750 (81.2%)	1853 (85.2%)	404 (18.8%)	323 (14.8%)	2154	2176
SC or QC	315 (93.5%)	309 (96.0%)	22 (6.5%)	13 (4.0%)	337	322
Junior barristers	1435 (79.0%)	1544 (83.3%)	382 (21.0%)	310 (16.7%)	1817	1854

Source: New South Wales Bar Association Annual Reports

Estimated income of solicitors in 2010

	1 year		1-5 years		6-10 years		11-15 years		16-30 years		30+ years		All	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Estimated mean income	\$62,100	\$57,100	\$88,600	\$77,000	\$121,100	\$108,800	\$148,300	\$122,500	\$156,100	\$130,500	\$137,900	\$106,600	\$130,900	\$101,300

Note: Estimated income is for respondents working full time in private practice

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Notes: Unless otherwise stated, statistics are sourced from the 2010 and 2005 Profiles of the Solicitors of NSW, prepared for the Law Society of NSW by Urbis. The data in the Profiles is obtained from the annual census data drawn from the Law Society's database on 25 October 2010 and from the Annual Practising Certificate Survey conducted by the Law Society. All statistics for solicitors refer to holders of NSW Practising Certificates.



THE LAW SOCIETY OF NEW SOUTH WALES

APPENDIX 3: STATISTICS AND THEMES FOR DISCUSSION continued



THE LAW SOCIETY OF NSW

THOUGHT LEADERSHIP 2011

Advancement of women in the profession

Themes for discussion

'Advancement'

- What does it mean?
- How do we measure success?
- Is it different for men and women?

Flexible working

- Is flexible working available?
- What works? Where? Why? When?
- Can there be flexibility at senior levels?

Networking, mentoring and development

- Is there equal availability of formal and informal opportunities?
- How important is networking?
- How important are referrals and recommendations?

Recruitment and promotion

- Homogeneity in the profession – does like recruit like?
- Are processes transparent and effective?
- Are there women in the pipeline?

Career pathways

- Does the reality match expectations?
- Are women more likely to leave the profession or switch between segments?
- Are there segment specific pathways?
- What are the pathways for rural and regional practice?
- What about sole practitioners?

Maternity leave and other 'breaks'

- What is the impact of an absence from practice?
- What issues arise on return to practice?

Remuneration

- Is there equal pay for equal work?

Client expectations

- For a diverse profession at all levels?
- For 24/7 service?

Workplace culture

- What sort of workplace do we want to create?
- Can other values exist alongside profitability?

What should we do?

- Practitioners?
- Practices?
- The Law Society?



THE LAW SOCIETY
OF NEW SOUTH WALES

APPENDIX 4: GUEST SPEAKER AND PANELIST INFORMATION

Profile of project champion

Stuart Westgarth, President,
The Law Society of NSW



Stuart Westgarth is the 2011 President of the Law Society of NSW. He is a highly experienced litigator and

partner in the National Litigation Group of HWL Ebsworth. Prior to this, Stuart was a partner (including Managing Partner) at Corrs Chambers Westgarth.

Stuart has taken a very active role in the Law Society of NSW since he became a Councillor in 2007. Since that time, he has been a member and Chairman of the Law Society's Litigation Law and Court Practice Committee, the Audit Committee and the Ethics Committee.

Before beginning his term as President, Stuart noted his commitment to reaffirming the Society's role as a thought leader. At this time, Stuart reviewed available statistics on the profession and realised there was still work to be done to remove the remaining impediments to women advancing in law. The Thought Leadership 2011: Advancement of Women in the Profession project is the result of this realisation and Stuart's broader commitment to thought leadership.

This project also has personal meaning for Stuart, with two of his daughters following their father's footsteps into law.

Profile of Launch Breakfast guest speaker

The Honourable Justice Julie Ward,
Supreme Court of NSW



The Honourable Justice Julie Ward was admitted as a solicitor of the Supreme Court of New South Wales in 1982. One of her first roles was

as an associate to the then chief judge of the Federal Court, the late Sir Nigel Bowen. Justice Ward joined Mallesons Stephen Jaques (then Stephen Jaques Stone James) in 1983 and in 1988, at the age of 28, became the youngest female partner of the firm.

Justice Ward held a number of roles in her twenty years as a partner and acquired extensive experience in commercial litigation and alternative dispute resolution, acting in matters in a number of States and in the Federal jurisdiction. In 2008, Justice Ward was the first woman solicitor to be appointed directly to the Supreme Court of NSW and sits in the Equity Division.

Justice Ward holds a Bachelor of Arts and Bachelor of Laws with a University Medal from the University of Sydney, and first-class honours in a Bachelor of Civil Litigation from the University of Oxford.

Profile of Report Release guest speaker

Sharon Cook, Managing Partner,
Henry Davis York



Sharon has been managing partner of Henry Davis York, since 1 July 2008. She is the only female managing partner in Australia's top

30 law firms. She holds a Bachelor of Arts and a Bachelor of Laws with Honours.

In 2010, Sharon received a Highly Commended notation in the Lawyers' Weekly ICON Awards for "First Law International Managing Partner of the Year".

Sharon has long been a champion for women in the workforce and for family-friendly, flexible work practices. This has been recognised by the Equal Opportunity for Women in the Workplace Agency (EOWA) which awarded Henry Davis York an Employer of Choice citation in 2011 and also selected the firm as a finalist in its Business Achievement Awards in the category of "Leading Organisation for the Advancement of Women with less than 800 employees".

Sharon acknowledges the importance of successful female role models and advocates practitioners observing those around them when thinking about how to make their own career path work. Sharon was the first female to be specifically appointed as a part time partner by a major Australian law firm. She also spearheads Henry Davis York's Contemporary Women program which supports community and charitable projects and networking for professional women.

APPENDIX 4: GUEST SPEAKER AND PANELIST INFORMATION continued

Profiles of guest panelists

Dr John Ballard, Director,
Lapis Proprietary Limited



With over 20 years experience in the health and aged care sector, John has been recognised for his industry leadership. In his

previous role as the Chief Executive Officer of Mercy Health, in 2008 he was awarded the “Leading CEO for the Advancement of Women” by the Equal Opportunity for Women in the Workplace Agency (EOWA) and in 2009 the “Lynda Gratton CEO of the Year” by the Australian Human Resources Institute. Also in 2009 his then company, Mercy Health, was awarded the:

- Diversity and Inclusion Champion - Large Organisation award by Diversity@Work
- Leading Organisation for the Advancement of Women by the Equal Opportunity for Women in the Workplace Agency
- Aon Consulting Award for Best Workplace Diversity Strategy, and
- Employer of Choice for Women citation through the EOWA in 2008, 2009, 2010 and 2011.

John is currently a Director of Lapis Proprietary Limited, a specialist consulting firm focusing on the health and aged care industries.

John holds an undergraduate degree from the Australian National University, a Master of Health Administration from the University of New South Wales and a doctorate from Macquarie University.

Reshma Bargon, Senior Lawyer,
Fair Work Ombudsman



Reshma Bargon is a Senior Lawyer at the Fair Work Ombudsman. The Legal Group of the Fair Work Ombudsman provides legal

advice and engages in litigation seeking the imposition of civil penalties under the Workplace Relations Act 1996 and Fair Work Act 2009.

Reshma is currently on maternity leave and is being kept busy by her lively and mischievous two year old son and her new 3 month old daughter. Balancing part time work with being a mum has given Reshma a strong appreciation of how important it is to have a good network of support – both at home and at work. She thinks she was doing okay with the balancing act with one child, but does feel a little apprehensive when contemplating adding another child to the equation.

Reshma has a Bachelor of Law from the University of NSW and a Bachelor of Science from the University of Wollongong. She commenced her career as a graduate at the Office of the Employment Advocate (as it was then), before joining Senior Deputy President Jonathan Hamberger of the Australian Industrial Relations Commission (as it was) as his Associate. She has been with the Fair Work Ombudsman since 2005.

Fiona Bustos-McNeil, General Counsel,
Standards Australia Limited



Fiona is the General Counsel for Standards Australia, where she manages the full range of legal issues faced by the company. This

includes providing advice on commercial contracts, corporate transactions, intellectual property, privacy and sponsorships as well as supporting the role of the Company Secretary. It has also included advising on major matters such as the Victorian Bushfires Royal Commission.

Prior to joining Standards Australia, Fiona was a Senior Associate in Minter Ellison’s intellectual property and regulatory team, providing advice in a range of areas including patent, trade mark, copyright and misleading or deceptive conduct. During her 10 years with Minter Ellison, Fiona acted on matters across a number of industries, including pharmaceuticals, medical devices, food and beverages, fast-moving consumer goods and communications.

Fiona maintains an active interest in intellectual property and consumer protection law.

Andrea Culligan, Co-Founder, CEO and Managing Director of Unimail



Beginning with very little experience or education, Andrea has built Unimail over 11 years from an internet start up

company into a full-service HR communications and publishing agency specialising in graduate attraction and engagement. In the last 12 months alone, Andrea has tripled her staff, doubled her revenue and opened an agency in Canada.

In 2009, Unimail was awarded the Telstra NSW Small Business of the Year and in 2010, was ranked number 68 on the BRW Fast 100 listing.

With the 2009 NSW Telstra Young Businesswoman of the Year Award under her belt, Andrea brings a fresh perspective on success and career advancement.

Kate Eastman, Barrister



Kate was admitted as a legal practitioner in June 1989. Since 1998 Kate has practised as a barrister specialising in

employment/discrimination law, human rights and public law. Recent well-known cases have included acting for David Jones and the directors in the Kristy Fraser-Kirk sexual harassment claim, PwC in the Christina Rich discrimination case and for David Hicks in his Australian proceeding against the Commonwealth.

Prior to the Bar, Kate was a solicitor at Allens Arthur Robinson and a Senior Legal Officer at the Human Rights and Equal Opportunity Commission. In 2003, Kate worked as a consultant to UNIFEM Australia for Human Rights and Women project in Afghanistan.

Since 1995, Kate has been a part time lecturer at the Faculty of Law, University of Technology Sydney and Monash University where she teaches human rights, international law and advocacy.

Kate holds a Bachelor of Arts, Bachelor of Law, Masters of Law from UCL London and UTS and a Diploma of International Human Rights Law.

Lisa Gazis, Managing Director of Mahlab Recruitment NSW



Lisa joined Mahlab after a career as a solicitor with Freehills, Sydney. In her role as Managing Director, Lisa

provides strategic consulting services to corporations and law firms in Australia and abroad. She is involved in senior corporate and partner level search and recruitment campaigns. Lisa also places lawyers in positions in private practice, corporations and in government. She provides career counselling to lawyers at all levels including junior, intermediate and senior solicitors, partners and general counsel level.

Lisa is a regular speaker and writer on recruitment issues such as industry trends, recruitment and retention strategies, staff remuneration and career management.

Lisa is a member of the Executive of the New South Wales Division of the Australian Corporate Lawyers Association and the National Association of Personnel Consultants. Lisa was also a visiting member of the Board of the Law Faculty of the University of Wollongong.

Lisa has a Masters of Laws and a Bachelor of Laws / Bachelor of Arts.

APPENDIX 4: GUEST SPEAKER AND PANELIST INFORMATION *continued*

Cara Ghassemian,
Principal, CG Lawyers



Cara Ghassemian was admitted to practice as a solicitor in 1989 after graduating with an Arts/Law degree with honours in

political science from the University of NSW. Later on, Cara completed a Master of Laws with a media/communications/IP focus, became registered as a trade mark attorney and received her Masters degree in Business and Technology.

At about age 40, as a salaried partner in a medium law firm in the city, Cara asked herself whether she still wanted to be a lawyer or whether she really wanted to be an art dealer. It turned out there was a compromise position – Cara opened her own sole legal practice and began a new degree in French, Italian and Art History. This combination of interests has allowed her the enviable opportunity of spending time on the Cote d’Azur and in Sicily to further her language studies; all while continuing to run her practice from her laptop.

“Quality of life” for Cara is not measured by how much money you have in the bank but how much you embrace each day.

Cara describes the last 5 years as “fantastic”.

Belinda Gibson,
Deputy Chair of ASIC



Belinda became ASIC Deputy Chair on 7 May 2010 after almost 3 years as an ASIC Commissioner. Belinda has

responsibility for the regulation of Australia’s capital markets - both market oversight and enforcement of the integrity and transparency laws. She also has responsibility for the regulation of companies. Belinda has been significantly involved in promoting reform and developing and strengthening relationships between ASIC and the corporate sector.

Prior to ASIC, Belinda was a partner for 20 years at Mallesons Stephen Jaques, and the partner in charge of the Sydney office from 2000 to 2003. She specialised in transactional advice and corporate and securities law as well as governance issues. She was also a Director of Airservices Australia from 2000 to 2004.

Belinda holds a Bachelor of Economics and Bachelor of Laws from the University of Sydney and a Master of Laws from Cambridge. She studied there as a Menzies Scholar in Law.

Polly Harding, Corporate Counsel,
Reed Business Information Pty Ltd



Polly is a lawyer currently working for Hotfrog, an online global business directory of Reed Business Information, a division of the

international Reed Elsevier group. Her current job means she has to understand privacy laws and intellectual property in multiple jurisdictions as well as manage the day-to-day commercial legal work which is a part of any significant business.

Polly is admitted as a solicitor both in the UK and NSW and has worked in the energy, transport, disability and publishing sectors.

As the mother of two teenagers, Polly is passionate about the importance of finding ways to maintain an interesting, fulfilling and financially rewarding legal career while retaining sanity in her personal and family life. She believes strongly that a good balance between work and family time is good for her, her family and her employer.

Polly works on a part time basis and has, for 16 years, managed to find and enjoy interesting and stimulating part time legal work in a range of industries.

**Jillian Khoo, Senior Corporate Counsel,
Australand Property Group**



In her own words: “I started my law degree intending to become an academic. Two of my sisters have doctorates of education so I saw

academia as the logical career path. I applied for clerkships because I thought I should prove to myself once and for all I would hate corporate life. I loved it. I tried clerking in property in my last year of uni because I didn’t want to ‘waste’ a rotation on such a boring area. I loved it too.

Australand was my first corporate client in 1997. They built things, tangible structures that I could walk through and understand the end product of my work. In 2002, their General Counsel left and I spent several months on secondment in her chair. Being involved in the embryonic stages of decision making really appealed to me and I have never lost that enthusiasm for being involved in weighing up the opportunities and structuring ‘the next deal’. I spent 10 years at Mallesons and loved them but I wondered whether partnership was going to deliver the ‘bits of the deals’ I actually wanted to do. When my daughter was 6 weeks old, I had a phone call from a client at Australand asking me to come and handle the legals for corporate finance and capital partnering initiatives - I didn’t hesitate, I just leapt in and after 10 months of leave I became the client.

My advice above all else is try new things. You never know what will suit you best”.

**Dimity McCredie,
General Counsel, Carnival Australia**



Dimity started working in the legal profession in the early 90s while finishing her law degree at the University of Sydney. She

initially worked in the litigation group of a mid-size firm, followed by roles in the corporate departments of Gilbert + Tobin in Sydney and as a senior solicitor at Linklaters in London. She subsequently worked in a senior in-house position at a global professional services firm before her current appointment as general counsel of Carnival Australia. Carnival is a global cruise company and owns P&O Cruises, Princess Cruises, Costa, Cunard, Holland America and Seabourn. As well as leading the legal team at Carnival Australia, Dimity’s responsibilities include overseeing the compliance and risk management function.

Dimity grew up in regional NSW as the eldest of 5 children. In addition to her legal studies, Dimity completed an Honours degree in Japanese studies. She has 3 young children, and figures that over the past 10 years she and her husband have road tested just about all options in terms of childcare and family/work balance. Dimity takes an avid interest in issues affecting the advancement of women in the profession and in business more widely.

**Prue Milne, Executive Legal Counsel,
AMP Capital Investors Limited**



Prue became the Executive Legal Counsel at AMP Capital Investors in July 2005, having joined AMP in 1998.

Before joining AMP, Prue spent seven years with Blake Dawson Waldron in Sydney as an associate in their corporate and commercial group. She began her legal career in private practice as an article clerk at Freehills in Melbourne and then a solicitor at Freehills in Sydney.

On a personal level, Prue has 3 children aged 19, 16 and 14 and a husband who is a full time partner in a Sydney law firm. She has worked full time since graduating, taking 6 months (unpaid) parental leave after the birth of each child. After weaning her third child, she moved in-house pursuing the dream of “work life balance” and seeking to work more closely with the business in a large financial services organisation.

The AMP Group is committed to diversity in the workplace, with a particular focus in AMP Capital on gender diversity in investment management. Prue has formally and informally mentored and supported female colleagues in their career development and, as a mother of three, is a strong supporter of flexible workplace policies. She is a member of the executive team in AMP Capital which has recently established a Diversity Working Group to champion diversity in thought and to engender awareness of unconscious biases in the workplace.

APPENDIX 4: GUEST SPEAKER AND PANELIST INFORMATION *continued*

Victoria Poole, Corporate Counsel & General Manager - Institutional & Services, Counsel & Secretariat, The Westpac Group



Victoria Poole is Corporate Counsel at Westpac Banking Corporation, leading a team of around 80 lawyers and paralegals.

Victoria is also a director on the board of Hastings Funds Management Limited, a subsidiary of Westpac. Victoria joined Westpac in May 2010. Prior to that, she was a partner at Allens Arthur Robinson, practising in mergers & acquisitions, capital markets and funds management. Victoria came to law late in life, commencing her law degree at the age of 32 and beginning her legal career in private practice with Mallesons. Victoria made the transition to in-house as she wanted to move away from a transactional practice and build something tangible in terms of teams and businesses. She also wanted to lead a team of people to help them develop at a personal and professional level in order to achieve their aspirations.

Victoria participates in many of the diversity and flexibility initiatives underway within Westpac designed to address gender equity issues, and acts as mentor for both men and women within Westpac and Allens.

Victoria is committed to addressing issues relating to the advancement of women, that there are not adequate role models for flexible working at senior levels and poor perceptions about equal opportunities for career advancement for those working flexibly.

Philippa Stone, Partner of Freehills and a Non-Executive Director of David Jones



Philippa is the joint national leader of Freehills' award winning Equity Capital Markets team and has been a partner at Freehills since

1989. Philippa is rated as one of Australia's top lawyers in the Australian Legal Business Magazine's annual list of "Hot 40" leading lawyers for 2007, 2008, 2009 and 2010. She won the Australian Deal Maker of the Year award at the ALB Australasian Law Awards 2007 and 2009.

Chambers Global states that "clients hail Philippa as smart, always available and very clever while peers hold her in high esteem for her strength in M&A and equity capital markets" and that "clients say: she is simply outstanding - there is never a problem that she cannot solve".

In addition to her successes at Freehills, Philippa was appointed a non-executive director of David Jones in early 2010 and was previously a member of the Commonwealth Government's Business Regulatory Advisory Group on the CLERP 9 reforms and has also been a member of the International Air Services Commission.

Philippa has Honours degrees in Arts and Law from the University of Sydney.

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