

## 2017 LAW FIRM COMPARISON PROJECT SUMMARY

This is the fifth time that Women Lawyers' Association of New South Wales (WLANSW) has conducted an analysis of a range of measures that track the progress of women in law firms. While some progress is being made, it is still very slow, and the latest measures we have looked at show that practical measures like gender pay analysis and equitable briefing practices are not being universally adopted. In conducting this analysis, we are highlighting best practice in those leading law firms and shining a light on what is happening within the profession to progress gender equality.

For the first time, there are as many female lawyers in the legal profession as male lawyers. This change has taken some time to achieve, even though women have consistently made up a greater percentage of university graduates.

Despite this, female representation at the most senior levels of private practice law firms continues to lag, with no large law firm having an equal number of male and female partners, either at a total partner or equity partner level. One firm, Gilbert + Tobin, the WLANSW 'Outstanding Law Firm of the Year for 2017' Award Winner, is the closest, with 33.3% female partners overall, and 45% of all equity partners being female.

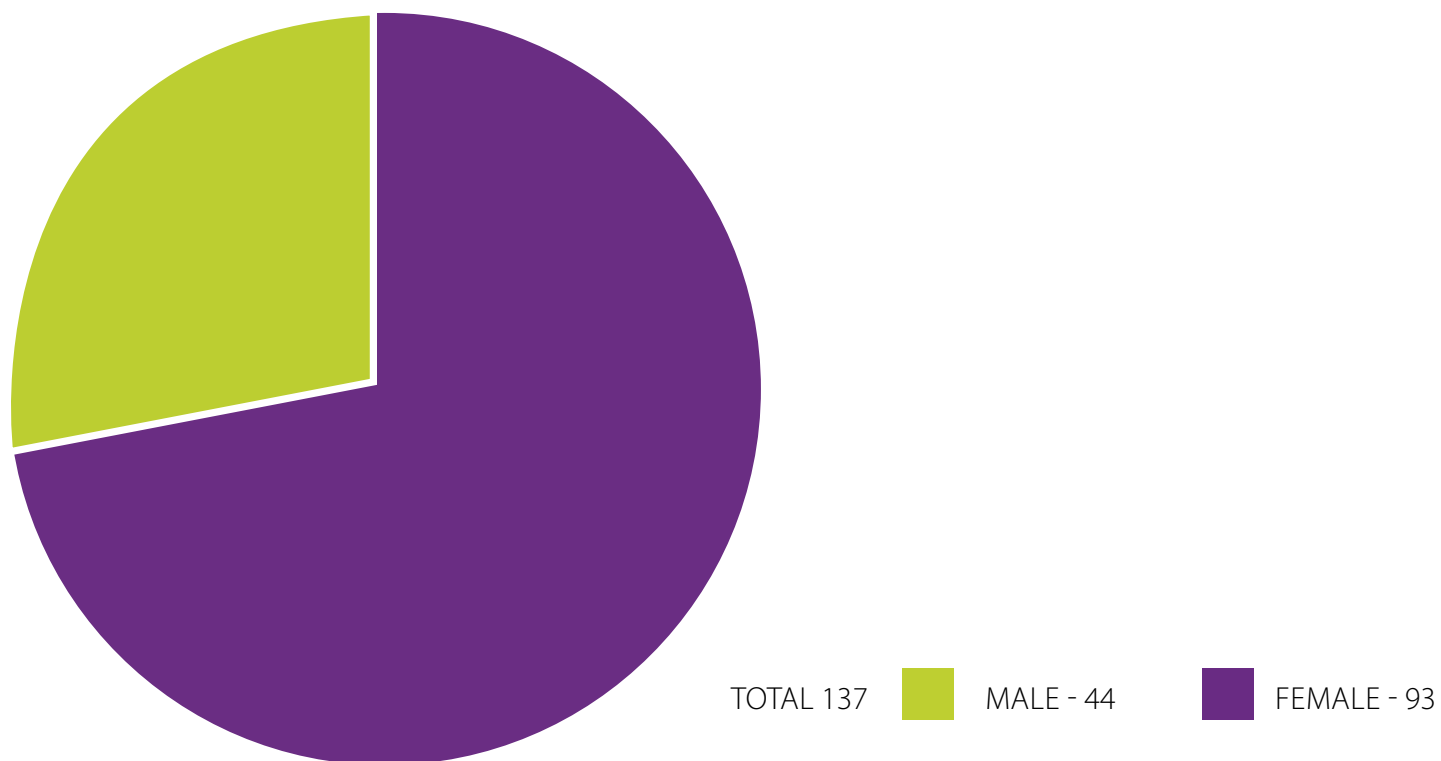
The 2017 WLANSW Law Firm Comparison project sought access, for the first time, to the full Workplace Gender Equality Agency (WGEA) 2015 - 2016 data set for reporting organisations in the Legal Services subcategory of the Legal and Accounting Services Group. This rich source of data from the 68 non-public sector employer with 100 or more employees, when combined with information from other sources, sheds a comprehensive light on the state of gender equality in reporting legal services firms.

The full comparison report statistics can be accessed on the WLANSW website under WorkPlace Practices, but the highlights are these:

- > Women continue to make up a minority percentage of equity partners in law firms, with the highest percentage being 45%, and 7 reporting firms having no female equity partners.
- > On total partner numbers, including fixed draw or salaried partners, there is some improvement, with female partner percentages ranging between 20% to 43%, with many firms improving their female partner percentage from year to year.
- > Looking back at the earlier comparisons done by WLANSW, the female partner percentages of the highest ranking firms have shifted from around the high 20% mark to the mid 30% mark this year. Again this year we have benchmarked against the Law Society of NSW's data on partnership composition, a figure which has slowly increased from 23.3% to 28.2% for large firms since 2012.
- > The WGEA data allows us to analyse equity partner percentage, and the average female equity partner percentage is sitting at a low 24.6% across all reporting firms.
- > The disparity between percentage of female total partners compared to female equity partners can be stark, with the greatest difference being over 30 percentage points. Some firms that rate well on overall partner percentage have few, if any, female equity partners. This demonstrates there is still a final barrier for women's progression in law firm ranks.
- > We also looked for the first time at the gender split of new partner admission, as if the gender split is not close to equitable with each new round of partner admission, the average will not improve over time.
- > Women are outnumbering men at graduate intake level two to one (470 vs 231) although some care must be taken as this data set is not comprehensive.

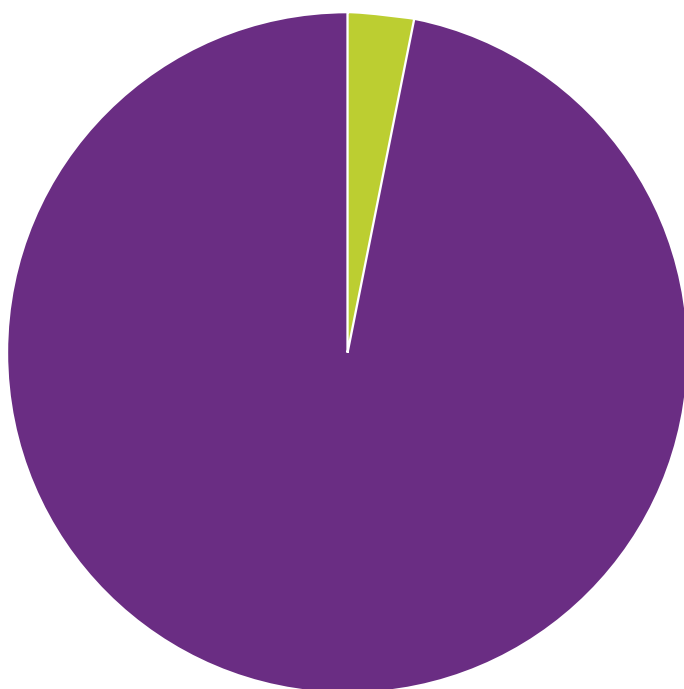
- > 44 male equity partners are working part-time, and 93 part-time equity partners are female. The numbers overall for part-time partners are small, but still encouraging nevertheless, as this demonstrates role modelling of alternative patterns to full-time work.

### EQUITY PARTNER - PART-TIME



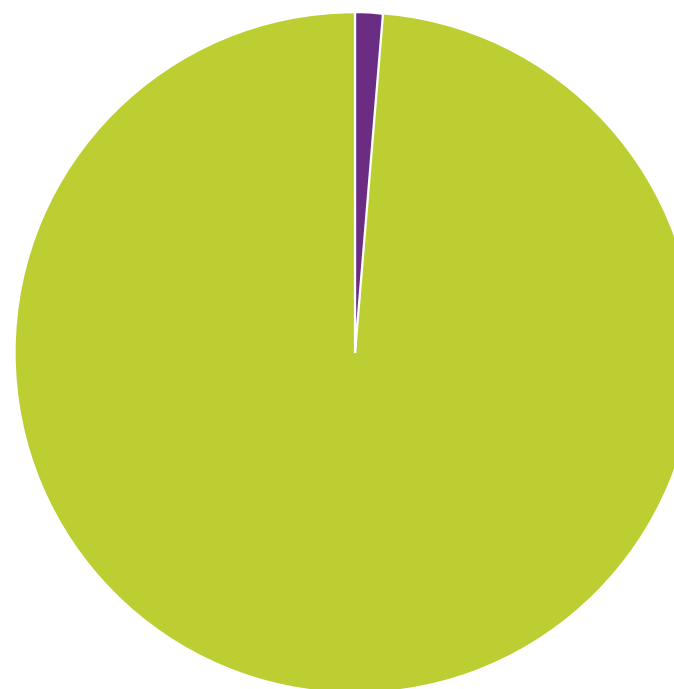
- > Men are making use of parental leave. 11 male managers took primary carer's parental leave, and 86 took secondary carer's parental leave, but it is still mainly utilised by women, 320 and 1 respectively.

### PARENTAL LEAVE - PRIMARY CARER



TOTAL - 331   MALE - 11   FEMALE - 320

### PARENTAL LEAVE - SECONDARY CARER

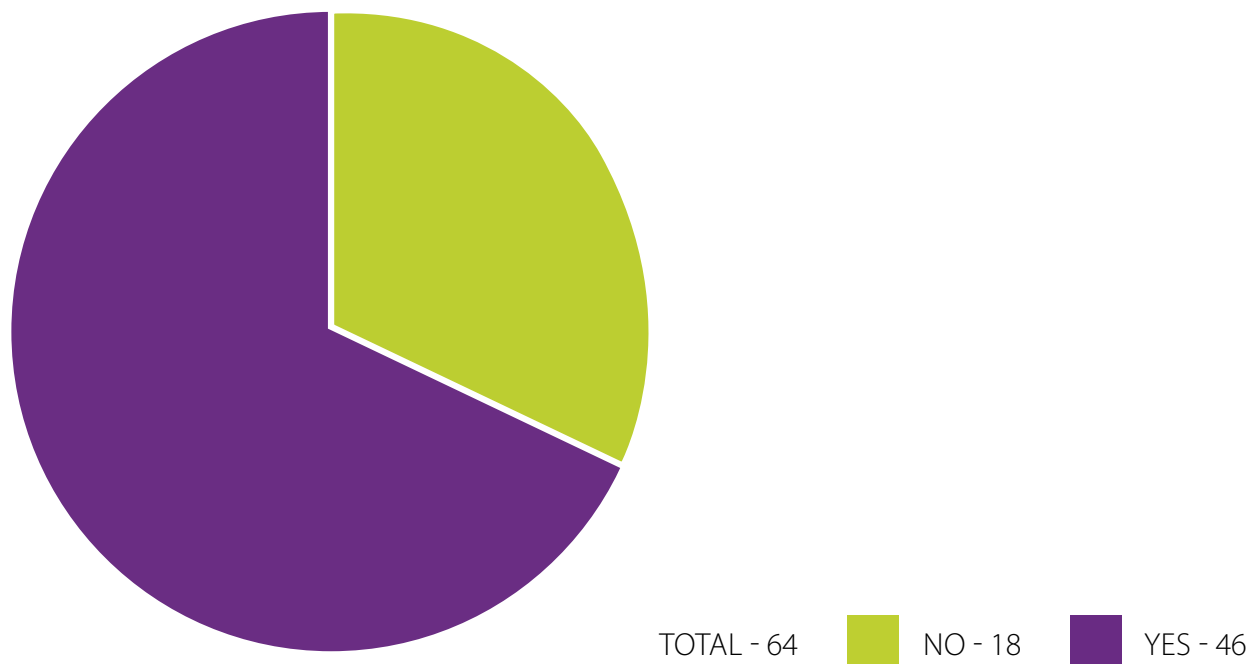


TOTAL - 87   MALE - 86   FEMALE - 1

- > Almost all reporting organisations are providing additional paid parental leave, with the average number of weeks being 10 weeks, only 3 reporting organisations provide no such additional paid leave.

> 72% of reporting organisations reported having done a gender pay analysis in the last 4 years (18 out of 64 total have not).

### PAY ANALYSIS

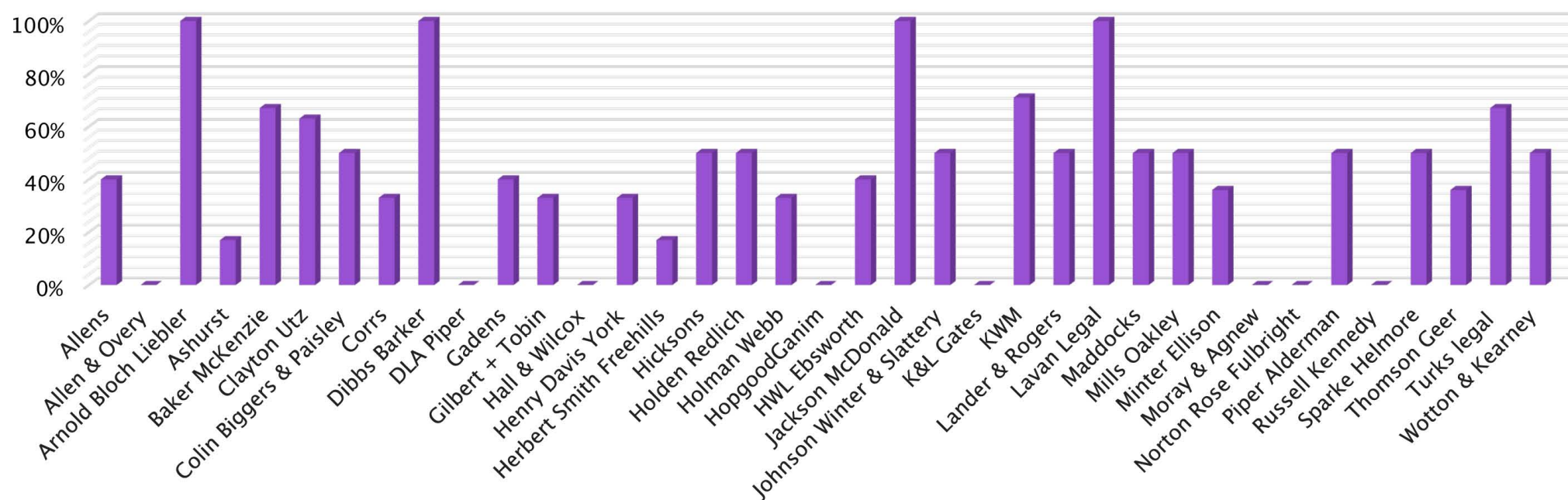


The Law Firm Comparison Data also contains information from a range of other sources, and for the first time this year we have listed those firms who have signed up to the Law Council's National Model Equitable Briefing Policy. This initiative, which encourages equitable briefing of counsel, is one way firms can demonstrate a practical commitment to gender equality in their everyday business. 18 of the listed firms have signed up.

18 of the firms have applied for and been awarded the WGEA Employer of Choice for Gender Equality (EOCGE) citation. There is a strong correlation between being an EOCGE and having adopted the Model Equitable Briefing Policy, with 14 of the 18 EOCGE having adopted the Model Equitable Briefing Policy.

## LAW FIRM PARTNER PROMOTIONS 2017 - PERCENTAGE FEMALE

Data obtained from law firms' websites or public announcements available online.



Overall, accounting for the fact that each firm's new partner numbers may be small, we see a trend to more equal gender representation in the cohorts of new partners being admitted, which will over time, particularly if there is a higher rate of male partner retirement, lead to an improvement in the total gender split in a partnership.

## CONCLUSION

While the analysis shows that progress is being made in improving the proportion of women in partnership numbers, particularly equity partner ranks, progress is still slow. With women comprising half the profession, we would expect that the rate of progress should increase over the next few years and we will reach a point where women make up at least 40% of all partner positions, getting closer to 50% in both total and equity partner positions.

Greater take up of practical initiatives like the Model Equitable Briefing Policy, and conducting a regular gender pay analysis are also practical steps in working towards gender equality in the day to day running of a legal practice.

It would also be good to see more men working part-time at every level, but particularly the equity partner level, and utilising parental leave. Until there is more of an equal share of caring responsibilities, women will be precluded from reaching and consolidating their contributions at the highest levels of the profession and the unacceptable gender pay gap will continue to exist. Because women take unpaid career breaks and have periods of part time work, their career path is disadvantaged. The evidence demonstrates that the profession has not truly engaged with this dilemma. The leading firms are genuinely supportive of men accessing parental leave and part time work.

The legal profession, like other workplaces, is in need of a significant cultural change. Changing our ideas in relation to sharing parenting and other responsibilities, both at work and at home, will be key to achieving true gender equality.

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