

2019 Law Firm Comparison Project
Women Lawyers Association of New
South Wales



ACKNOWLEDGEMENTS

This project is the seventh time this analysis has been conducted by the Women Lawyers Association of New South Wales (**WLANSW**) since 2012. This year's analysis builds on the work done in 2018 by Susan Price, while a Policy Lab Fellow at University of Sydney Policy Lab.

Louise Mallon, WLANSW member, undertook the analysis for the new partner promotion section, and Grace Ward, Lizzie Shanahan and Charlotte Ambler, law students from UTS and Macquarie University, assisted with the collection and analysis of the individual public Workplace Gender Equality Agency (**WGEA**) reports.

This detailed look at the legal services sector would not have been possible without the data collected by the WGEA, and we thank the Agency, and particularly Dr Janin Bredehoeft, Research and Analytics Executive Manager, for her support with this project, and her insight into the invaluable data held by the Agency.

Finally, thank you to WLANSW President Larissa Andelman and the WLANSW Executive for their support of this project.

This report uses the language 'female' and 'male', 'women' and 'men' interchangeably. References to sex and gender are made within the context of critical and feminist theory, which generally considers the concepts to be socially constructed. WLANSW acknowledges the limitations of the traditional binary approach to sex and gender, and recognises that not all women are biologically female and not all men are biologically male.

Any omissions or errors are those of the authors.

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3 November 2019

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INTRODUCTION

In 2012, the Women Lawyers Association New South Wales (**WLANSW**) published its first comparison of law firms based on publicly available data.¹ At that time, the Workplace Gender Equality Agency (**WGEA**) had not been established, and the information that was available was patchy and incomplete.

Since the inception of the WGEA in 2012 and its comprehensive reporting requirements, which apply to non-public sectors employers with more 100 employees, the data that is available has expanded considerably, aiding transparency and analysis.

Although individual firms' public reports are available for anyone to read, WLANSW still believes there is value in analysing that data at an industry level, along with data from other sources, to compare how the legal profession, at least in so far as it covers women working in private practice in law firms, is tracking towards gender equality. Our comparison table for 2019 is available through the WLANSW website².

The legal profession has seen increasing feminisation, with women now comprising just over fifty percent of the solicitors in practice, yet there is still a lack of balance and representation at the top of law firms, in those who lead them, and those who own them. The glass ceiling seems to be firmly planted between senior associate and partner level, and a significant number of firms still have no women on their governing bodies or in senior leadership roles such as CEO.

In 2018 WLANSW called on the legal profession to improve the advancement of women in private practice in the profession by committing to a number of concrete measures.

WLANSW's top 5 recommendations were:

1. Firms should set targets for admission to partnership, based on a 40/40/20 model, with 40% of any new admissions in any year being male, 40% female, and the remaining 20% varying depending on the candidate pool. If firms are unable to meet this in any one year (say due to a merger with another firm) then a 3 year rolling average should be adopted.
2. All legal firms should undertake an annual gender pay analysis of employees' and partners' total remuneration and take concrete steps to address any gaps found.
3. The results of that analysis should be reported to the board and partnership group, with progress tracked, and at a minimum, any like-for-like gaps eliminated, and analysis taken to understand the causes of those gaps developing.
4. Firms should publicly disclose their remuneration in quartile bands that also show the gender composition of each band, like the UK model for pay disclosure requires.
5. Firms should adopt targets for men taking up parental leave and flexible work arrangements, and develop strategies to actively encourage all employees and partners to share caring responsibilities.

In 2019 we look at whether progress has been made on these recommendations.

¹ Available at <https://womenlawyersnsw.org.au/workplace-practices/>

² As above

OVERVIEW OF THE DATA SOURCES

A data request was made to the WGEA for data from all the entities that reported in the Legal Services classification, ANZSIC code M Professional, Scientific and Technical Services 6931 Legal Services.

Sixty one entities reported to the WGEA in the reporting period 2017 – 2018 in that category.

Together those 61 employers cover 27,128 employees and 2,928 partners, and are a mixture of partnerships and companies.

The WGEA's listing of Employers of Choice for Gender Equality 2019 was also reviewed, as were the WGEA 2017 – 2018 public reports of all the 61 reporting entities.

Reference was made to the Law Council's website to establish which firms had adopted the National Model Equitable Briefing Policy.

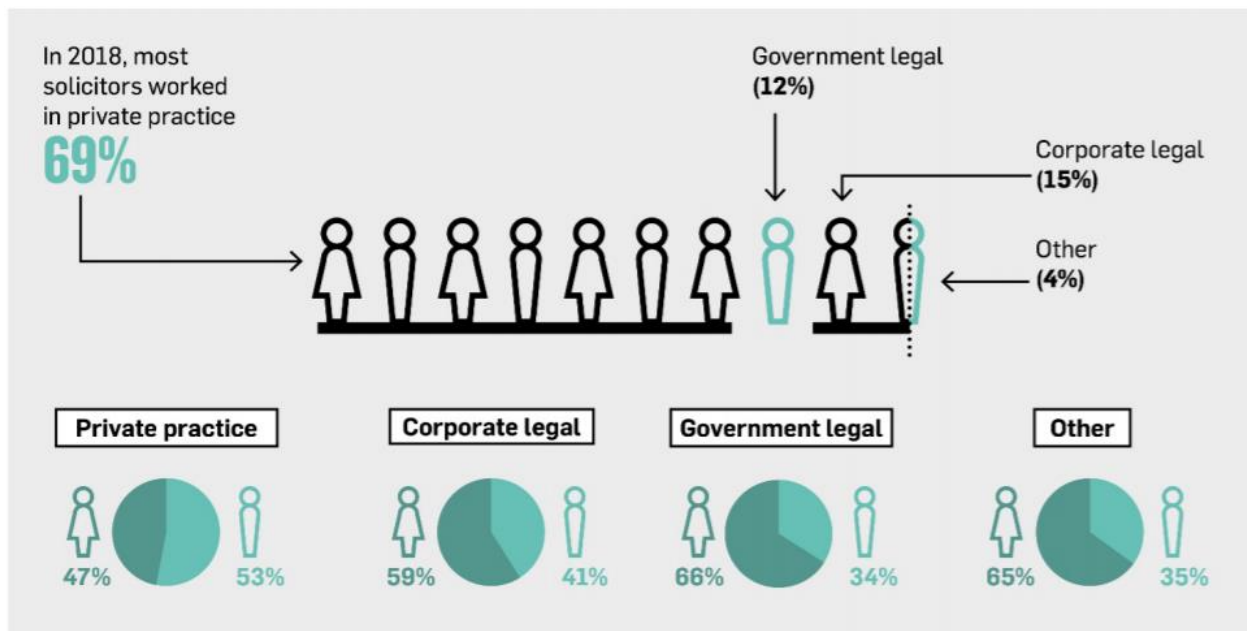
Announcements in online media platforms, published surveys, and the firm's own websites were reviewed to ascertain senior associate composition, new partner/principal promotion numbers, and those partners who had been promoted internally, as opposed to being laterally hired.

SNAPSHOT OF THE PROFESSION

The 2018 National Profile of Solicitors, commissioned by the Law Society of New South Wales on behalf of the Conference of Law Societies³ found there had been a 33% increase in the number of solicitors practising in Australia over the past seven years, with a total of 76,303 members of the legal profession.

Women make up over half of all solicitors, both at the national level and across all State and Territories, with the exception of Western Australia where the gender balance is 50/50.

Most solicitors work in private practice, 69%, with Government legal comprising 12%, Corporate legal 15%, and Other 4%. Urbis portrayed the gender split in each sector as follows:



Men are over-represented in private practice, and women are over-represented in all other forms of practice. This warrants consideration of why that is so, and is partly why WLANSW has been conducting its analysis of what is happening within private practice firms to seek to understand the drivers for that difference.

WLANSW acknowledges that there is also a significant over-representation of men at the bar and in the judiciary, which is also worthy of investigation, but is beyond the scope of this project.

³ 2018 National Profile of Solicitors, Final, 17 July 2019, Urbis

WLANSW Law Firm Comparison 2019

LEADING THE FIRMS

Leadership of law firms is remaining overwhelmingly male dominated, despite women making up more than half the profession. Distinct from partnership composition, women comprise 24% of all directors of governing bodies, with 10 firms having no women on their governing body in the relevant 2017 – 2018 WGEA reporting period.

According to the 2017 – 2018 WGEA data, there were 8 female CEOs of law firms and 65 men across the 61 reporting organisations. There has been no increase in the overall number of female CEOs from the last reporting period.

The firms with female CEOs were:

- Shine Lawyers
- DLA Piper
- Maddocks
- Fragomen
- Spruson and Ferguson

The proportion of women was much higher in the Key Management Personnel category, with 120 women and 214 men in these positions. Again the proportion of men and women was largely unchanged from the past reporting period.

The number of female Chairpersons fell from 10 to 8 in this period, while male Chairpersons rose from 58 to 76.

Overall director composition improved slightly, with female director numbers increasing from 140 to 182, or from 21% to 24% of directors overall. 20 organisations had set a gender target for governing body composition, ranging from 12.5% to 50% female representation.

10 out of the 61 reporting organisations, or 16%, had no women on their governing body in the 2017-2018 reporting period, being:

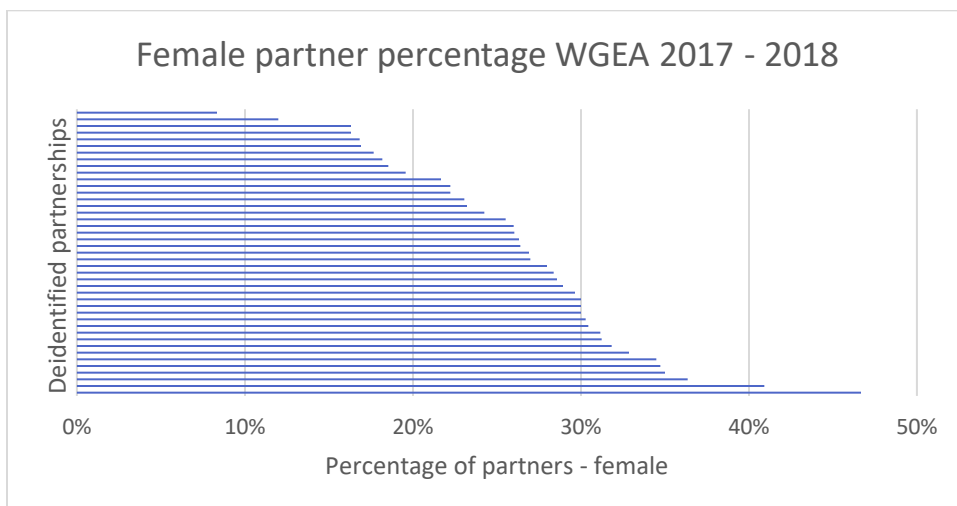
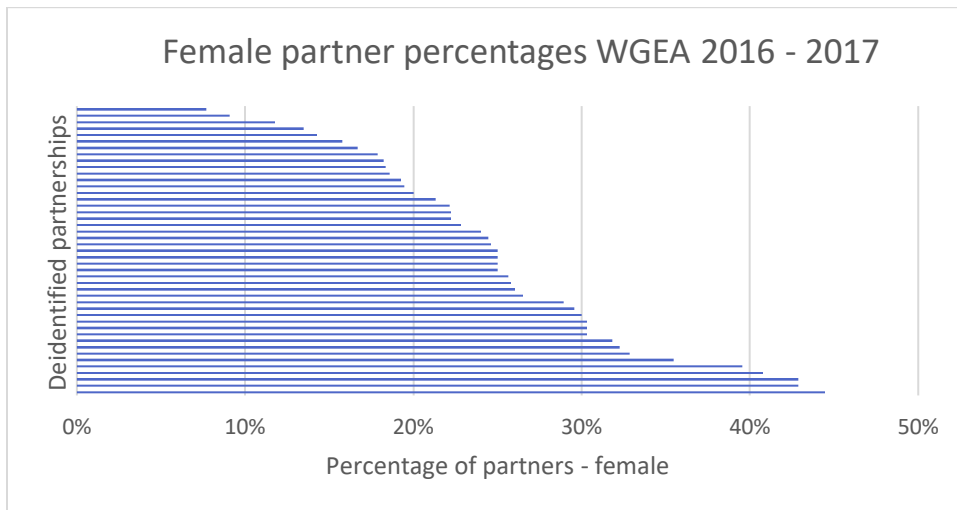
- Colin Biggers & Paisley
- Fisher Adams Kelly
- Gadens
- Hicksons
- Johnson Winter Slattery
- Law in Order
- M&K Lawyers
- McCabes
- Meridian Lawyers
- Mills Oakley

WLANSW Action:

- **WLANSW wants all firms to set a target for gender balance on their governing bodies and in leadership roles. We would expect to see an improvement in the proportion of women in every leadership position, from Key Management Positions, CEO, and directors through to Chairperson.**

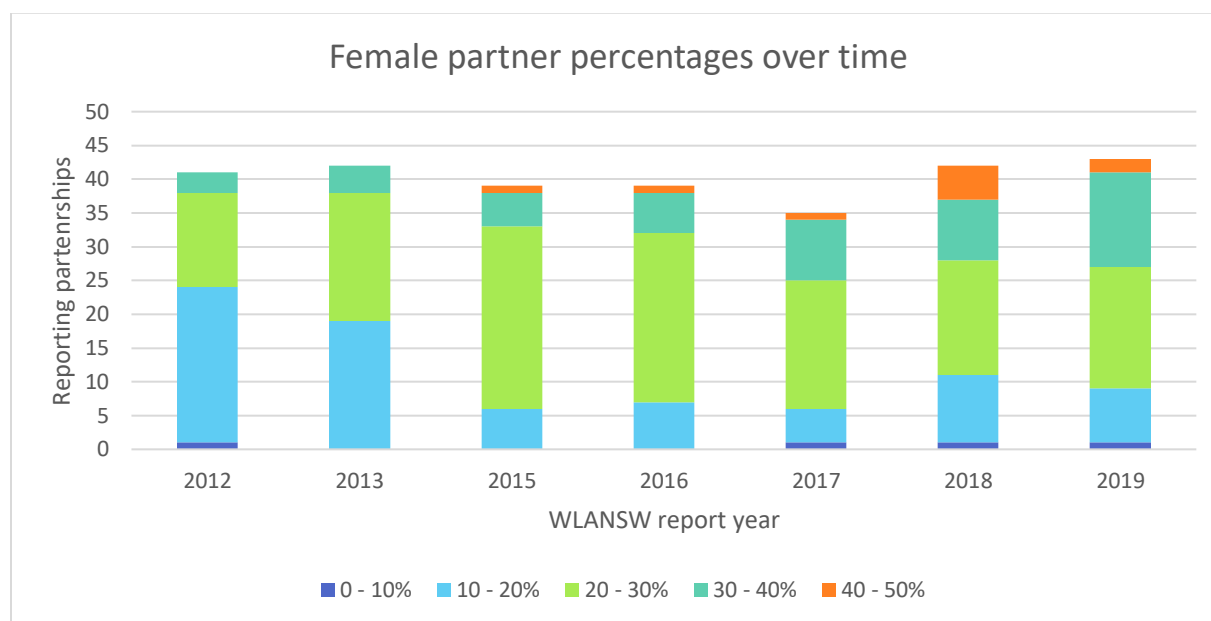
PARTNERSHIP COMPOSITION

As the comparison of the 2016 -2017 and 2017 – 2018 data shows, there is slow progress on the increased rate of female representation in the partnership ranks. In 2016 – 2017 only 14 firms had 30% female partners or more, in 2017 – 2018 it was 16 firms. While there has been improvement from our first analysis in 2012, when only 3 firms had more than 30% female partners, the rate of change is erratic.



The following graph of female partner percentages over time shows that progress is not consistent. Significant improvement was made between 2013 and 2015, with a large increase in the number of firms where women made up more than 20% of partners. Unfortunately, the number of firms where women comprise less than 20% of partners has also increased from its lowest level in 2015, suggesting this is an entrenched position, and difficult for some firms to change.

It is encouraging to see that there are now firms where women comprise more than 40% of partners, but we would hope to see that category experience significant growth in the next few years, and the proportion of firms with less than 20% of women disappear entirely.



Unfortunately the WGEA data cannot be separated by equity/non-equity partner, so we do not know what the gendered breakdown is in those categories, but suspect that it would show that women are over-represented in the non-equity partnership category, and men still dominate the equity partner category. WLANSW continues to lobby the WGEA to ask for that breakdown in the reporting questionnaire.

We note this analysis is only of reporting organisations that are true partnerships, and with more firms embracing other ownership structures, we cannot assess from the WGEA data what the ownership composition is. It is also possible that there are smaller firms with less than 100 employees who have a more gender balanced partnership split.

Given the rising rate of female representation in the legal profession overall, we would expect to see a greater rate of change as women increase their overall representation in the profession, and senior men retire from partnership ranks. That does not appear to be occurring consistently.

The glass ceiling that exists just below the partnership level is enduring and proving very hard to crack. This view is reinforced by the high level of female representation at the senior associate level.

NEW PARTNER PROMOTION FROM WITHIN FIRMS

In 2018 WLANSW recommended that Firms set targets for admission to partnership, based on a 40/40/20 model, with 40% of any new admissions in any year being male, 40% female, and the remaining 20% varying depending on the candidate pool. If firms are unable to meet this in any one year (say due to a merger with another firm) then a 3 year rolling average should be adopted.

For the third year running WLANSW has also collected data on the gender split of partner/principal **promotions** in Australian legal practices which report to the WGEA and/or provided partnership data to the Australian Financial Review.

The purpose of our data is to track promotions of females compared to males, and to identify those firms which the data suggests are consistently taking significant steps to ensure equal opportunity for progression to partnership for their employed lawyers.

We collect this data because some law firms may have above average total female partners through merger/acquisition of other firms, or lateral hire, rather than promotion. The converse may also be true, that is there are firms which promote females to partnership, but for various reasons lose those partners to the Bench, the Bar, in-house roles, other private firms or other senior roles.

The data we have now collected on new partners promotions for the last three years shows that the WLANSW targets are achievable, and in fact a number of firms have achieved a female partner promotion rate of more than 50% over the last three years. There still remain a number of firms who are promoting only men in any given year.

Methodology

We obtained the data from each firm's announcements about new partner/principal promotions which was published on its website or in the online media. We reviewed all announcements to ensure that the data related to internal promotions rather than lateral hires or acquisitions.

Not all law firms which reported to the WGEA or provided partnership data to the AFR announced that they had promoted new partners or principals between 1 January and 30 September 2019 or the previous two years. However if a firm announced partner promotions in any of 2017-2019 they are included in our longitudinal data.

Our data does not include promotions to special counsel or senior associate.

Results and trends over three years

Now that we have three years of data we are in a position to start analysing trends, and to identify those firms which are consistently promoting female employees to partnership.

Year (number of Firms Promoting Partners/Principals)	Firms (and %) promoting more men than women	Firms promoting only men	Firms promoting only women
2017 (33)	18 (55%)	6	4
2018 (37)	19 (51%)	8	8
2019 (43)	19 (44%)	10	10

The reduction in the percentage of firms which promoted more men than women is an encouraging trend which WLANSW hopes will flow through to an increase in the overall numbers and percentages of female partners in the near term.

We were interested in how firms were tracking compared to our recommended 40/40/20 target. Our figures show that 13 firms which made partner promotions in 2017, 2018 and 2019 had an average of female promotions over those three years of over 40%. They are: Clayton Utz, Maddocks, Corrs Chambers Westgarth, Herbert Smith Freehills, Holding Redlich, Ashurst, King & Wood Mallesons, Gadens, Allens, Minter Ellison, Gilbert + Tobin, Baker McKenzie and Lander & Rogers.

Four of these firms have public targets for female partner representation that were disclosed in their WGEA public reports – namely Maddocks, Corrs Chambers Westgarth, Herbert Smith Freehills and Allens, and WLANSW considers that publicly disclosing targets aids accountability and transparency.

Of the three datasets, the 3 firms which made promotions in 2017, 2018 and 2019 and promoted 50% or more female partners in every year are: Clayton Utz, Maddocks and Holding Redlich.

A BIG GAP BETWEEN FEMALE SENIOR ASSOCIATE REPRESENTATION AND FEMALE PARTNER REPRESENTATION

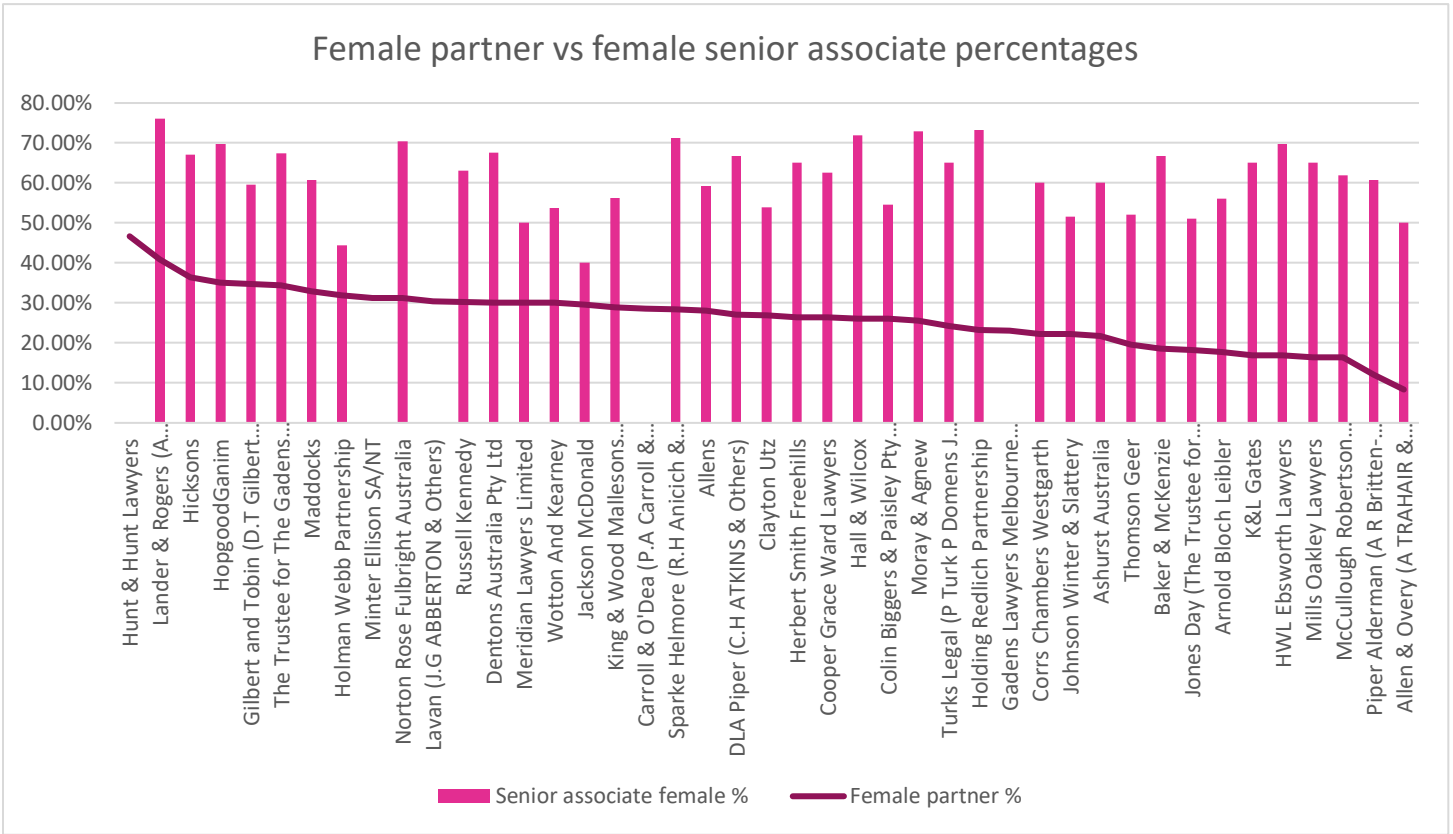
For this year's analysis we had data on the proportion of women in the senior associate category,⁴ the traditional feeder pool to partnership. This comparison between the percentages of women at senior associate versus partnership level clearly demonstrates that it is not a pipeline problem, with women comprising over 50% of the senior associate pool in most of the firms.

Where data was available, it shows that there are very few firms where women make up less than 50% of senior associates, and none where women make up less than 40% of senior associates. The contrast between high senior associate numbers and low female partner numbers is stark, and begs the question of why women are not represented in higher numbers in partnership ranks.

Unless this gap is narrowed, we will not see firms achieve a more gender balanced partnership ratio, and it raises the question of what structural or cultural barriers are in place that are preventing women from making the transition from senior associate to partner, and whether there needs to be a rethink of the traditional requirements to achieve partnership.

How is it that women can comprise the majority of senior associates, but not make up at least half of the new partner promotions, as was discussed above?

⁴ Senior associate numbers come from the AFR Law Partnership Survey, "*Number of senior associates, July 2019 estimate*", published Friday 5 July 2019 AFR, page 22 - note not all firms that report to the WGEA participated in that survey, and some firms in the AFR survey do not have to report to the WGEA.



From the additional information provided in the WGEA public reports, only a few firms have set targets for female partner representation and publicly disclosed them in their WGEA reports. There may be firms that have targets but have not made them public. Those firm who have disclosed their targets are:

- Maddocks – 40 % female partners by 2020 and 30% female equity partners by 2020
- Allens – 35% female partners by 2022
- Herbert Smith Freehills – 30% female partners by 1 May 2019
- Sparke Helmore – 35% female partners by 2020

Only one firm publicly addressed targets at the partner source, with Corrs Chambers Westgarth setting a KPI for women to make up 50% of the partnership pipeline.

WLANSW Action:

- **WLANSW would like to see more firms publicly committing to targets for yearly partnership admission, as well as adopting longer term targets for female partnership representation, in an equity and non-equity capacity.**

FLEXIBLE WORK

HOW COMMITTED ARE FIRMS TO FLEXIBLE WORK?

58 of the 61 reporting organisations have a formal policy or strategy regarding flexible work, but none have set targets for men working flexibly. Flexible work continues to be overwhelmingly undertaken by women.

ARE SENIOR LEADERS MODELLING FLEXIBLE WORK?

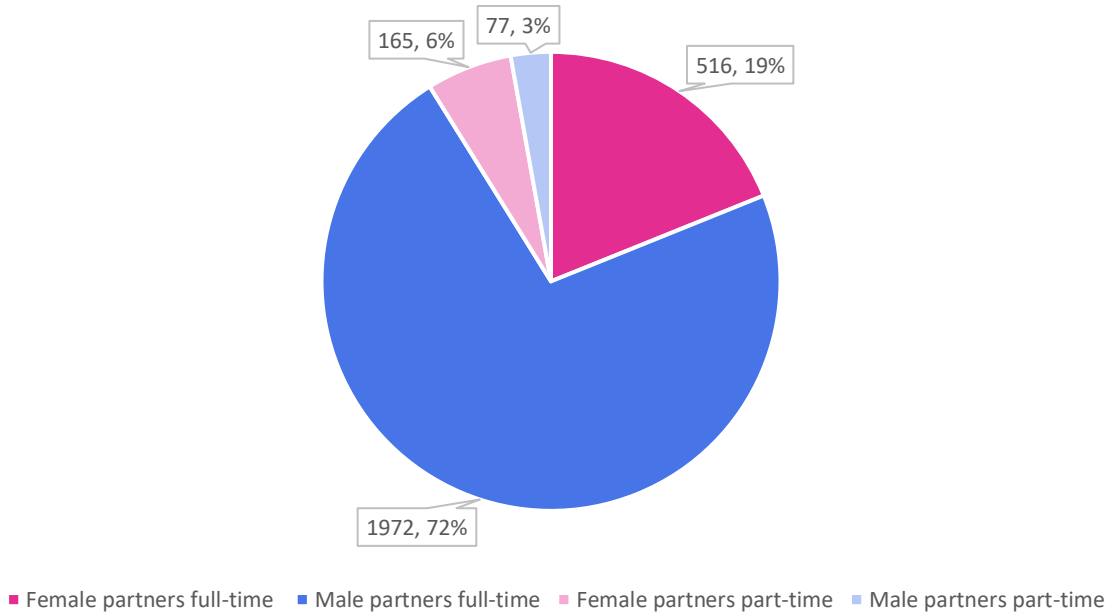
Male partners are not adopting flexible work in any great numbers. 4% of all male partners work part-time. By contrast, 24% of all female partners work part-time. The vast difference in these figures reflects the unbalanced caring responsibilities women have and is a significant contributor to the gender wage gap and the lower percentage of women in partnership ranks, where still over 91% of partners work full-time.

The composition of full-time /part time partners is changing very slowly, with a comparison of the 2016 – 2017 WGEA data and the 2017 – 2018 WGEA data revealing a slightly lower proportion of male full-time partners overall, and a growing proportion of male part time partners.

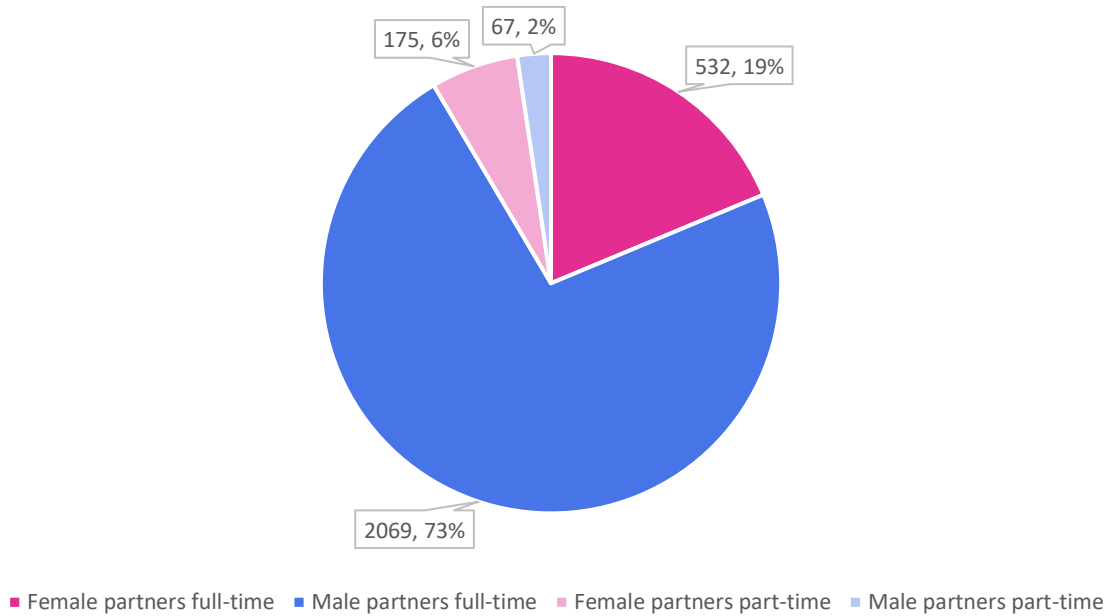
Although the absolute numbers are small, with 242 of a total of 2,730 partners working part-time, in percentage terms there has been a 50% increase in the proportion of male partners working part-time.

Other forms of flexibility are not captured in this data set, so it is possible that male and female partners are making use of other forms of flexibility like working from home to manage work/life conflict.

Total partner composition WGEA 2017 - 2018



Total partner composition WGEA 2016 - 2017

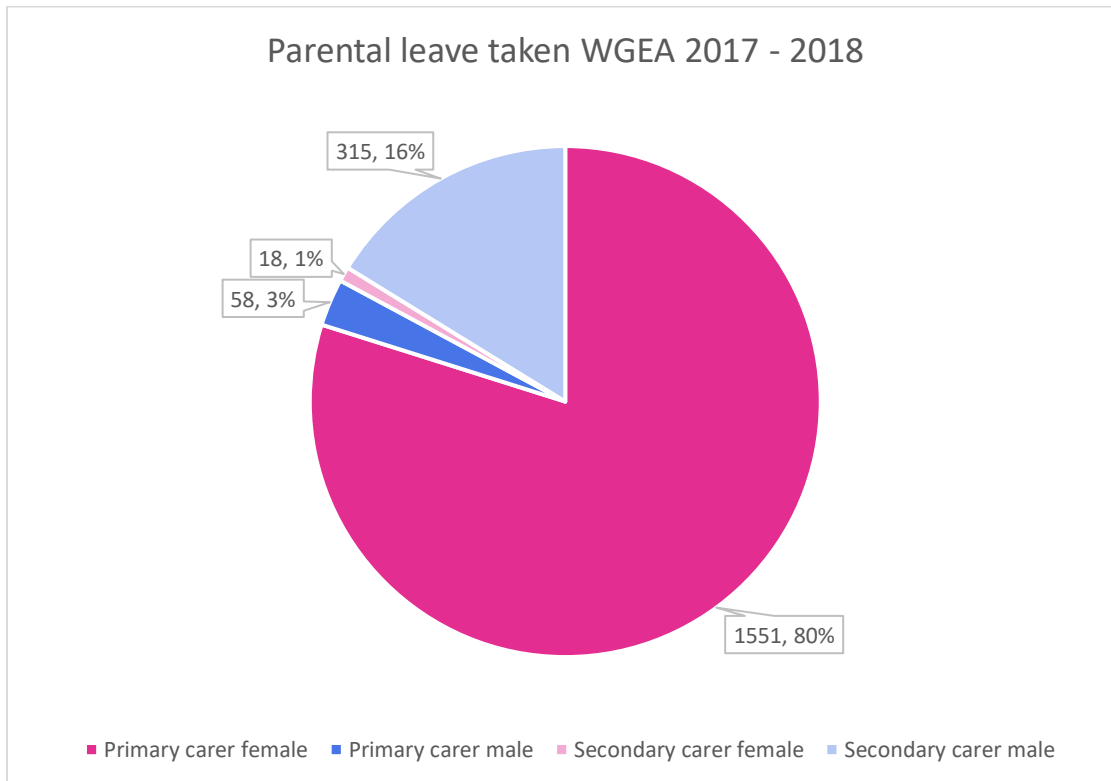


PARENTAL LEAVE

49 reporting organisations provided paid parental leave for the primary caregiver (WGEA's description – not ours) - in a range from 1 to 18 weeks, and 49 also provided paid parental leave for the secondary carer, most commonly 1 or 2 weeks.

Parental leave is still overwhelmingly being taken by women.

Despite many firms offering significant paid parental leave to primary and secondary caregivers, and the Government's Parental Leave Pay scheme also offering "Dad and Partner Pay" for non-birth parents, very few men are taking this form of leave. In the reporting period only 58 men took paid parental leave as the primary care giver, and 315 as a secondary care giver, compared to 1551 and 18 women respectively.



Innovative approaches are being taken to encourage more men to take parental leave, an example being Baker McKenzie⁵:

"Changes to our existing Parental Leave Policy. While this was always available to men and women equally, the updated policy was launched with communications that actively encouraged men to take parental leave as a primary carer within the first 12 months, and indeed stated that we hoped the changes would encourage more men/co-parents to take primary carer leave. We also changed the requirement to take the 14 weeks paid leave in one block. There is now the option to request to take a block of leave, followed by a number of weeks combining leave days with days at work (e.g part-time at work but full-time pay). This is designed to assist families with a parent's transition back to work, as well as a child's transition into a new care arrangement, and is typically something that more of our men choose to access than our women".

⁵ Taken from Baker McKenzie's WGEA public report for 2017 - 2018

Allens also very recently announced the move to paid parental leave equality⁶, announcing all new eligible parents will receive 18 weeks paid leave regardless of their ‘primary’ or ‘secondary’ status. As well as the 18 weeks paid leave, the new Allens policy will also see new parents paid superannuation on top of the unpaid component of their parental leave (up to 34 weeks). In addition to parental leave payments, new parents will also be granted a temporary break from billable expectations when they return from mid to long-term parental leave.

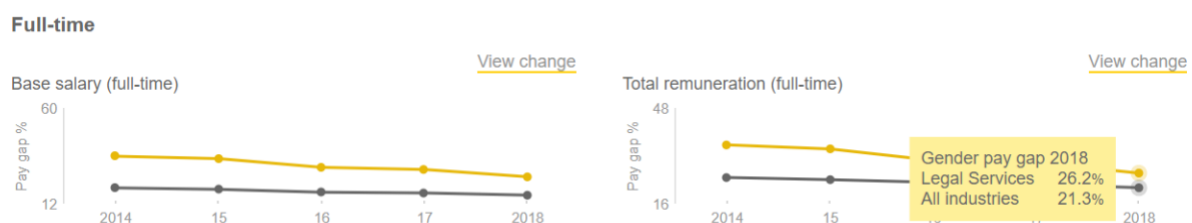
WLANSW considers that actively encouraging men to take parental leave should be a focus for all employers, as the redistribution of caring responsibilities will go a long way to improving overall gender equality. As parental leave benefits, both paid and unpaid, have been available to men and women for some time, firms should be looking at any structural or cultural barriers in their workplaces that are preventing or discouraging men from taking that leave, and revisiting both their policies and their practices in relation to parental leave.

WLANSW Actions:

- **Firms and the WGEA should consider removing the “primary” and “secondary carer” concept from their reporting and paid leave policies, as it entrenches gender stereotyping about who is the carer of a child, and instead reflect the *Fair Work Act* language of an employee who “has or will have a responsibility for the care of the child”**
- **WLANSW applauds a more flexible approach to the provision of paid parental leave and encourages firms to set targets for men taking parental leave, and develop strategies to actively encourage the taking of parental leave by all working parents.**

PAY ANALYSIS

The WGEA data explorer⁷ lists the total remuneration gender pay gap for employees in Legal Services in 2018 at 26.2%, compared to an All Industries gap of 21.3%. As the following figure from the WGEA shows, this has been reducing over time.



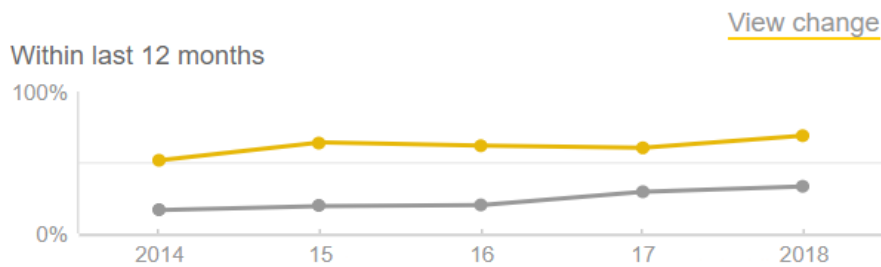
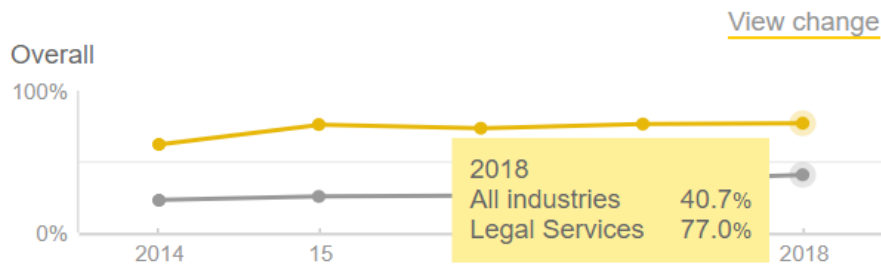
⁶ As reported in Women’s Agenda on 18 October 2019, accessed at <https://womensagenda.com.au/latest/allens-grants-all-new-eligible-parents-paid-leave-along-with-a-break-from-billable-expectations/>

⁷ http://data.wgea.gov.au/comparison/?id1=1&id2=115#pay_equity_content – comparing the Legal Services class with All Industries

ARE LAW FIRM DOING ANY ANALYSIS?

WGEA reporting⁸ shows that law firms are more likely to be looking at pay than other employers, with 77% of legal employers having conducted a remuneration gap analysis [Legal Services being the yellow line as opposed to All Industries represented by the grey] as opposed to 40.7% across all Industries.

Employers that have conducted a remuneration gap analysis [collapse](#)



In the 2017 – 2018 reporting period, 47 legal employers had conducted a remuneration gap analysis of the 61, with 42 having done one in the last 12 months. That still leaves 14 employers who have never looked at pay from a gender gap analysis perspective.

WHAT ARE THEY DOING ABOUT WHAT THEY FIND?

The WGEA analysis of the actions firms are taking, tracked over the last few years⁹, shows that only a few leading firms are taking a coordinated strategic approach to this, and doing the work necessary to remedy the gap.

⁸ WGEA Data Explorer - http://data.wgea.gov.au/comparison/?id1=1&id2=115#employer_action_content

⁹ WGEA Data Explorer - http://data.wgea.gov.au/comparison/?id1=1&id2=115#employer_action_content

WLANSW analysis of the WGEA reporting data reveals that 14 legal employers in the 2017 -2018 reporting group had done 8 or 9 of the key steps WLANSW considers are required to address the gender pay gap in their firms, being:

1. Developing an overall remuneration strategy
2. Having a strategy that includes pay equity outcomes
3. Conducting a remuneration analysis
4. Conducting a remuneration analysis in the last 12 months
5. Identifying causes of the gaps
6. Reporting pay equity metrics to the board
7. Investigating reasons for any gaps
8. Fixing like for like gaps; and
9. Developing a gender pay equity strategy or action plan.

In addition, a number of organisations had set targets to close the like for like gap, and in some cases, the organisational wide gap – they are:

- Dentons (both)
- Russell Kennedy (both)
- Corrs Chambers Westgarth (like for like)
- Norton Rose (like for like)
- Sparke Helmore (like for like)
- Cooper Grace Ward (organisational)
- Maurice Blackburn (like for like)
- QANTIM Intellectual Property (like for like)

These organisations are to be congratulated on taking coordinated and proactive approach to achieving equitable pay outcomes in their organisations, and setting targets to reduce any remuneration gap.

One area of significant improvement was that 23 of the 61 had reported their metrics to their Board, (up from 18 of the 68 last reporting period).

It is disappointing that in the 2017 – 2018 WGEA reporting period, 14 of the 61 organisations had not done any remuneration analysis, or completed any of the key steps to address any gender pay gap in their organisations, namely:

- McCabes
- HWL Ebsworth
- Fragomen
- M&K Lawyers
- Pizeys Patent and Trademark Attorneys
- Fisher Adams Kelly
- Moray & Agnew
- Cullens Pty Limited
- Jones Day
- Shine Lawyers Pty Limited
- Piper Alderman

- Law in Order
- Reed International Books

WLANSW Action:

- **All legal employers should be undertaking an annual gender pay analysis, and taking concrete steps to address any gaps found.**
- **The results of that analysis should be reported to the board and partnership group, with progress tracked, and at a minimum, any like-for-like gaps eliminated, and analysis taken to understand the causes of those gaps developing. Targets should be set for reducing the like for like and organisation wide gap.**

EQUITABLE BRIEFING

WLANSW has also considered whether firms have signed up to the Law Council’s National Model Gender Equitable Briefing Policy (the **Policy**), as it considers that this is a very tangible demonstration of a firm’s commitment to gender equality. The Policy sets targets for women to be briefed in at least 30% of all briefs and for women to receive 30% of the value of all brief fees by 2020.

23 of the 61 firms had adopted the Policy¹⁰, a slight improvement from last year’s analysis that showed 19 firms had adopted the Policy. That means there are 38 firms who have not yet adopted the Policy. There is still considerable room for others in the profession to adopt this important Policy.

The second report on the operation of the Policy was recently released by the Law Council¹¹ in October 2019. The report noted that in the second year of reporting 48 reports were received from briefing organisations and 120 from barristers, out of a total pool of adoptees of 400, making a reporting rate of 42%. While reporting is not mandatory under the Policy, the Law Council observed:

*“Whether non-reporting adoptees should continue to benefit from the Policy, which offers a positive public relations image but relies on the efforts of those adoptees who do report, is a question for review”.*¹²

WLANSW considers that firms should both adopt the Policy and be prepared to report on it. There are any number of diversity related initiatives that firms can adopt that require no real change in a firm’s practices. Meaningful change will only come with measurement, transparency, and accountability, and full adoption of the Policy is one of those tangible and practical measures.

¹⁰ Model Equitable Briefing Policy adoption assessed either from the WGEA public report (if mentioned in "Other") or from the listing on <https://www.lawcouncil.asn.au/policy-agenda/advancing-the-profession/equal-opportunities-in-the-law/national-model-gender-equitable-briefing-policy>

⁹ Equitable Briefing Policy Annual report, Financial year 2017 – 2018, Law Council of Australia, accessed at <https://www.lawcouncil.asn.au/files/web-pdf/Equitable%20Briefing%20Policy%20Annual%20Report%202017-2018.pdf>

¹² As above page 10

In a recent article in the Law Society Journal¹³, The Hon Gabrielle Upton MP, NSW’s first female Attorney General from 2015 – 17 reflected on the Premier’s Memorandum M2009-17 under which the Crown Solicitor and Government Agencies must put forward at least one female candidate for the three Senior Counsel required nominations, and her extension of that requirement to the panel law firms on the NSW Government Legal Services panel. She commented that:

“In 2018, NSW celebrated 100 years of women in law. It took 97 years to appoint the first female NSW Attorney General, so progress has been slow. But now that women make up 60 per cent of law school graduates there is no excuse. We owe this to our female barristers. We can have the best policy, targets and reporting mechanisms, but we only get results by working our targets hard.”

WLANSW Action:

- **WLANSW recommends that all firms adopt the Law Council’s National Model Gender Equitable Briefing Policy and report annually to the Law Council.**
- **Procurers of legal services should consider if this is a requirement they wish to impose on firms seeking to do their work in order to encourage further adoption of the Policy.**

OVERALL PROGRESS

WLANSW assesses the progress against its 5 recommendations as follows:

<p><i>Recommendation 1- partner targets</i></p> <p>Firms should set targets for admission to partnership, based on a 40/40/20 model, with 40% of any new admissions in any year being male, 40% female, and the remaining 20% varying depending on the candidate pool. If firms are unable to meet this in any one year (say due to a merger with another firm) then a 3 year rolling average should be adopted.</p>	<p>Some of the firms are setting partnership targets, but not many are setting a target at the partner entry level.</p> <p><i>Special mentions</i> Maddocks, Corrs Chambers Westgarth, Allens, Sparke Helmore and Herbert Smith Freehills for publicly announcing targets, with Corrs Chambers Westgarth setting a KPI for 50% in the partner pipeline.</p> <p>Further mention to those firms who have hit the 40%</p>
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¹³ “Making our targets sweat”, G Upton, Law Society of NSW Journal, Issue 60, October 2019 p 24.

	<p>female partner promotion target over the last 3 years: Clayton Utz, Maddocks, Corrs Chambers Westgarth, Herbert Smith Freehills, Holding Redlich, Ashurst, King & Wood Mallesons, Gadens, Allens, Minter Ellison, Gilbert + Tobin, Baker McKenzie and Lander & Rogers.</p> <p>Special recognition of Maddocks, Holding Redlich and Clayton Utz for three years of partner promotions in which women have made up 50% or more of the partner promotions.</p>
<p>Recommendation 2- pay analysis</p> <p>All legal firms should undertake an annual gender pay analysis of employees’ and partners’ total remuneration and take concrete steps to address any gaps found.</p>	<p>Work in progress. Encouraging to see more firms undertaking analysis, but disappointing that there are still 14 employers who had not done any analysis.</p>
<p>Recommendation 3- action on pay</p> <p>The results of that analysis should be reported to the board and partnership group, with progress tracked, and at a minimum, any like-for-like gaps eliminated, and analysis taken to understand the causes of those gaps developing.</p>	<p>Some progress, with an increase in reporting to the Board level and targets being set for reducing any gap</p> <p><i>Special mentions</i> Dentons, Russell Kennedy, Corrs Chambers Westgarth, Norton Rose, Sparke Helmore, Cooper Grace Ward , Maurice Blackburn, QANTIM Intellectual Property</p>
<p>Recommendation 4 - pay disclosure</p> <p>Firms should publicly disclose their remuneration in quartile bands that also show the gender composition of each band, like the UK model for pay disclosure requires.</p>	<p>No movement – will need legislative change</p>

<p><i>Recommendation 5 - engaging men and sharing care</i></p> <p>Firms should adopt targets for men taking up parental leave and flexible work arrangements, and develop strategies to actively encourage all employees and partners to share caring responsibilities.</p>	<p>Early adopters are recognising the importance of engaging men and taking concrete steps to improve take-up of parental leave and flexible work by men.</p> <p><i>Special mentions:</i> Baker McKenzie, Allens</p>

