

Media Release: 'WLANSW supports gender reporting – this is not red tape' 20 March 2014

WLANSW is pleased the Government has chosen to spare reporting standards under the *Workplace Gender Equality Act* in this round of red-tape repeal, but says that without mandated gender reporting, gender equality in law firms is likely to continue to be nothing more than a utopian ideal for the foreseeable future.

Data compiled by WLANSW¹ shows that the highest ranking law firm on the measure of women as a percentage of partners, Gilbert and Tobin, has 34.8% of women as partners, with only 12 firms bettering the NSW Law Society benchmark which is 23.3%. This also does not take into account the fact that the numbers of partners reported may not clearly distinguish between equity and salaried partners, and the percentage of women holding equity partnership may actually be much lower.

WLANSW Committee member Susan Price says *“Business as usual measures have seen no significant improvement for women in partnership roles within law firms, despite the fact that they have been graduating in greater numbers than men for over 20 years. We cannot just rely on “the vibe” and pretty policies to raise awareness and generate momentum for change”*.

Women comprise 58% of all legal practitioners in private practice in the first 5 years of practice, and 40.8% of all private practice solicitors², yet many firms have less than 20% female partners, and the limited disclosure of figures on equity partners reveal that often none of those women hold equity partnerships where the real power and income lie. Despite this, many law firms have won “Employer of Choice for Women” Awards based on assessments of what their policies say they do, rather than what the numbers actually show.

There has also been a paucity of data on remuneration differences between male and female lawyers, with remuneration data being closely guarded by firms.

WLANSW suspects that many lawyers would be unaware that there were any gender differences in pay, or of the exact gap in representation in the senior ranks of the firm, but once this is highlighted, will be better prepared to question their employers about what they are doing to address that. Many lawyers may not even be aware of who is an equity partner as opposed to a salaried partner within their own firm.

Susan Price says *“Secrecy can only lead to the ability to hide differences, and not to be held accountable for them. We need data if we are serious about gender equality. Data allows a baseline to be set, for differences to be identified, and progress to be measured. Data shines a spotlight on areas of difference, and raises the question of “why is that?”*

A recent PwC report, *“Baselining gender equality – thinking beyond compliance”*³ showed that employers have this workforce data, and the survey shows that most are feeling prepared to report on it. The better firms are looking forward to seeing how they rate against their peers, and are also setting targets for women in leadership positions.

“Herbert Smith Freehills recently announced a target of 30% of women in global partner positions by 2019⁴. WLANSW applauds firms who are making setting targets and making them public. Watering down the reporting requirements or abolishing them altogether lets less enlightened employers off the hook. It is time for law firms to walk the walk on gender equality, and not just talk the talk.”

WLANSW urges the Government to see gender reporting as a business essential, and not red-tape, and keep it off the repeal list.

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¹ <http://www.womenlawyersnsw.org.au/content/workplace-practices>

² The Law Society of New South Wales, Progress Report, Thought Leadership, Advancement of Women in the Profession, 30 June 2013 Table 5 and 13

³ <http://www.pwc.com.au/consulting/publications/baselining-gender-equality.htm>

⁴ <http://www.australasianlawyer.com.au/news/freehills-gender-target-will-be-a-tipping-point-ricketts-185429.aspx>

