





The University of Sydney

Dr. Meraiah Foley Dr. Briony Lipton Professor Rae Cooper AO Professor Ariadne Vromen and Serrin Rutledge-Prior

Gender Equality in Working Life Research Initiative

sydney.edu.au

Gender Equality and the Future of the Legal Profession





Gender Equality and the Future of the Legal Profession

A summary of findings

Dr. Meraiah Foley, Dr. Briony Lipton, Professor Rae Cooper AO, Professor Ariadne Vromen and Serrin Rutledge-Prior.

Gender Equality in Working Life Research Initiative

Table of Contents

Acknowledgements	
About this report	3
Executive Summary	4
Gender dynamics and the future of the legal profession	4
Gender dynamics and the present of the legal profession	5
Findings:	6
1. The future of the legal profession	6
Automation of legal tasks	6
Emergence of new market players	7
Unbundling and consolidation	8
Survey results	8
Summary	
2. Future careers, future skills	
Career pathways	
Technological skills	
'Human' skills	
Survey results	
Summary	
3. Gender dynamics in the legal profession	
Equality at work	
Opportunity at work	

Flexibility at work	
Survey results	
Summary	
Appendix	
Contact	

List of Figures

Figure	1.1: The future of the legal profession perceived likelihood, by gender	.9
Figure	1.2: The future of the legal profession – perceived impact, by gender 1	0
Figure	2.1: Views on future career pathways, by gender 1	3
Figure	2.2: Concern about job loss and automation, by gender	3
Figure	2.3: Use of new technologies, by gender 1	4
Figure	2.4: Perceived importance of future skills for success in the legal profession, by gender	5
Figure	3.1: Views about equality and discrimination at work, by gender	9
Figure	3.2: Views about bullying and harassment at work, by gender	20
Figure	3.3: Views about opportunity at work, by gender	21
Figure	3.4: Views on work life balance and workplace supports for caregivers, by gender	22
Figure	3.5: Experiences of hybrid or remote working, by gender	23

Acknowledgements

This report presents key findings from the research Australian Research Council (ARC) Linkage project *Designing Gender Equality into the Future of Work* (LP190100966). The research was funded by the ARC, the University of Sydney, and the Australian National University in partnership with the Law Society of New South Wales (LSNSW), and the Women Lawyers Association of New South Wales (WLANSW). We would like to thank both partner organisations and their respective members, and senior industry stakeholders for taking part in the study. The research was undertaken by an interdisciplinary team of researchers at the University of Sydney and the Australian National University.

Suggested citation:

Foley M., Lipton B., Cooper R., Vromen A., and Rutledge-Prior S. (2022) Gender equality and the future of the legal profession: Summary of findings, University of Sydney Business School and Australian National University.

About this report

Findings in this report are the product of the first two phases of a three-part research project which aims to map the gendered dimensions of workplace change by asking: what are women's and men's hopes and concerns for the legal profession, and how do we build upon their current workplace experiences to construct a more gender-equitable future of work?

This report contains insights developed through in-depth interviews with 30 senior stakeholders in the legal profession, including judicial members; legal academics; legal specialists with expertise in business, human resource management, and technology; senior members of state, national and/or international industry associations and regulatory bodies; and senior practitioners from government agencies, non-profit organisations, and the private sector.

Insights from these interviews, along with understanding of the extant research, informed the design of a survey of practicing solicitors in New South Wales. This survey was administered between 24 August and 28 September 2021, yielding 766 responses. Findings from these first two phases of our study will be used to inform the third and final phase of our research, in which we will work with a broad base of legal stakeholders to workshop solutions to the issues identified in this report.

Executive Summary

The legal profession is undergoing profound transformation, driven by new technologies and forms of legal service delivery that are upending the traditional organisation of legal work. These changes are disrupting career pathways and requiring lawyers to rethink the skills that will be required for future success. These changes are also occurring against a backdrop of existing gendered inequality, characterised by the persistent underrepresentation of women in senior leadership roles and, among other things, women's disproportionate experience of harassment and workplace disrespect. The legal profession thus faces a challenge: how to harness and incorporate new innovations without further embedding gendered inequalities at work.

Gender dynamics and the future of the legal profession

In the first two sections of this report, we explore key transformations occurring in the legal profession, and their potentially gendered implications. Our analysis reveals a complicated picture, in which many senior legal stakeholders warn of dramatic disruptions, which are occurring just as women are becoming a dominant force in the profession. However, our solicitors' survey suggests that although many legal practitioners believe these changes are occurring or are likely to occur in the near future, they are less certain about what these changes mean for their own day-to-day work. For example:

- Senior legal stakeholders and solicitors agreed that the legal landscape is undergoing radical change. The automation of legal tasks, the emergence of new market players, and the increasing bifurcation of lower-value legal services from higher-value legal advice are factors fundamentally reshaping the profession. Many stakeholders worried that these changes could have negative consequences for gender equity in the profession, with women more likely to be concentrated in work more likely to be automated. Solicitors were more divided about whether these changes will have positive or negative impacts on their work.
- Automation, the emergence of new market players, and cost pressures from clients were seen to be disrupting career pathways within the legal profession. Some stakeholders observed that this change is likely to have a gendered impact, given that a majority of today's legal graduates and junior lawyers are women. However, solicitors' attitudes were mixed about whether this would have a positive or negative impact on their own work.
- Some senior stakeholders expressed concern that women, who are disproportionately concentrated in areas of legal work more likely to be disrupted by technology, were particularly exposed to the risk of automation. In our survey, however, women were less likely than men to say that they were concerned about losing work to automation.
- In our survey, women and men said they believed that productivity at work could be improved if lawyers were trained in how to use new technologies, but many said they did not feel sufficiently trained in how to use these new technologies.
- There was broad agreement that technological skills will become the most important requisite for future success in the legal profession, and that depth – not breadth – of legal knowledge will be relatively more important as the profession becomes increasingly segmented between higher-value, specialised legal advice and lower-value, generalist legal services.
- Stakeholders and solicitors generally agreed that as a larger share of formerly core legal functions become automated, relational skills such as communication, empathy, compassion, and the ability to relate to and influence clients will become more important to future success in the profession, but women were more likely than men to rate these skills as 'very important'.

Gender dynamics and the present of the legal profession

In the final third of this report, we explore the current state of gender equality in the legal profession. In stakeholder interviews and survey responses, inequalities were perceived to exist across multiple dimensions. The findings in this report suggest that, although progress has been made, the legal profession still has a significant journey on the road to equity. For example:

- Stakeholders and survey respondents agreed that gender and other intersectional inequalities are serious problems in the legal profession and that issues of discrimination are not addressed appropriately, but women held these views more strongly than men.
- Many stakeholders told us that sexual harassment and bullying are serious, unresolved issues in the legal profession, requiring serious attention. Survey respondents agreed. However, women were much more likely than men to perceive that these behaviours are persistent problems in the legal profession that are not currently being adequately addressed.
- Stakeholders told us that women face significant disadvantages in acquiring the client networks and opportunities necessary for success in the profession. In our survey, women reported substantially lower levels of perceived equality in their relationship with clients, and their access to prestigious cases and/or projects, and in promotion opportunities.
- Access to flexible work and support for work-life balance were identified by stakeholders as key enablers to gender equality in the legal profession. The women and men in our survey were generally negative in their evaluations of the support they personally receive in their workplaces to facilitate caregiving and to manage their work-life balance. Again, and perhaps unsurprisingly given the gendered nature of care, these views were held more strongly by women.
- Stakeholders were optimistic about the potential for new communication technologies the adoption of which was accelerated by the COVID-19 pandemic – to facilitate flexible working in the profession. Yet they also cautioned about the potential for such technologies to exacerbate the profession's existing culture of overwork. In our survey, we asked solicitors about their experiences of hybrid and remote working during the COVID-19 pandemic. Here, women were more likely than men to report increases in the intensity of their workloads, the length of their working hours, and their perceived productivity.

Findings:

1. The future of the legal profession

The legal profession is undergoing profound transformation, with some legal scholars warning that 'the death of the legal profession' may be imminent.¹ The changes reshaping the legal profession fall into three broad categories. First, the monopoly that lawyers once enjoyed over the provision of legal services has been upended by the process of liberalisation that has occurred over recent decades, opening the market to new business structures and modes of legal service delivery, such as niche companies that specialise in high-volume, technologically enabled, process-driven legal services.² Second, clients, facing their own market pressures, are demanding higher levels of legal service at lower cost, a phenomenon Susskind³ has labelled the 'more-for-less' challenge. Globalisation, outsourcing, and labour market arbitrage – the process of seeking out and using the lowest-cost workforce – are further compounding this challenge by shifting expectations about where and how legal work is conducted.⁴ Finally, new legal technologies are creating new efficiencies in the way legal services are delivered, adding new competitors to the legal marketplace, and eroding the primacy of the law firm.⁵

Although legal scholars have been warning of these changes for the past decade, it is unclear how legal practitioners understand and experience these transformations, and whether these perceptions and experiences are gendered. In this section, we first examine how senior stakeholders understand these changes, with a particular focus on the gendered impacts, and then examine our survey results.

Automation of legal tasks

Nearly every legal stakeholder we interviewed identified the automation of legal tasks and the proliferation of new technologies as key factors reshaping the profession and industry. There was widespread agreement that technology and automation were revolutionising the provision of formerly 'bread-and-butter' or 'core' legal services, such as document review, due diligence, e-discovery, and conveyancing – with both positive and negative impacts. Stakeholders saw the adoption of new technologies as a product of the 'more-for-less' challenge, with clients pushing for more efficient, lower cost legal services:

'There is very much a drive by clients, particularly the more sophisticated clients, to ensure that when they're paying for their legal services, they are delivered in the most efficient and effective way. And there is an acknowledgement that technology can support some of that sort of low-value work, or work that is ripe for automation' (Peggy, senior practitioner, private sector).

The stakeholders we interviewed spoke extensively about how technology was 'bifurcating', 'segmenting', or 'dividing' the industry into lower-value, generalised 'legal work' that could be easily automated, and higher-value, tailored 'legal advice'. Some argued that the automation of legal tasks would be largely beneficial, liberating lawyers from 'grunt, boring work' (Charlotte, legal academic) and enabling them to spend time on 'more meaningful, higher value work' (Philip, legal specialist, technology). With this

82(6) Fordham Law Review 2995; Marina Nehme and Felicity Bell, The Future of Legal Service Delivery: Sources of Innovation in the Legal Profession (The Law Society of NSW & UNSW Sydney, 2021)

 $< https://www.lawsociety.com.au/sites/default/files/2021-10/LS3600_FLIP_FlipStream200[FlipStream200_FS1-10/LS3600_FLIP_FN0]$

¹ Dan Hunter, 'The Death of the Legal Profession and the Future of Law' (2020) 43(4) UNSW Law Journal 1199; see also, Richard Susskind, The End of Lawyers? Rethinking the Nature of Legal Services (Oxford University Press, 2008); Richard Susskind, Tomorrow's Lawyers: An Introduction to Your Future (Oxford University Press, 2013). ² John S Dzienkowski, 'The Future of Big Law: Alternative Legal Service Providers to Corporate Clients' (2014)

Service%20Delivery.pdf>.

³ Susskind, Tomorrow's Lawyers: An Introduction to Your Future (n 1).

⁴ Hunter (n 1); Margaret Thornton, 'Towards the Uberisation of Legal Practice' [2019] Law, Technology and Humans 46.

⁵ Larry E Ribstein, 'The Death of Big Law' (2010) 2010(3) Wisconsin Law Review 749.

bifurcation, however, lawyers were being forced to 'identify what their real value-add is' (Todd, senior practitioner, government), as illustrated here:

"Anything that can be repeated easily— if it's what I call low end repetitive work, it can be done essentially by technology... so lawyers have to move up the value chain in terms of the advice they provide" (Lynne, legal specialist, business).

Some stakeholders expressed concern about the impact of automation and artificial intelligence (AI) on gender equality in the legal profession, noting the disproportionate concentration of women in practice areas and specialisations more likely to be affected:

'The legal profession is still very much about women being in the bottom end of the profession, so I think AI – if there is going to be a detrimental impact of AI – it's going to be on the bottom end of the profession, and that's where the majority of women are' (Carrie, senior member, industry association).

Emergence of new market players

The emergence of new players in the legal market was another issue of concern raised by legal stakeholders. Stakeholders saw the emergence of alternative legal service providers and NewLaw firms as a disruptive force in the industry but were divided about the long-term impact for the profession and the women and men working within it. Some argued that these new market players offered legal professionals more flexibility over how they work – effectively 'democratising' the profession and enabling better work-life balance, as illustrated here:

'I feel like it's actually democratising legal services and the types of people who can provide them and the ways they can provide them are much more varied... There are many more opportunities to work part-time, to work flexibly, to work on a contracting basis when it suits you, how it suits you. That's a real advantage. The technology means that you no longer have to have a big office with a lot of physical infrastructure and significant barriers to entry' (Donna, senior practitioner, private practice).

These stakeholders viewed the emergence of these alternative players as particularly beneficial to women working in the profession, providing an alternative to 'traditional hierarchical partnership structures... of which harassment, bullying, and various other things [like] ridiculous pressures and ridiculous hours and unhealthy work practices have been a part' (Charles, senior member, industry association). Other stakeholders, however, expressed concern that these new market players would lead to increased outsourcing by larger firms, pushing down wages in less lucrative areas of the profession where women are disproportionately concentrated, and making legal work less secure, a phenomenon that legal scholars and practitioners have dubbed the 'Uberisation' of legal careers.⁶ As one participant explained:

'I think the flexible lawyering, freelance lawyering, some of these online lawyering models, they have an upside which is flexibility, and the empowerment that brings. I know a lot of lawyers who leave big law whether to have a family or because they are disenchanted by that and then they find that working for one of these freelance legal providers is really great, fits into what they want and their lifestyle aspirations. But I guess it brings with it a precariousness... particularly if it means that more and more firms shed full time stable positions for greater resourcing on those sort of precarious positions' (Stanley, senior member, industry association).

⁶ Thornton (n 4); Margaret Thornton, 'Legal Professionalism in a Context of Uberisation' [2021] International Journal of the Legal Profession 1; Jerome Doraisamy, 'The "Uberisation" of Lawyers Is Picking up Pace' (2 October 2019) Online Lawyers Weekly https://www.lawyersweekly.com.au/newlaw/26634-the-uberisation-of-lawyers-is-picking-up-pace>.

Unbundling and consolidation

Several participants noted that automation and increasing competition from new market players were accelerating the 'commodification' or 'unbundling' of legal services, with the industry shifting from a full-service delivery model to a more ad-hoc, technically specialised mode of delivery, as summarised here:

⁶A big part of the change in the practice of law is traditional legal services, where you went to a firm, and you got an end-to-end legal service and, by and large, those services were performed by a very small group of people... That has changed very significantly, in that matters are being examined at a very granular level, they're being broken down into their constituent parts, and either the law firm or the client is unbundling those matters and being quite thoughtful and considered about who is the most effective resource to carry out a specific element of the work... as such, the matter, as a whole, is able to be delivered more efficiently' (Wesley, legal expert, technology).

Several stakeholders predicted that the technology-enabled commodification of legal services would see the decline of smaller law firms and 'high street' legal practitioners, who would be less willing or able to invest in the technology required to stay competitive. Participants predicted that, over time, this process would likely lead to the consolidation of legal services into fewer firms able to support themselves through economies of scale, or by providing highly specialised expertise, as shown here:

> 'I think law is becoming incredibly competitive from a pricing perspective and so, for you to be able to support yourself doing what you do day in day out, along with the various support systems that we need around us, and to support the funding of that, you need a bit of size around you' (Denise, senior practitioner, private sector).

> 'Maybe those smaller firms will all disappear in that their functions, you know, their bread-and-butter type functions will be taken over by an automated or largely, but not entirely, automated process, and there will be fewer providers' (Carole, senior practitioner, government).

Survey results

In the next phase of our study, we surveyed solicitors for their views about the future of the legal profession, drawing on the insights gathered from our stakeholder interviews.

First, we asked survey participants to evaluate the likelihood that these four factors would reshape the legal profession over the next five years. As shown in <u>Figure 1.1</u>, men and women generally agreed that these factors were very likely or fairly likely to change the legal profession. The automation of legal tasks was seen as the most likely factor, with 81% of men and 78% of women saying that automation was fairly or very likely to reshape the profession over the next five years. The emergence of alternative legal service providers was identified as the next most likely factor, with 74% of men and 77% of women saying that this factor was fairly or very likely to change the profession. Perhaps unsurprisingly, this view was even stronger among private practitioners working in small and medium organisations, whose work is more likely to be disrupted by these new competitors. Survey respondents also saw the emergence of NewLaw firms as being likely to change the profession, along with legal work moving away from 'full service' delivery to ad-hoc, highly technical advice. Across all four categories, very few respondents said that these factors were not at all likely to change the profession or simply did not know.

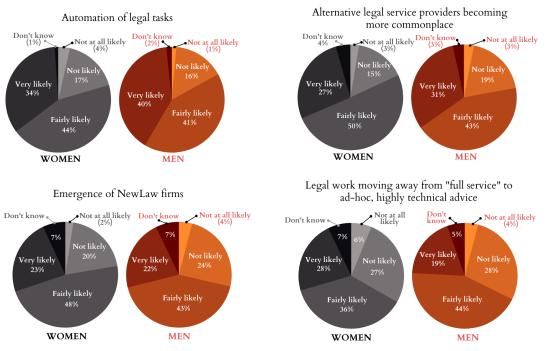


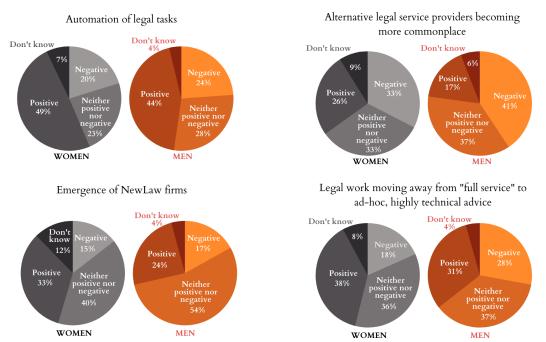
Figure 1.1: The future of the legal profession perceived likelihood, by gender

Q1: Think about the following factors and their impact on the legal profession. How likely do you think each factor will lead to a significant change in the legal profession in the next five years? Base: Total sample n=766

Next, we asked participants who said these factors were fairly likely or very likely to lead to a significant change in the legal profession over the next five years to tell us whether they thought these factors would have a positive or negative impact on their own work.

As shown in Figure 1.2, the results were somewhat mixed. Many respondents took a positive view of the impact of technological change, with women being more positive than men. Nearly-half (49%) of women respondents said that the automation of legal work would have a positive impact on their own work, compared to 44% of men. Views on alternative legal service providers were mixed. Notably, only a small proportion of women (26%) and men (17%) said the rise of alternative legal service providers would have a positive impact on their day-to-day work, while one-third (33%) of women and 41% of men said the impact would be negative. The remainder of respondents said the rise of alternative legal service legal service providers would either have no impact (neither positive or negative) or that they did not know. Views were similarly mixed on the emergence of NewLaw firms, and legal work moving away from 'full service' to ad-hoc, highly technical advice. These findings suggest that many solicitors are uncertain about how these developments – which may still be prospective changes for some practicing lawyers – will impact their own work, or believe they are unlikely to be affected.





Q2: You mentioned that the following factors will have significant impact on how work in the legal profession is performed. Do you think these changes will have a positive or negative impact on your own work? Base: Total sample n=766 / Automation of legal tasks n=605 / Alternative legal service providers becoming more commonplace n = 583 / Emergence of NewLaw firms n=520 / Legal work moving away from 'full service' to ad-hoc, highly technical advice n=464

Summary

Our findings suggest that senior stakeholders and solicitors perceive that the legal profession is in radical flux, with automation, the emergence of new market players, and disruptions to traditional legal service delivery likely to reshape the legal profession over the next five years. Many senior stakeholders we interviewed told us that these changes could have significant consequences for women, who now represent a majority of working solicitors, but tend to be concentrated in the junior ranks of the profession or working in areas more likely to be affected by these changes. However, our survey respondents were less unanimous or certain in their views about how these changes would impact their own work. Indeed, the relatively large proportion of 'neither positive nor negative' responses in each category suggest that, although many respondents perceive that these changes are occurring or are likely to occur, they do not see themselves as being directly affected. Of all the factors, the automation of legal tasks was the one seen as most likely to have a positive impact, perhaps suggesting that many solicitors see technology as creating a 'more efficient version of today's legal services'⁷ rather than heralding the 'end of lawyers.'⁸ We explore these attitudes further in the next section.

⁷ Richard Susskind and Daniel Susskind, The Future of the Professions: How Technology Will Transform the Work of Human Experts (Oxford University Press, 2015).

⁸ Susskind, The End of Lawyers? Rethinking the Nature of Legal Services (n 1).

2. Future careers, future skills

The adoption of new technologies is becoming an increasingly important part of a solicitor's day-to-day work, as well as necessary in the making of a successful career. As the profession changes, legal scholars agree that new skills and strategies for success will be required.⁹ In this section, we examine how senior stakeholders and solicitors understand how the disruptors outlined in the previous section influence career pathways and the skills profiles required for future success in the legal profession, with a focus on the gendered implications of these changes.

Career pathways

Many stakeholders predicted that the changes reshaping the future of the legal profession would disrupt traditional legal career pathways, making them less clearly defined or linear. Several stakeholders observed how technology had 'done away with a lot of the kind of paralegal type roles that give young lawyers a start in the profession' (Todd, senior practitioner, government) and expressed concern about the impact the consolidation of legal service providers would have on the ability for younger lawyers to achieve the requisite training, as shown here:

"We've got a pretty serious problem that's going to emerge over the next little while of – how do we make sure that the people who end up being lawyers (and there will be fewer of them) are actually well trained, because it's going to be harder and harder to get that work' (Guy, legal academic).

Some stakeholders warned that these disruptions could compound existing gender inequalities in the profession, making it harder for junior lawyers – who are disproportionately women – to acquire the skills required for succeed, in an environment where success already divides along gendered lines. Although the number of female solicitors compared to male solicitors has been increasing steadily since 2011, and women have comprised more than half of all solicitors in Australia since 2018¹⁰, women remain markedly under-represented in senior leadership roles. For example, a 2019 survey of 140 mid-market law firms found that women held only 16% of equity partnerships, and 33% of non-equity partnerships.¹¹ Presently, women account for more than 60% of solicitors under age 40,¹² and some stakeholders expressed concern that this new generation of younger, mostly women lawyers would struggle to gain the training and expertise required to succeed as technology and other disruptors bifurcate the industry into 'higher-value and 'lower-value' sectors:

"Whose work and experience will remain valuable? It's going to be the people at the senior end of the profession, who have the experience and the expertise that you can't automate, that people, clients will still pay for. And as we know, despite three or four decades of gender parity at entry-level, that hasn't translated into gender parity at the top' (Stanley, senior member, industry association).

Technological skills

Stakeholders were near unanimous in their view that technology and the automation of legal tasks would reshape the industry and profession. There was less certainty, however, about the extent to which technology would *replace* lawyers or *augment* their capabilities, as summarised here:

'I think technology's role in the legal profession is to augment and supercharge lawyers, so that they can work on more meaningful, higher value work and spend

 ⁹ Amy Bullows, 'How Technology Is Changing the Legal Sector' (2021) 55(2) The Law Teacher 258; Thornton (n 6).
¹⁰ Law Society of New South Wales, 2020 National Profile of Solicitors - Final (URBIS, 2021) 70

https://www.lawsociety.com.au/sites/default/files/202107/2020%20National%20Profile%20of%20Solicitors%20-%20Final%20-%201%20July%202021.pdf

 ¹¹ Jerome Doraisamy, 'Female Grads in Firms Outnumber Males 2-to-1' (6 March 2019) Online Lawyers Weekly
https://www.lawyersweekly.com.au/biglaw/25191-female-grads-in-firms-outnumber-males-2-to-1.
¹² Law Society of New South Wales (n 10).

more time talking to and understanding their client and their needs' (Philip, legal expert, technology).

Stakeholders generally agreed that technological skills would become crucial for future success in the legal profession, with technological skills becoming 'the hard dividing line between people who are successful and people that are not successful' (Carrie, senior member, industry association). Several participants expressed concern that women lawyers could be disadvantaged, or left behind, in the acquisition of technological skills, mirroring trends they identified the tech sector. Some stakeholders suggested that building women's technological capability now could help prevent this. For example:

'I think it's going to be a real problem for women, because the tech space, there's few women in it. So, men will drive this area. I think we need more support for women in the tech space, particularly law and tech' (Bonnie, legal academic).

'I'd be providing very, very good training and education in the use of technology for women [lawyers], because I think that will give them more choices' (Carole, senior practitioner, government).

'Human' skills

The stakeholders we interviewed agreed that new technologies were reshaping the legal profession, automating core functions of legal service delivery such as document review and discovery. Within this context, they predicted that 'soft', relational skills such as empathy and communication – 'the things, I suppose, that differentiate human lawyers from Al' (Jackie, legal specialist, human resources) – would become more important:

'The technical advice that a client receives, for the most part, is fairly standard... but the way you go about doing that is actually the differentiator in terms of skills. So, how commercial that advice is, how well you understand the client's business, how you can empathise with the plight the client is facing – which aren't traditional legal skills, but they are human skills that accompany the provision of those legal services... That's, I guess, the "human face" of doing the business of law in the future' (Grace, legal specialist, human resources).

Although stakeholders saw technological innovations as being powerful and influential, they were sceptical about its capacity to fully usurp what they saw as the 'human' side of the profession:

'There's certainly a lot of hype around lawyers being replaced by robots and machine learning is going to change the way that things happen. I don't know whether it's just the type of work that I do, but it's still largely dealing with people with quite individual problems – you can't get rid of the human element easily' (Donna, senior practitioner, private sector).

Survey results

In the next phase of our study, we asked solicitors whether they thought that legal career pathways would become less clearly defined or linear over the next five years, and, if so, whether the impact would be positive or negative. We also asked a range of questions about technology and the skills required for success in the future of the legal profession.

Career pathways

Building on the insights from our stakeholder interviews, we asked solicitors about the likelihood and perceived impact of 'career pathways becoming less clearly defined or linear'. Women and men largely agreed that this factor is fairly likely or somewhat likely to change the legal profession over the next five years, as shown in <u>Figure 2.1</u>. However, respondents were largely uncertain about the impact of this change on their own work. Around a quarter (24%) of women and nearly a third of men (31%) said this change would have a negative impact on their work, 30% of women and 16% of men said the impact

would be positive, with the remainder saying the impact would be neutral (neither positive nor negative), or that they simply did not know what impact this would have.

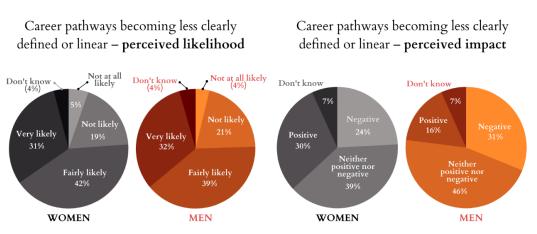


Figure 2.1: Views on future career pathways, by gender

Q1. How likely do you think this factor will lead to a significant change in the legal profession in the next five years? Base: Total sample n=766 Q2. Do you think this change will have a positive or negative impact on your own work? n=550

Technological skills

We also asked solicitors for their views about new technologies at work, and whether they were concerned about losing work due to the automation of legal tasks. Again, the results were somewhat mixed. As shown in <u>Figure 2.2</u>, women were less likely than men to express concern about the jobdisplacing potential of automation, despite stakeholders' warnings about the disproportionate exposure of women lawyers to the risks of automation.

Roughly one-quarter (24%) of women agreed or strongly agreed with the statement 'I am concerned about losing work due to increasing automation of legal tasks', compared to 34% of men. It is notable, again, that almost a quarter of respondents expressed a neutral opinion (neither agree nor disagree) about this risk – suggesting that many solicitors are still uncertain about whether automation will impact their work and, if so, how.

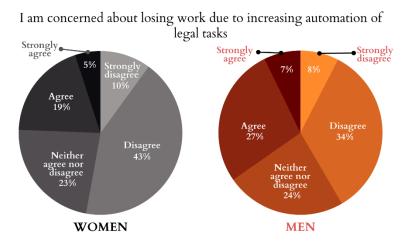


Figure 2.2: Concern about job loss and automation, by gender

Q5. Please indicate the extent to which you agree or disagree with the following statement. Base: Total sample n=766

Survey respondents were generally positive about the potential productivity benefits of technology. Nearly 9-in-10 respondents (86%) thought that new technologies could help lawyers become more productive at work. As shown in Figure 2.3, this view was strongly shared by women and men, with 85% of women and 89% of men agreeing or strongly agreeing with the statement 'productivity at work could

be improved further by training lawyers in how to use new technologies.' Not surprisingly, younger lawyers (under the age of 30) were more likely than other respondents to hold this view.

Only about half of all survey respondents, however, said they felt adequately trained in how to use new technology at work, with 54% of women and 48% of men agreeing or strongly agreeing with the statement 'I feel sufficiently trained in how to use new technology at work.'

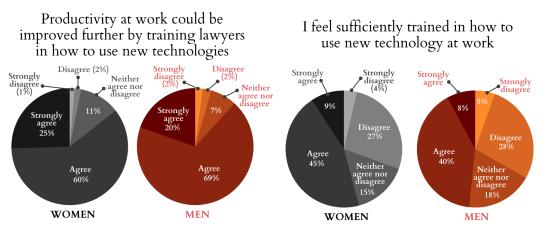


Figure 2.3: Use of new technologies, by gender

Q5. Below are some statements on the use of new technologies at work. Please indicate the extent to which you agree or disagree with the following statements. Base: Total sample n=766

'Human' skills

In our survey, we asked participants about the capabilities required to be successful in the legal profession over the next decade. Although women and men agreed that technological skills would be fairly important or very important to future success in the legal profession, there was strong agreement that well-developed relational skills would also be important requisites to success.

Some subtle variations emerged in how women and men rated the importance of these factors. Overall, as shown in <u>Figure 2.4</u>, women were more likely than men to rate almost all of the characteristics we tested as being 'very important' to future success, with the biggest gaps appearing in the perceived importance of technological skills (67% v 57%), persuasive communication (71% v 65%), business acumen (59% v 50%) and empathy and compassion (59% v 47%).

Notably, women and men generally agreed that depth of legal knowledge would be more important to future success in the legal profession than breadth of legal knowledge, possibly reflecting awareness of the premium that will be placed on specialised legal advice compared to the provision of more general legal services.

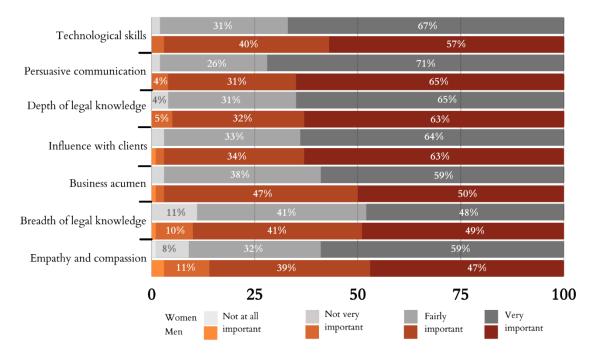


Figure 2.4: Perceived importance of future skills for success in the legal profession, by gender

Q3. Thinking about the capabilities required to be successful in the legal profession over the next decade, how important will each of the following be? Base: Total sample n=766

Summary

These findings suggest that while stakeholders and solicitors agree that changes occurring in the legal profession are disrupting (or are likely to disrupt) legal careers, but the impact of this disruption is still largely unknown. Overall, women are less likely than men to say they are concerned about losing work due to the increasing automation of legal tasks, and both women and men see the career-enhancing, productivity-enhancing benefits of technology. However, many lawyers do not yet feel adequately trained in the use of these technologies. Senior stakeholders say that technological skills will become essential to success in the future of the legal profession, and that it will be necessary to ensure that women are not left behind in the legal-tech revolution. As technology and automation assume a larger share of core legal work, stakeholders and solicitors agree that 'human' skills such as communication, client influence, business acumen, and empathy and compassion will become more important – although women are more likely than men to see these skills as 'very important' to future success in the profession. As technology takes over an increasing portion of formerly core legal work, it will be essential to ensure that lawyers receive the technological training they need to succeed, and that women are not left behind. It will also be necessary to ensure that the so-called 'human' skills – communication, influence with clients, empathy and compassion – are properly valued and remunerated.

3. Gender dynamics in the legal profession

Acknowledging current gender dynamics in the legal profession can help us to better understand how the transformations currently reshaping the profession may play out in the future. Although women have made enormous strides in the industry in recent decades, significant inequalities still exist. The number of women entering the legal profession as solicitors in Australia has increased 67% since 2011, compared to a 26% increase among men, and women now constitute a majority of solicitors in every Australian jurisdiction and every practice area with the exception of private practice.¹³ Despite this gradual feminisation of the profession,¹⁴ women still face substantial 'glass ceilings' and 'dead ends', or careers marked by slow or stalled progression.¹⁵ In Australia, as in other jurisdictions around the world, the legal profession is characterised by marked gender stratification, with women proportionally underrepresented in senior leadership roles; and gender segmentation, with women proportionally overrepresented in certain practice areas, such as government and community legal services.¹⁶ Scholars in Australia and internationally have documented how the legal profession's dominant model of full-time work – characterised by long hours, hefty workloads, and high targets of billable hours – disadvantages workers with caring responsibilities, still predominantly women.¹⁷ Requests for flexible working hours are widely seen to conflict with deeply-held notions of professionalism, expressed through working long hours, being physically present in an office, and giving complete dedication to one's clients.¹⁸ Bullying and sexual harassment remain all too common experiences for women in the profession.¹⁹

In this section, we examine the perspectives of senior stakeholders and solicitors on the current state of equality, opportunity, and flexibility in the legal profession.

Equality at work

When we asked senior stakeholders to reflect on the state of equity and inclusion within the legal profession, common themes emerged. Stakeholders cited the influence of unconscious (and conscious) gender biases, discrimination, sexual harassment, bullying, and a general lack of accommodation for caregivers as key barriers to women's advancement, as shown here:

'The prevalence of bullying and sexual harassment and discriminatory conduct is a huge barrier. The boys' club network and environment and the hyper-masculine environment continues to be a barrier. The broader social context and the fact that disproportionately still, you know, it's women who are taking significant time off to have kids and then care for kids and take on other care and responsibilities that men typically don't do to the same extent. I think those are three or four examples of a broader puzzle of factors each of which contributes to the fact that women still aren't rising to the top of the profession' (Stanley, senior member, industry association).

¹³ Ibid.

¹⁴ Sharon Bolton and Daniel Muzio, 'The Paradoxical Processes of Feminization in the Professions: The Case of Established, Aspiring and Semi-Professions' (2008) 22(2) Work, Employment and Society 281.

¹⁵ Eli Wald, 'The Changing Professional Landscape of Large Law Firms, Glass Ceilings and Dead Ends: Professional Ideologies, Gender Stereotypes, and the Future of Women Lawyers at Large Law Firms' (2010) 78(5) Fordham Law Review 2245.

¹⁶ Sharon Bolton and Daniel Muzio, 'Can't Live with 'Em; Can't Live without 'Em: Gendered Segmentation in the Legal Profession' (2007) 41(1) Sociology 47.

¹⁷ Iain Campbell, Sara Charlesworth and Jenny Malone, 'Part-Time of What? Job Quality and Part-Time Employment in the Legal Profession in Australia' (2012) 48(2) *Journal of Sociology* 149.

¹⁸ Jennifer Tomlinson et al, 'Structure, Agency and Career Strategies of White Women and Black and Minority Ethnic Individuals in the Legal Profession' (2013) 66(2) *Human Relations* 245; Bolton and Muzio (n 16).

¹⁹ Law Council of Australia, National Action Plan to Reduce Sexual Harassment in the Australian Legal Profession (URBIS, 2020) https://www.lawcouncil.asn.au/publicassets/4c3d5a37-b744-eb11-9437-

⁰⁰⁵⁰⁵⁶be13b5/National%20Action%20Plan%20to%20Reduce%20Sexual%20Harassment%20in%20the%20 Australian%20Legal%20Profession_FINAL.pdf>; Joanne Bagust, 'The Culture of Bullying in Australian Corporate Law Firms' (2014) 17(2) Legal Ethics 177.

Some stakeholders observed that, although conditions for women lawyers have improved over recent decades, normative expectations within the profession remain strongly weighted in favour of men and traditionally male career paths, which see women struggle to 'break in' or progress:

'I feel there has been an absolutely enormous change over my professional life. Having said that, I still think that there are differences. I think, for example, in commercial law I suspect that there is still something of a prejudice in favour of male counsel... I have the sense that there is a feeling amongst the commercial clients and solicitors doing large scale commercial work that you need to be tough and aggressive and assertive... I think it's still probably hard for women to break into that' (Margaret, judicial member).

Opportunity at work

Stakeholders spoke extensively about the barriers to progression faced by women in the legal profession, including the difficulty of accessing prestigious cases or projects, and forming effective client networks. Stereotypical notions of what 'good' or effective lawyers look like were seen to create a 'vicious cycle' in which women were blocked from gaining development opportunities required for success:

'I think it's just a primitive notion which is deeply held that in a stressful situation, you can place faith in a tall, big, strong man with a deep voice to look after your interests and be aggressive and get the result you need... So, it becomes a bit of a vicious cycle. Because they [women] haven't been given those roles and they don't develop those skills, then someone can legitimately say, "I'm not going to give her that role because this case is so important" (Tracey, judicial member).

Stakeholders saw that promotion and reward systems within the legal profession were intrinsically linked to the practice of working – and thus billing – extremely long hours. Several stakeholders we interviewed spoke about how these expectations disproportionately affected women's ability to progress within the profession. For example:

'The way we measure people still in law is on billables and how much big clients they bring in. And we dismiss the rest. And when someone comes back from having a young family, it's really hard to compete with the male that can be there for 12, 14 hours. So, you leave behind the female, or the female exits out because she can't compete' (Samantha, senior practitioner, private sector).

Although some stakeholders saw the potential of alternative billing models, such as fixed pricing and capped fee billing, to disrupt the profession's culture of long hours and overwork, views on the likelihood of these alternative pricing models replacing billable hours were largely sceptical. As one lawyer said: 'That ain't going to happen, you know, in the immediate future' (Carole, senior practitioner, government). Stakeholders agreed, however, that it was a major challenge for the industry to 'break the connection between time and value' which was seen to be a 'very hard-wired nexus in the profession' (Donna, senior practitioner, private sector).

Flexibility at work

Senior stakeholders argued that improving access to flexible working arrangements was an important part of building gender equality into the legal profession, given the predominant distribution of paid and unpaid labour in Australian society, and potentially a means to combat the legal profession's culture of long hours and presenteeism. For example:

"We're still at a point in society where there's only 1% of primary caregivers are the blokes. The fact of our culture right now is that, for the most part, women will be giving up more time for caregiving if they have children... I think that flexible work allows, if it's implemented correctly, more flexibility to show what you're capable of outside of the "I'm up against it, working 14 hours a day in front of my boss, but not actually very effective" (Rebecca, senior practitioner, private sector). It was an interesting time to have these conversations, as they were contextualized by widespread experience of remote working necessitated by the COVID-19 pandemic and enabled by technology. Nearly every stakeholder we interviewed told us that the COVID-19 pandemic had accelerated broad acceptance of remote or hybrid working arrangements, including in the operation of courts. Others warned that, without appropriate controls, the same technologies that facilitated remote and hybrid working could exacerbate the existing epidemic of overwork in the profession, as shown in the following quotes:

'Required attendance in person is almost irrelevant now. The courts have embraced video appearance, for example, which was probably one of the only remaining 'haveto-be-there-in-person' type jobs in the law... my genuine experience in our firm is that flexible work and the advance of technology has allowed for far more flexible work' (Rebecca, senior practitioner, private sector).

'I think COVID has really revealed that working from home, you can work, you can be productive, and you can continue to make a contribution. It's made that type of use of technology for doing the work far more acceptable, and employers are more trusting of their employees... I think that's all been a great benefit to women and also the organisation of work, but that has to come with some careful monitoring—that it doesn't then become a tool of exploiting women' (Sally, senior practitioner, private sector).

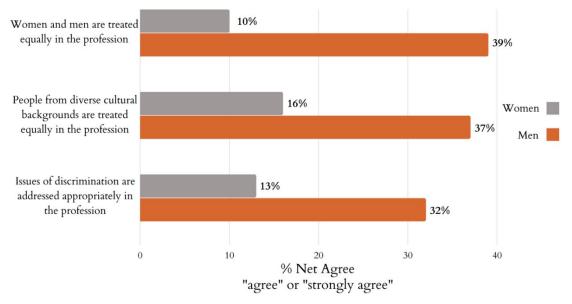
Survey results

In the next phase of our study, we asked solicitors for their views on equity, opportunity, and flexibility in the legal profession. In this phase, more than any other, the results show substantial differences in how men and women experience the profession.

Equality at work

Among survey respondents, there was a strong perception that gender and other intersectional inequalities exist within the profession, and that more action is required to address these problems. However, there were substantial gaps between women's and men's perceptions regarding the existence of inequalities in the profession, and whether they were being appropriately addressed. Overall, just over two-thirds (67%) of survey respondents said they did not believe that women and men are treated equally in the profession. Overall, as shown in Figure 3.1, women were more likely than men to perceive inequality in the profession, relative to men. While 39% of men agreed or strongly agreed with the statement 'women and men are treated equally in the profession', only 10% of women held this view. Similarly, only 16% of women agreed or strongly agreed with the statement 'people from culturally and linguistically diverse backgrounds are treated equally in the profession', compared to 37% of men. A substantial majority of women and men did not indicate agreement with the statement that issues of discrimination were being adequately addressed in the profession – a concerning result in an industry focused on legal rights – but again, women were more likely to hold this view. Nearly 9-in-10 (87%) women 'strongly disagreed', 'disagreed' or indicated that they 'neither agreed nor disagreed' with this statement, while the same was true of 68% of men.

Figure 3.1: Views about equality and discrimination at work, by gender



Q7. Below are some statements about people's experiences in the legal profession in general. To what extent to you agree or disagree with the following statements. Net 'agree' shows percentage of survey respondents to said they 'agreed' or 'strongly agreed' with the statements. Base: Total sample n=766

As shown in <u>Figure 3.2</u>, more than three-quarters (78%) of women and just over half (53%) of men agreed or strongly agreed that 'sexual harassment is a problem in the legal profession' and a mere 16% of women and 33% of men agreed that 'sexual harassment is being adequately addressed in the legal profession'. In line with our stakeholders' perspectives, these results suggest that recent advocacy around the issue of sexual harassment may have increased awareness of the problem. The fact that women were more likely than men to say that sexual harassment was a problem, and not being adequately addressed, likely reflects women's relatively greater understanding and experience of harassing behaviours at work.²⁰

Women and men also agreed that bullying is a substantial problem in the legal profession and, in their view, one which is not being adequately addressed. Interestingly, more men perceived that bullying was a problem (65%), compared to the proportion of men who saw sexual harassment as a problem (53%). It is open to interpretation as to whether this reflects personal experiences in work and careers, or a more generalised awareness of the problem. Smaller proportions of women and men perceived that bullying is being adequately addressed in the profession, relative to sexual harassment, which may reflect the fact that bullying has not yet been the focus of significant national or industry-based attention.

²⁰ AHRC, Respect@Work: Sexual Harassment National Inquiry Report (2020) (Australian Human Rights Commission, 2020) https://humanrights.gov.au/our-work/sex-discrimination/publications/respectwork-sexual-harassment-national-inquiry-report-2020; Law Council of Australia (n 19).

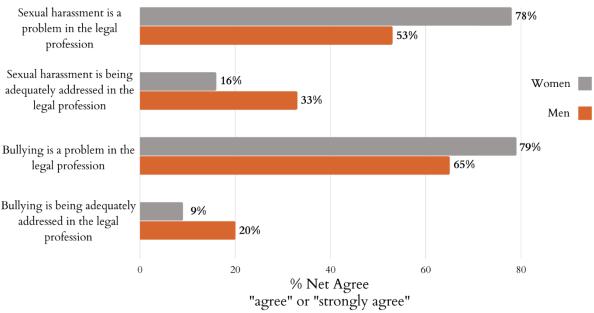


Figure 3.2: Views about bullying and harassment at work, by gender

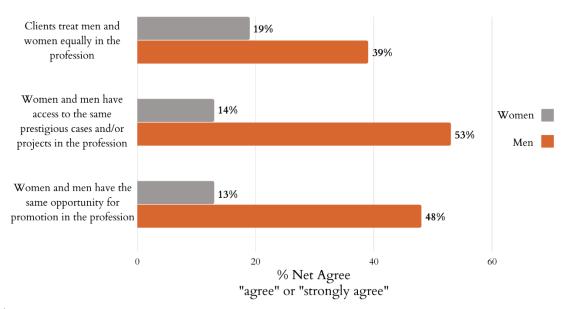
Q7. Below are some statements about people's experiences in the legal profession in general. To what extent to you agree or disagree with the following statements. Net 'agree' shows percentage of survey respondents to said they 'agreed' or 'strongly agreed' with the statements. Base: Total sample n=766

Opportunity at work

We asked solicitors for their views on whether women and men experience equal opportunities at work and in careers, including treatment by clients, access to prestigious cases and projects, and opportunities for promotion. On every metric, women and men perceived substantial differences in their opportunities for advancement within the profession.

As shown in Figure 3.3, women and men agreed that clients do not treat women equally in the profession, but women were much less likely to agree with this statement than men. Only 19% of the women we surveyed agreed or strongly agreed with the statement 'clients treat women and men equally in the profession', compared to 39% of men. The gender divide on access to prestigious cases and/or projects was even more pronounced, with only 14% of women agreeing or strongly agreeing that women and men have the same access to these important career development opportunities, compared to more than half (53%) of male respondents. Women and men were similarly divided on upward mobility in careers, with only 13% of women agreeing or strongly agreeing with the statement 'women and men have the same opportunity for promotion in the profession', compared to nearly half (48%) of men.





Q8. Below are some statements about people's experiences in the legal profession in general. To what extent do you agree or disagree with the following statements. Net 'agree' shows percentage of survey respondents to said they 'agreed' or 'strongly agreed' with the statements. Base: Total sample n=766

Flexibility at work

Flexibility is an important part of reconciling family and other caring responsibilities and managing worklife balance. Senior stakeholders spoke extensively about the challenges faced by women lawyers negotiating their work and family commitments. They saw the potential advances in flexible working necessitated by the COVID-19 pandemic, but also cautioned that technology-enabled flexible working could exacerbate overwork and long hours.

In our survey, we asked solicitors about their ability to manage their work-life balance, and the degree of support they felt they received in their workplaces to meet caregiving responsibilities. As shown in <u>Figure 3.4</u>, women were less likely than men to say they are able to manage their work-life balance to a great extent (only 28% of women, compared to 40% of men). However, men and women were similarly negative about the support they receive to meet their caregiving responsibilities, with only 38% of both men and women saying they feel supported to a great extent. These relatively negative, and similar responses, indicate that there is significant room for improvement in the profession in terms of helping men and women lawyers to manage their caring responsibilities.

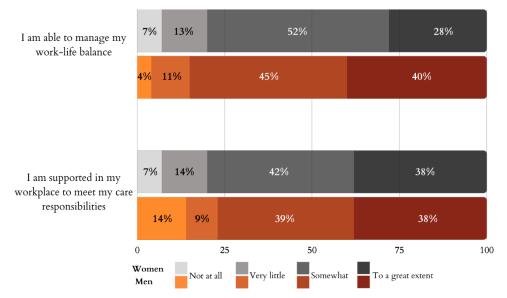


Figure 3.4: Views on work life balance and workplace supports for caregivers, by gender

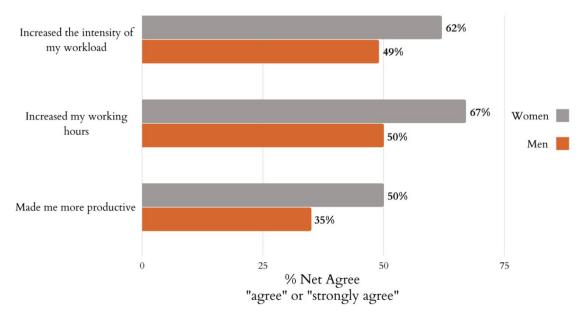
Q9: Below are some statements about how people manage their working lives. To what extent to the following apply to you. Base: Total sample: n=766

We also asked solicitors about their experiences with hybrid or remote working over the past 18 months. As shown in <u>Figure 3.5</u>, some notable gendered difference emerged around experiences of remote and hybrid working. Women were more likely than men to say that hybrid or remote working had increased the intensity of their workload (62% of women, compared to 49% of men), had increased their working hours (67% of women, compared to 50% of men) and had increased their perceived productivity (50% of women, compared to 35% of men).

Although these questions asked solicitors to reflect on their experiences over the past 18 months, which encompassed both lockdown and non-lockdown periods, it is important to note that solicitors completed this survey in the middle of an extended state-wide lockdown, and that the extra burden of balancing paid and unpaid work responsibilities during that time may have influenced these responses, particularly for women, who assumed a relatively larger share of unpaid work at home.²¹ The additional burden of managing paid work whilst supervising children at home, and/or overseeing other caring activities during that a pandemic, may have had a disproportionate effect on women's working hours and the perceived intensity of their workloads. A majority of women and men said they were less productive during this time, however, women's higher reported productivity compared to men may be attributable to the elimination or reduction of commuting times and the increased temporal flexibility enabled by remote working. For men, the experience of working from home – with additional distractions and burdens associated with unpaid caregiving – may have been an unfamiliar challenge, resulting in relatively lower reported productivity. Further research would be necessary to fully understand and unpack the dynamics at play here.

²¹ Lyn Craig and Brendan Churchill, 'Dual-Earner Parent Couples' Work and Care during COVID-19' (2020) 28(1) Gender, Work & Organization 66.





Q4. Below are some statements about people's experiences with remote or hybrid working over the past 18 months. Please indicate the extent to which you agree or disagree with the following statements. Note: 'I didn't work remotely or hybrid' results are excluded. Base: Total sample n=766

Summary

Women and men agree that significant gendered inequalities exist in the legal profession, and they see this playing out across multiple dimensions, including in relation to sexual harassment, bullying, access to prestigious cases and projects, treatment from clients, promotion opportunities, and support for work-life balance. However, we identified substantial differences in how women and men perceived both the existence and severity of these problems, with women more likely to identify challenges and less likely to perceive that those challenges are being adequately or appropriately addressed. Organisations and institutions within the legal ecosystem should address these perceived inequalities. Part of this will be addressing the gendered disparities in the severity of these problems and creating systems and processes to create equity at every level of the profession.

The stakeholders we interviewed perceived that access to flexible working was a crucial factor in progressing gender equality in the legal profession, and that the COVID-19 pandemic had accelerated acceptance of technology-enabled flexibility. Stakeholders expressed concern that, without having the appropriate policies and safeguards in place, the same technologies may exacerbate the legal profession's existing culture of long hours and overwork, with serious negative consequences for women's careers. These concerns appear to be validated by our survey results, which showed that women were much more likely to report that hybrid and remote working had increased the intensity of their workloads and increased their working hours. These findings suggest that, in order to reap the benefits of technology-enabled flexibility without these detrimental consequences, organisations need to carefully consider the workload demands placed on solicitors in a world where 24/7 connectivity is the new normal.

Appendix

About this project

This project, Designing Gender Equality into the Future of Work uses mixed-methods, action-based research conducted in four phases over a three-year period. This project aims to investigate how women and men understand and experience the changing nature of work and their hopes and fears for the future. This project expects to generate new knowledge about the gendered dimensions of workplace change using an innovative and engaged research design that focuses on the legal profession. Expected outcomes of this project include an enhanced and coordinated capacity to build gender equality into the future of work.

- This project asks: how do we build upon women's and men's current workplace experiences to construct a more gender-equitable future of work? To answer this question, the project uses qualitative interviews, an online survey of practicing solicitors, and industry co-design to: Identify workplace transformations currently unfolding in the legal profession and map connections to gender inequality;
- 2. Capture how women and men employed in these areas make sense of and respond to workplace changes, and their concerns and hopes for the future; and
- 3. Develop and test concrete strategies to build an equal and inclusive future of work in the law.

Methods

This report summarises findings from the first two phases of a three-phase research project, which aims to understand how women and men understand and experience the changing nature of work in the legal profession, and their hopes and fears for the future of the profession.

Stakeholder interviews

In the first phase of our research, we interviewed 30 senior stakeholders in the legal profession. These stakeholders were identified for their expertise in and knowledge of the legal profession, and included judicial members, legal academics, legal specialists with expertise in business, human resource management, and technology, senior members of state, national and/or international industry associations, senior members of key regulatory bodies, and senior legal practitioners from government, non-profit agencies, and the private sector.

The following table provides a breakdown of senior stakeholders by category:

Category	Stakeholders interviewed
Judicial member	2
Legal academic	3
Legal specialist, business	2
Legal specialist, human resources	2
Legal specialist, technology	3
Senior member, industry association (state, national, or international)	3
Senior member, regulatory body	1
Senior practitioner, government	3
Senior practitioner, non-profit	2
Senior practitioner, private sector	9
Total	30

Stakeholder interviews, which were conducted between October 2020 and April 2021, provided a macro-perspective of key trends such as the impact of automation and technology, the changing nature of legal service delivery, the impact of these changes on legal career pathways, and the gendered dynamics of work within the profession. Throughout the report we quote verbatim from these interviews. In line with approval received from the University of Sydney Human Research Ethics Committee, and our own commitments to participants, all stakeholders have been assigned pseudonyms and any identifying details have been removed.

Solicitor survey

Drawing on the insights developed in our stakeholder interviews, we conducted an online survey of practicing solicitors in New South Wales. The survey was designed to understand and map gendered perceptions and experiences regarding the present and future of work in the legal profession, focusing on three areas: the future of the legal profession, future careers and future skills, and gender dynamics in the legal profession. Ipsos Social Research was commissioned to administer the survey. A link to the anonymous survey was distributed to Law Society of New South Wales members via email between 24 August and 28 September 2021, yielding a total sample of 766 responses.

Sample characteristics

We asked survey participants about their gender. More than half (58%) of respondents identified as women, 38% identified as men, 1% identified as non-binary/gender fluid and 3% preferred not to say. The 1% of non-binary/gender fluid responses were excluded from this analysis because the size of this group was too small to draw meaningful comparisons with the other groups. As the purpose of this analysis was to identify gendered dimensions of workplace change, the 3% of respondents who preferred not to say their gender were also excluded from the analysis.

We also asked survey participants about their countries of origin, and cultural and linguistic backgrounds. Respondents came from 51 countries around the world. Three-quarters (75%) of respondents were born in Australia, while 3% were born in England, 2% in South Africa, and 1% in each of New Zealand, India, Fiji, Hong Kong, and Malaysia. In terms of languages used at home, 85% of respondents said they spoke English at home, while 15% said they spoke a language other than English at home.

One-percent (1%) of respondents identified as Aboriginal, 95% identified as neither Aboriginal nor Torres Strait Islander, and 4% preferred not to say.

In terms of age, our sample skewed toward the older end of the profession, with 49% of all respondents aged 50 or older, 40% of respondents aged 30-49, and 12% of respondents under the age of 30. The distribution of the survey sample by age and gender is shown below:

	Under 30	30-49	50 or older	Total
Men	7%	23%	70%	100%
Women	14%	51%	35%	100%
Total sample	12%	40%	49%	101%

Note: Total sample does not equal 100% due to rounding.

Survey respondents came from a range of practice areas. The majority of survey respondents (60% of men and 70% of women) identified as private practitioners in law firms, followed by practitioners in corporate legal (17% of men and 10% of women) and practitioners in government legal (12% of men and 8% of women).

We note that our survey sample is not fully representative of the membership of the Law Society of New South Wales or the general population of solicitors in the state. We acknowledge this as a potential limitation of our findings, and an area for further research focus.

Contact

Dr. Meraiah Foley meraiah.foley@sydney.edu.au

University of Sydney Business School and the Gender Equality in Working Life Research Initiative

www.sydney.edu.au/gewl

CRICOS 00026A



The Gender Equality in Working Life (GEWL) Research Initiative at the University of Sydney is a multidisciplinary research initiative leveraging several decades of research expertise on women's working lives to establish an action-oriented, practical approach to building a gender equal future of work.

The GEWL Research Initiative offers unique, research-informed insights, developed using new workplace data, to produce targeted and effective gender equality interventions.

We provide nuanced, rigorous and 'next-generation' research, that explores solutions that are:

- Fit-for-purpose. Providing an understanding of the different impact on diverse groups, different jobs and with tailored insights and solutions, rather than one-size-fits-all.
- **Mutually beneficial**. Providing an understanding of shared valued outcomes for employees, business, and society.
- **Quantified**. Measuring the short- and long-term outcomes, costs and impacts with relevant analytics.
- **Innovative**. Drawing on evidence from new sectors, pandemic practices & international experience to develop different approaches.

Partnering with business, government and civil society GEWL undertakes rigorous engaged research on gender equality at work and in careers across sectors and industries to co-design evidence-based solutions to pressing problems.

The University of Sydney

sydney.edu.au/gewl