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International Bar Association Raising the Bar: Women in Law Project



Australia Results Report

International Bar Association Legal Policy
& Research Unit and the Law Council of Australia



Law Council
OF AUSTRALIA

The International Bar Association (IBA), established in 1947, is the world's leading international organisation of legal practitioners, bar associations, law societies, law firms and in-house legal teams. The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of more than 80,000 lawyers, 190 bar associations and law societies and 200 group member law firms, spanning over 170 countries. The IBA is headquartered in London, with offices in São Paulo, Seoul, The Hague and Washington, DC.

The IBA Legal Policy & Research Unit (LPRU) undertakes research and develops initiatives that are relevant to the rule of law, the legal profession and the broader global community. The LPRU engages with legal professionals, law firms, law societies and bar associations, governments, non-governmental organisations and international institutions to ensure innovative, collaborative and effective outcomes.

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Foreword

It is a pleasure to present the International Bar Association's Raising the Bar: Women in Law Project (Women in Law Project) report on Australia.

I commend the IBA for this innovative project. Experience around the world shows that women encounter many barriers in both entering and progressing within the legal profession.

While some barriers have been gradually removed over time, others persist. The insights and learnings from this cross-jurisdictional study will be of enormous benefit to efforts around the world to achieve equality in the law.

I have enjoyed a challenging and rewarding career as a commercial litigator in Australia. However, I have encountered the same obstacles facing many women lawyers as they endeavour to balance a demanding career with family and carer responsibilities.

I was the first woman at my law firm to work part time as a commercial litigator. At the time, my decision to do so challenged the traditional conception of how lawyers in busy, demanding areas in a large law firm should work in order to achieve career success.

It is heartening to observe that flexible working arrangements, once considered exceptional in the legal profession, are now common in Australia. These arrangements go some way to addressing the barriers to achieving gender equality across all levels of the legal profession, though there is more to be done.

Achieving meaningful change in the workplace to support inclusion would not have been possible without the purposeful advocacy and determined leadership of legal practitioners – in both private and public sectors – across Australia.

I acknowledge their contributions and commitment, and the continuing efforts to ensure that the legal profession is adaptive to and supportive of the needs of the talented and dedicated women who seek a career in the law.

I am extremely grateful to the Law Council of Australia's Equal Opportunity Committee, chaired by Kate Eastman AM SC, for its commitment and expertise on issues affecting equality in the legal profession – acknowledging that gender is one amongst other equity concerns for the Australian legal profession – and for its contributions to this report.

I extend my gratitude to current joint IBA Presidents Jaime Carey and Claudio Visco, as well as Almudena Arpón de Mendivil, IBA President 2023–24. Thanks are also due to the IBA Legal Policy & Research Unit for designing and leading this important project alongside the IBA Women Lawyers Committee and Diversity & Inclusion Council, and to all the people who have contributed to the jurisdiction reports to date.

The reports published to date reveal the depth of commitment around the world to advancing the role of women in the law, and to contributing to a more inclusive profession globally.

Juliana Warner

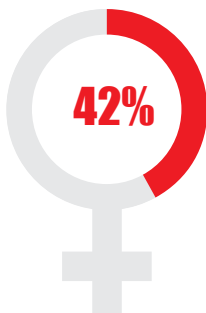
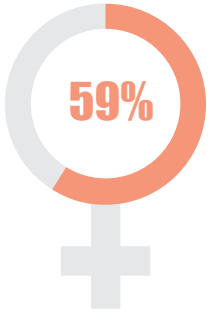
President

Law Council of Australia

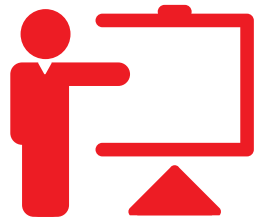
December 2025

Main findings: Australia

Among respondent organisations, **58 per cent** of lawyers are women. At a senior level, the percentage of women lawyers decreases to **45 per cent**.



In responding law firms, **59 per cent** of lawyers and **42 per cent** of senior lawyers are women.



The most popular initiatives were flexible working, followed by coaching and mentoring and target setting.



Quota setting was the least popular initiative, with no respondents in any sector indicating that gender quotas were in place.



The most effective initiative was flexible working, with 79 per cent of respondents voting this initiative 'very effective'.



Introduction

The project

In March 2021, the IBA launched an ambitious multi-year global project, now known as the *Raising the Bar: Women in Law* project (Women in Law Project), examining women's representation across all levels of the legal profession. The project looked at law firms, in-house legal teams, public sector institutions and the judiciary.

The Women in Law Project built on previous work in this field undertaken by the IBA, including the 2017 *Women in Commercial Legal Practice* report,¹ the 2019 *Us Too? Bullying and Sexual Harassment in the Legal Profession* report² and the 2021 *Mental Wellbeing in the Legal Profession* report.³

Methodology

Australia is the 13th jurisdiction to be covered by the Women in Law Project. The IBA is extremely grateful to the Law Council of Australia for its support and assistance with this initiative, and its efforts in connecting the IBA to the relevant stakeholders within the Australian legal profession. The Law Council of Australia conducted extensive research to provide a detailed analysis of the state of the Australian legal profession, including detailed insights relating to each of the legal sectors covered by the Project.

The Australia study commenced in January 2025 and concluded in October 2025. During this time, 31 law firms, 26 barristers' chambers, the Federal Court of Australia and the Attorney-General's Department were approached for input. Despite best efforts, it was not possible to include the in-house corporate sector, due to difficulties in securing engagement with the survey.

Seniority within the Australian legal profession was established with reference to the following criteria:

- *law firms*: partnership, management board or executive council level and above;
- *public sector*: lawyers at a senior management level/partnership-level equivalent from federal government departments with a primarily legal mandate; and
- *judiciary*: judicial officers of superior courts.

The following entities were selected and approached within each of the sectors:

1. Law firms were selected from:
 - (i) *Australian Financial Review Law Partnership Survey* 2024 rankings; and
 - (ii) Keypoint Law rankings with respect to total gross firm revenue.
2. Barristers' chambers were selected from:
 - (i) Chambers and Partners and Legal500 rankings.

1 Available at www.ibanet.org/lpru/women-business-lawyers-initiative-front-page.

2 Available at www.ibanet.org/bullying-and-sexual-harassment.

3 Available at www.ibanet.org/mental-wellbeing-in-the-legal-profession.

3. Within the public sector, the Federal Attorney-General’s department was approached for input, as the department responsible for maintaining Australia’s law and justice framework. Through the Australian Government Solicitor, the Attorney-General’s Department also provides legal services to the Commonwealth, including legal advice and representation.
4. Within the judiciary, the Federal Court of Australia was approached for input, noting that this report also includes public-facing data with respect to the High Court of Australia and Australia’s state and territory Supreme Courts.

The overall response rate is shown in Figure 1.

Organisation	Number approached	Respondents	Response rate (%)
Law firms	31	12	39
Barristers’ chambers	26	7	27
The judiciary	1	1	100
The public sector	1	1	100

Figure 1: Overall survey response rates

The information received from survey respondents has been supplemented with desk-based research where relevant in this report.

Country context

Introduction

Women’s participation in the Australian legal profession has changed remarkably over the past century.

Ada Evans became the first Australian woman to graduate in law in 1902. Despite her pioneering achievement, Ada would have to wait until 1921 to be admitted to the Bar in New South Wales.⁴ Notwithstanding she was admitted to the Bar, she did not practise as a lawyer.

Flos Greig graduated in law from the University of Melbourne in 1903 and was also prohibited at the time from entering the legal profession in Victoria. However, Flos and her supporters successfully advocated to change the law and Flos was the first woman to be admitted as an Australian lawyer on 1 August 1905.⁵

Today most law students in Australia are women, and there are more women solicitors than men – although men still outnumber women in the barrister profession.⁶ The size of the Australian legal profession has increased to over 107,000 lawyers, with particularly strong growth in the government and corporate in-house legal sectors.⁷

While the proportion of women at senior levels has increased over time, it does not reflect the overall proportion of women lawyers in the profession. To address continuing underrepresentation of women lawyers in some sectors, the profession has focused significantly on issues that affect women’s career progression. These include access to flexible work arrangements, paid parental leave entitlements and gender pay gaps.

The Australian legal profession has sought to drive cultural change within the profession by addressing the underrepresentation of women at the Australian Bar. It has also introduced initiatives to address sexual harassment and bullying, and to support mental health and wellbeing.⁸

4 Linda Kirk, ‘Sisters Down Under: Women Lawyers in Australia’ (1996), 12(2), *Georgia State University Law Review*, 491, 494–495.

5 *Ibid.*

6 *2024 National Profile of Solicitors* (Law Society of NSW, June 2025), 9. See www.lawsociety.com.au/sites/default/files/2025-06/2024%20National%20Profile%20of%20Solicitors%20-%20Final.pdf; Justice Jacqueline Gleeson, ‘Women in Law: How Far Have We Come, and Where to From Here?’ (Speech, University of Technology Sydney, 20 March 2023), 14 [23], see www.hcourt.gov.au/sites/default/files/assets/publications/speeches/current-justices/gleesonj/Final%20-%20Brennan%20Justice%20Address%20-%20Women%20in%20Law.pdf; unpublished barrister data provided by the Australian Bar Association.

7 *Annual Reports 2023/24* (Legal Services Council, 14 October 2024), 28, https://legalservicescouncil.org.au/documents/Annual_Report_2023-2024.pdf; *2024 National Profile of Solicitors*, see n 6 above, 25.

8 *National Action Plan to Reduce Sexual Harassment in the Legal Profession* (Law Council of Australia, 23 December 2020), see <https://lawcouncil.au/resources/policies-and-guidelines/national-action-plan-to-reduce-sexual-harassment-in-the-australian-legal-profession> accessed 11 December 2025; *Public Leadership Statement on Sexual Harassment and Discrimination* (Law Council of Australia, July 2024), see <https://lawcouncil.au/resources/policies-and-guidelines/public-leadership-statement-on-sexual-harassment-and-discrimination> accessed 11 December 2025; *National Model Framework Addressing Sexual Harassment for the Australian Legal Profession* (Law Council of Australia, 15 May 2025), see <https://lawcouncil.au/resources/policies-and-guidelines/policy-statement-national-model-framework-addressing-sexual-harassment-for-the-australian-legal-profession> accessed 11 December 2025; ‘Mental Health and Wellbeing in the Legal Profession’ (Law Council of Australia, 18 January 2022), see <https://lawcouncil.au/policy-agenda/advancing-the-profession/mental-health-and-wellbeing-in-the-legal-profession> accessed 11 December 2025.

There have been calls to couple efforts to achieve gender equality in the legal profession with efforts to achieve greater diversity across the board, and ongoing work to understand the role of intersectionality in a person's experience in the legal profession.⁹

Australia's political and legal system

The Commonwealth of Australia was established on 1 January 1901, when the six self-governing British colonies that had been established since 1788 united to form one country, and the Australian Constitution commenced.

Upon Federation, the six former British colonies became the states of Australia – New South Wales, Victoria, Queensland, Western Australia, South Australia and Tasmania. In addition, two territories were established – the Australian Capital Territory and the Northern Territory.

British colonial authority was imposed on the premise that Australia was uninhabited at the time of colonisation, which failed to recognise Aboriginal and Torres Strait Islander peoples as the original inhabitants and custodians of Australia. Aboriginal and Torres Strait Islander peoples have had their own sophisticated and complex systems of laws for tens of thousands of years, which continue to evolve and contribute to the ongoing development of the Australian legal system.

The Australian Constitution established the Federal Parliament and sets out the matters for which the Federal Parliament can make laws, including those areas for which the Federal Parliament has exclusive powers. While the states may also pass laws in the areas that are not exclusive to the Federal Parliament, in the case of a conflict between state and federal law, the federal law prevails.

Reflecting the traditions of the British colonisers, Australia has a common law legal system. Laws are made by judges (judicial precedent) and by the federal, state and territory parliaments.

The Australian court system is comprised of federal, state and territory courts. The High Court of Australia is the apex court.

The legal profession in Australia

The Australian legal profession and the provision of legal services is regulated independently by each state and territory.¹⁰

Legal profession regulation within and across each state and territory is based on core standards and regulatory approaches which are either uniform, or at least sufficiently harmonised, so that there are not significant jurisdictional variations impacting the legal profession or the provision of legal services. This enables the functioning of a national legal profession within a national legal services market, supported by

9 Gleeson (see n 6 above) 24 [39].

10 For a detailed explanation of legal profession regulation in Australia, see *Lawyer Regulation in Australia: An Overview* (Law Council of Australia, 21 November 2024), see <https://lawcouncil.au/files/pdf/2024%2011%2021%20-%20Lawyer%20Regulation%20in%20Australia.pdf>.

a scheme of regulatory authorities and regulatory cooperation. The rules regarding solicitor and barrister conduct, including rules relating to anti-discrimination and harassment, are also harmonised.¹¹

To be admitted as a lawyer in Australia, a person must have completed a recognised academic programme, typically a university degree in law, and an approved practical legal training programme. A lawyer must be admitted as a legal practitioner by the relevant state or territory Supreme Court. Then the lawyer must obtain a practising certificate from the relevant state or territory admitting authority, generally the local law society or bar association, in order to practise. States and territories mutually recognise a practitioner's admission to the legal profession and practising certificate granted in another Australian jurisdiction.

In Australia, lawyers may practise as solicitors or barristers. Some lawyers also practise as arbitrators and mediators. Solicitors provide a variety of legal services and may appear in court in some instances. Barristers are specialised advocates and also provide legal advice. After admission, most Australian jurisdictions prescribe further study requirements for qualification as a barrister, such as the completion of a specialised Bar readers' course or Bar practice course.¹²

The first legal professional association in Australia, the Law Society of New South Wales, was formed in 1842. Today, each Australian state and territory has a law society or institute that represents the solicitor profession and a bar association that represents the barrister profession.¹³ The Law Council of Australia, established in 1933, represents the legal profession at the national level.

11 The Australian Solicitors Conduct Rules have been adopted as the professional conduct rules for solicitors in all states and territories. See Australian Solicitors Conduct Rules 2021 (Law Council of Australia, as at November 2023). Barristers conduct rules are based on model rules developed by the Australian Bar Association and implemented in each state and territory. See, eg, Legal Profession Uniform Conduct (Barristers) Rules 2015 (NSW, Vic, WA) (as at 4 March 2022); Barristers' Conduct Rules 2025 (Bar Association of Queensland, as at 14 May 2025); Legal Profession (Barristers Rules) 2016 (Tasmanian Bar, as at 22 May 2024); Legal Profession (Barristers) Rules 2021 (Australian Capital Territory Bar Association, as at 12 February 2021); Barristers Conduct Rules (Law Society of Northern Territory, as at 1 September 2025).

12 See, eg, 'Becoming a Barrister' (Victorian Bar), see www.vicbar.com.au/Web/Web/Contents/About/Becoming-a-Barrister/Becoming-a-Barrister.aspx; 'Guide to Becoming a Barrister in New South Wales' (New South Wales Bar Association, 2017), see https://nswbar.asn.au/docs/webdocs/BAR_BecomBarrister_A5_10Aug17_e.pdf. Both accessed 8 December 2025.

13 Australian Capital Territory Bar Association, Law Society of the Australian Capital Territory, New South Wales Bar Association, Law Society of New South Wales, Northern Territory Bar Association, Law Society of Northern Territory, Bar Association of Queensland, Queensland Law Society, South Australian Bar Association, Law Society of South Australia, Tasmanian Bar, Law Society of Tasmania, The Victorian Bar Incorporated, Law Institute of Victoria, Western Australian Bar Association, Law Society of Western Australia.

Women’s representation across the legal profession: 2025 status

Representation of women by sector and seniority

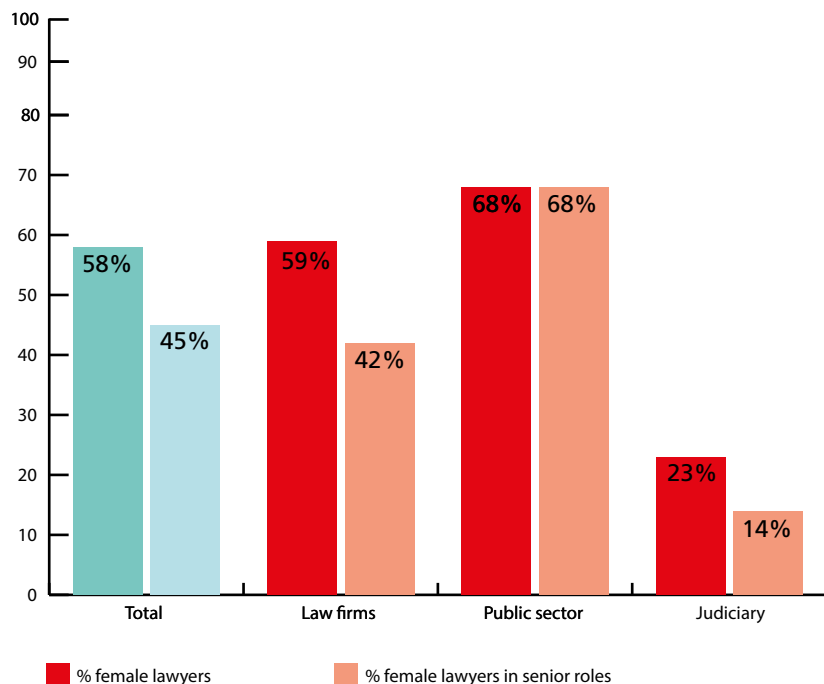


Figure 2: Women’s representation across the legal profession based on survey results

According to the Women in Law Project survey results, the percentage of women lawyers within the Australian legal profession is 58 per cent (across firms, the Bar, the judiciary and the public sector).¹⁴ At a senior level, the percentage of female lawyers decreases to 45 per cent.

On a sector-specific level, women make up the majority of lawyers across law firms and the public sector. Of the chambers who responded to the survey, women make up 23 per cent of those practising as barristers.

Solicitors

According to the most recent national data, as of October 2024, there are 97,500 practising solicitors in Australia, and women represent 56 per cent of the solicitor profession. The proportion of women solicitors has steadily increased over time, with 2016 being the first year in which there was an equal distribution of men and women solicitors.¹⁵

In 2024:

- almost two-thirds of solicitors were working in private practice;

¹⁴ Note this statistic does not take into account public sector entities other than the Attorney-General’s Department.

¹⁵ *2024 National Profile of Solicitors* (see n 6 above) 6, 9.

- for the first time, there was a greater proportion of women than men solicitors working in private practice (51 per cent women);¹⁶
- there were 16,793 private law practices in Australia.¹⁷ Most law firms were sole practices (78 per cent), followed by small practices with two to four principals (13 per cent); and
- there were 79 large law practices with 21 or more principals. While these practices represent 0.5 per cent of total firms, they employ 21 per cent of solicitors.¹⁸

2025 Australian Financial Review Law Partnership Survey

Each year, the *Australian Financial Review* publishes a law partnership survey. The *2025 Law Partnership Survey* reveals that, overall, women now make up 36 per cent of the partners at the 56 firms surveyed and about half of the new partners. This rate is increasing by approximately one percentage point each year. Given women now make up 63 per cent of senior associates across the 53 firms that supplied a gender breakdown, this rise is expected to continue.¹⁹

Women in Law Project findings

Of the large law firms that responded to the Women in Law Project survey, women constitute 59 per cent of all lawyers, and 42 per cent of partners.

Women’s representation in law firms based on survey results

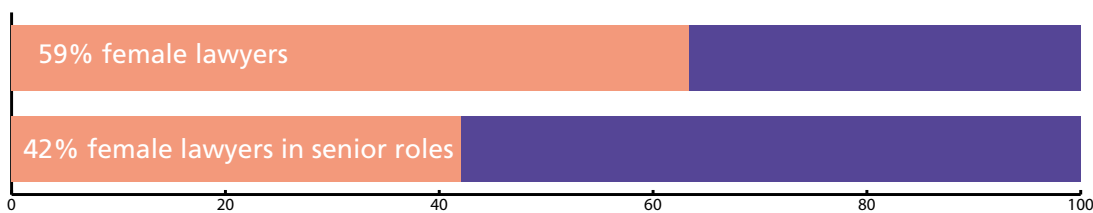


Figure 3: Women’s representation in law firms based on survey results

40-40-20 partnership model

Many law firms in Australia have expressed a commitment to a 40-40-20 partnership target, which seeks to achieve partnership made up of 40 per cent women, 40 per cent men, and 20 per cent flexible (any gender). Some Australian firms have already achieved this target.²⁰ The Women Lawyers Association of

16 *Ibid.*, 26.

17 *Ibid.*, 28.

18 *Ibid.*, 30.

19 Edmund Tadros, ‘The Simple Secrets to this Law Firm’s Gender Parity’ (Australian Financial Review, 4 July 2025), see www.afr.com/companies/professional-services/how-this-law-firm-doubled-its-female-partnership-to-50pc-20250626-p5malt accessed 11 December 2025.

20 ‘Norton Rose Fulbright Commits to 40:40:20 Aspirational Gender Diversity Target’ (Norton Rose Fulbright, 3 February 2020), see www.nortonrosefulbright.com/en-au/news/9d81904e/norton-rose-fulbright-commits-to-404020-aspirational-gender-diversity-target accessed 11 December 2025; Kate Allman, ‘Law Firms Set High Goals for Diversity’ (Law Society of NSW Journal, 28 October 2021) <https://lsj.com.au/articles/law-firms-set-high-goals-for-diversity/> accessed 11 December 2025; ‘Women in Law: How Australian Firms are Shaping Gender Equality’ (Lawyers Weekly, 6 August 2024), see www.lawyersweekly.com.au/biglaw/40297-women-in-law-how-australian-firms-are-shaping-gender-equality accessed 11 December 2025.

New South Wales supports the 40-40-20 partnership model as it considers it to be an ‘achievable and measurable’ way to achieve gender parity. In addition, it is a ‘target, not a quota’ and ‘women are not promoted because of a target, but they are more likely to be “seen” as a result of the scrutiny that targets demand’.²¹

The 40-40-20 target is also used across business outside of the legal profession in Australia – for example, the 40:40 Vision, supported by the Australian Government Workplace Gender Equality Agency (WGEA), aims to achieve gender balance in ASX300 executive leadership by 2030 (the ASX300 is a stock market index which includes the largest 300 companies by market capitalisation listed on the Australian Securities Exchange).²²

Barristers

In New South Wales and Queensland, the roles of barrister and solicitor are separated. In South Australia, Victoria, Western Australia and the Australian Capital Territory, the professions of barrister and solicitor are fused; however an independent Bar is maintained for those wishing to practise solely as barristers. In Tasmania and the Northern Territory, the profession is fused, although a small number of practitioners operate as an independent Bar.²³

According to Australian Bar Association statistics, of the 6,643 barristers in Australia, 1,990 (approximately 30 per cent) are women.²⁴

Conduct rules in each state and territory provide that barristers must be sole practitioners and self-employed.²⁵ There are some limited exceptions, such as barristers employed by the government or statutory bodies. Barristers in private practice often work from barristers’ chambers, with a clerk or team of clerks. There are slight differences in the administration of barristers’ chambers and in the clerking system in each Australian jurisdiction.

In Australia, barristers who are recognised as eminent in their field are appointed as Senior Counsel (or King’s Counsel). Senior Counsel are entitled to use the post-nominals ‘SC’ or ‘KC’ (for King’s Counsel) after their names and are known informally as ‘silks’. Of the 997 Senior Counsel in Australia, 160 (16 per cent) are women.²⁶

21 Sue Gilchrist, Courtney Robertson and Larissa Andelman, ‘Legal Profession Adopts Targets to Help Erode Gender Bias’ (Women Lawyers Association of NSW), see <https://womenlawyersnsw.org.au/legal-profession-adpots-targets-to-help-erode-gender-bias> accessed 8 December 2025.

22 ‘40:40 Vision’ (HESTA), see www.hesta.com.au/4040vision accessed 8 December 2025.

23 ‘What is the Bar?’ (Australian Bar Association), see <https://austbar.asn.au/for-the-community/what-is-the-bar> accessed 8 December 2025.

24 Unpublished data provided by the Australian Bar Association.

25 See, eg, Legal Profession Uniform Conduct (Barristers) Rules 2015 (NSW, Vic, WA) (as at 4 March 2022) r 12; Legal Profession (Barristers) Rules 2021 (Australian Capital Territory Bar Association, as at 12 February 2021) r 81; Barristers’ Conduct Rules 2025 (Bar Association of Queensland, as at 14 May 2025), r 16.

26 Unpublished data provided by the Australian Bar Association.

The system for selection and appointment of Senior Counsel varies in each state and territory. In New South Wales, the New South Wales Bar Association has a Selection Committee.²⁷ In Victoria, Senior Counsel are appointed by the Chief Justice of the Supreme Court of Victoria.

At the request of then-Chief Justice of the High Court of Australia Susan Kiefel AC, the High Court of Australia's Legal Research Officer reviewed each decision handed down by the High Court of Australia across six years in two periods – 2007 to 2009 and 2019 to 2021 – to ascertain whether the number of women appearing in the High Court of Australia had increased since her appointment to the High Court of Australia in 2007.²⁸

From 2007 to 2009, 14.9 per cent of the barristers (both junior and Senior Counsel) appearing before the High Court of Australia were women. From 2019 to 2021, that figure appeared to have increased to over 24 per cent.²⁹

In terms of Senior Counsel, only 5.6 per cent of all Senior Counsel appearances in 2007 were by women Senior Counsel. From 2019 to 2021, this number was less than 13 per cent.³⁰

Chief Justice Kiefel noted the possibility that the survey may not be truly representative, but also reflected that she had thought 'the figures would be better'.³¹

Understanding barriers for women working at the Bar

In 2013, the Law Council of Australia published the *National Attrition and Re-engagement Study* (NARS Report), that investigated the drivers for attrition, retention and re-engagement of women in the legal profession in Australia.³²

The NARS Report found that, although women barristers were generally more satisfied with their level of independence and flexibility to control their work than women solicitors in private practice, they reported working longer hours than lawyers in private practice or in corporate legal positions.³³

The NARS Report also found that some women barristers found it very difficult to balance the demands of their role with other responsibilities, such as family responsibilities. Aspects of the legal system (such as the inflexibility of trial schedules) also make achieving this balance difficult.³⁴

The Australian Bar Association has adopted its Diversity and Inclusion Principles, which seek to facilitate inclusion and diversity at all levels of the Australian Bar and promote equality of opportunity irrespective

27 'Senior Counsel' (*New South Wales Bar Association*), see <https://nswbar.asn.au/the-bar-association/senior-counsel> accessed 8 December 2025.

28 Chief Justice Susan Keifel AC, 'Yesterday, Today and Tomorrow – a Trend Towards Equality?' (Speech, Australian Women Lawyers' Conference, 6 August 2022), 3, see www.hcourt.gov.au/sites/default/files/assets/publications/speeches/former-justices/kiefelj/Final%20edited%20for%20publication%2016.8.22.pdf.

29 *Ibid.*

30 *Ibid.*, 3–4.

31 *Ibid.*, 4.

32 *National Attrition and Re-engagement Study* (Law Council of Australia, 2014), see <https://lawcouncil.au/publicassets/8cf309de-8a1d-e711-80d2-005056be66b1/NARS%20Report.pdf>.

33 *Ibid.*, 80.

34 *Ibid.*, 80.

of difference, including by encouraging state and territory bar associations to adopt various strategies and initiatives.³⁵

State and territory bar associations have taken steps to address the factors affecting the retention of women barristers.

In 2014, the then-President of the New South Wales Bar Association raised the issue of certainty in relation to court sitting hours with the then-Chief Justice of the Supreme Court of New South Wales, specifically the difficulty that arises when there is a lack of certainty around sitting hours for barristers with carer responsibilities.

As a result, the Supreme Court of New South Wales adopted a practice that, where possible, notice is provided to parties that court sitting days will be extended beyond normal sitting hours, and that in considering whether to set extended hours, it is relevant to consider the family or other carer responsibilities of the practitioner. Other courts in New South Wales have adopted similar practices to ensure predictable sitting hours in their jurisdictions.³⁶

The New South Wales Bar Association publishes a list of emergency childcare providers to assist barristers with childcare responsibilities to manage court or other commitments when children are ill, or when regular care arrangements are unavailable.³⁷

The Courts Administration Authority of South Australia, concerned by a gender imbalance at the highest levels of South Australia's legal profession, created Step Up to the Bar, a 12-month full-time opportunity for women legal practitioners to gain experience within the higher court jurisdictions prior to pursuing admission to the Bar of South Australia.³⁸

Women in Law Project findings

Of the chambers who responded to the Project survey, 23 per cent of their barristers were women, and 14 per cent were Senior Counsel. This is lower than the national average of 30 per cent overall and 16 per cent Senior Counsel (as referenced above). The relatively low response rate among chambers (27 per cent of chambers approached provided input) may account for the difference in results.

Women's representation in Chambers based on survey results

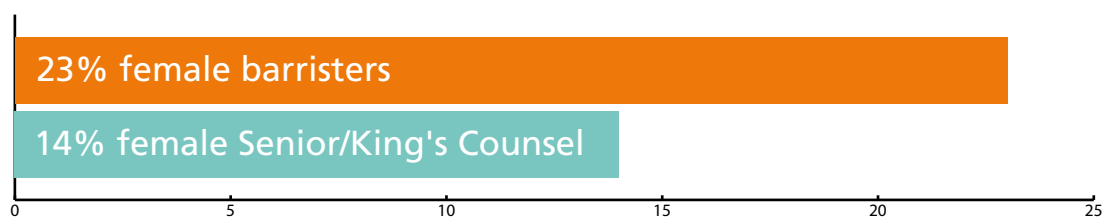


Figure 4: Women's representation in chambers based on survey results

35 *Diversity and Inclusion Principles* (Australian Bar Association, 2020), see https://austbar.asn.au/uploads/pdfs/ABA_Diversity_and_Inclusion_Principles.pdf.

36 'Diversity and Equality' (New South Wales Bar Association), see <https://nswbar.asn.au/bar-standards/diversity-and-equality> accessed 8 December 2025.

37 'Emergency Childcare' (New South Wales Bar Association), see <https://nswbar.asn.au/practice-support/emergency-childcare> accessed 8 December 2025.

38 'Step up to the Bar program' (Courts Administration Authority South Australia), see www.courts.sa.gov.au/careers/step-up-program accessed 8 December 2025.

Corporate (in-house) lawyers

Over the past 13 years, the corporate legal sector in Australia has experienced growth of 125 per cent.³⁹

In 2024, 17 per cent of all solicitors in Australia were working in the corporate legal sector, and 62 per cent of solicitors in this sector were women.⁴⁰

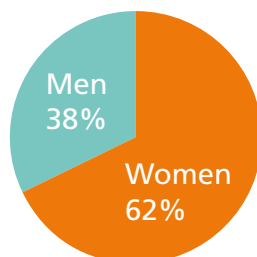


Figure 5: Women's representation in corporate in-house roles, based on data from the Law Society of New South Wales

The *Australian Legal Salary Survey 2024* found that legal professionals in corporate organisations reported the highest annual base salaries and were also more likely to have received a salary increase in the past 12 months than legal professionals in other sectors (law firms, government agencies and not-for-profit/community legal centres).⁴¹

The Law Council of Australia's NARS Report found that the most common reason for a lawyer to move from a private firm to a corporate legal role was to pursue a better work-life balance.⁴²

Government lawyers

In 2024, 14 per cent of solicitors were working in the government legal sector and 70 per cent of practitioners in the government legal sector were women.⁴³ The government legal sector has grown by 105 per cent from 2014 to 2024.⁴⁴

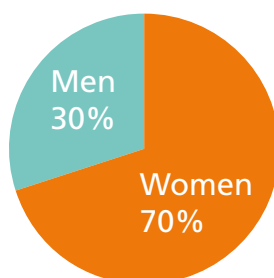


Figure 6: Women's representation in public sector legal roles, based on data from the Law Society of New South Wales

Figures provided by the Attorney-General's Department as part of the Project survey were representative of the overall gender split across the government legal sector.

39 *2024 National Profile of Solicitors* (see n 6 above), 25.

40 *Ibid*, 24, 26.

41 *Australian Legal Salary Survey 2024* (College of Law, 2024) 13, 38, see www.collaw.edu.au/campaigns/college-of-law/2024/salary-survey-2024 accessed 11 December 2025.

42 See n 32 above, 42.

43 *2024 National Profile of Solicitors* (see n 6 above) 24, 26.

44 *Ibid*, 2.

The *Australian Legal Salary Survey 2024* revealed that legal professionals working in government were more likely to have flexible working arrangements, the ability to purchase extra leave, health and wellbeing days/allowance, and further education support compared to legal professionals in other sectors (law firms, corporate organisations and not-for-profit/community legal centres).⁴⁵

Judiciary

The Australasian Institute of Judicial Administration (AIJA) collects and publishes judicial gender statistics every year for all Australian jurisdictions.

The gender statistics as of 30 June 2025 indicate that, overall, women judges/justices are almost equal in number to their male counterparts.

In Victoria, the Australian Capital Territory and the Northern Territory, there are more women judges/justices than men.⁴⁶

Jurisdiction	Number of judicial officers		Percentage women
	Persons	Women	
Commonwealth	200	92	46.0
New South Wales	306	136	44.4
Victoria	270	144	53.3
Queensland	189	82	43.4
Western Australia	122	57	46.7
South Australia	87	41	47.1
Tasmania	24	11	45.8
Australian Capital Territory	15	9	60.0
Northern Territory	22	12	54.5
Total	1235	584	47.3

Figure 7: Australian Institute of Judicial Administration statistics – women in the Australian judiciary

In 1987, the Hon Mary Gaudron KC became the first woman to be appointed to the High Court of Australia since it was established in 1903. The Hon Susan Kiefel AC KC, who was appointed to the High Court of Australia on 3 September 2007, became the first woman to be appointed Chief Justice of the High Court of Australia on 30 January 2017.⁴⁷

When Justice Jayne Jagot was appointed to the High Court of Australia in 2022, joining Chief Justice Susan Kiefel, Justice Michelle Gordon and Justice Jacqueline Gleeson, the High Court of Australia had

⁴⁵ See n 41 above, 31, 32.

⁴⁶ *AIJA Judicial Gender Statistics* (Australasian Institute of Judicial Administration, 2025), see https://aija.org.au/wp-content/uploads/2024/08/AIJA-Judicial-Gender-Statistics-2025_for-publication-1.pdf.

⁴⁷ Damien Carrick and Sophie Kesteven, 'Susan Kiefel was the First Woman in Australia's History to Make it to the Legal Top' (*ABC News*, 25 October 2023), see www.abc.net.au/news/2023-10-25/susan-kiefel-legacy-as-high-court-chief-justice-law-report/102998374 accessed 11 December 2025.

a majority of women for the first time in its history.⁴⁸ The High Court currently comprises four men and three women.⁴⁹

The Federal Court of Australia provided statistics regarding its gender split across judicial officers as part of the survey. As of June 2025, when this information was provided, the Federal Court comprised 37 per cent women judges.

Across state and territory Supreme Courts and Courts of Appeal, women’s representation as of June 2025 was as follows:⁵⁰

Jurisdiction	Number of judicial officers		Percentage women
	Persons	Women	
New South Wales	49	14	28.6
Victoria	43	18	41.9
Queensland	29	10	34.5
Western Australia	25	8	32.0
South Australia	14	7	50.0
Tasmania	7	3	42.9
Australian Capital Territory	6	5	83.3
Northern Territory	6	4	66.7
Total	179	69	38.5

Figure 8: Australian Institute of Judicial Administration statistics – women in the State and Territory Supreme Court Judicial Officer roles

Women in the Australian judiciary – overall and at the High Court of Australia, Federal Court of Australia and State and Territory Supreme Courts

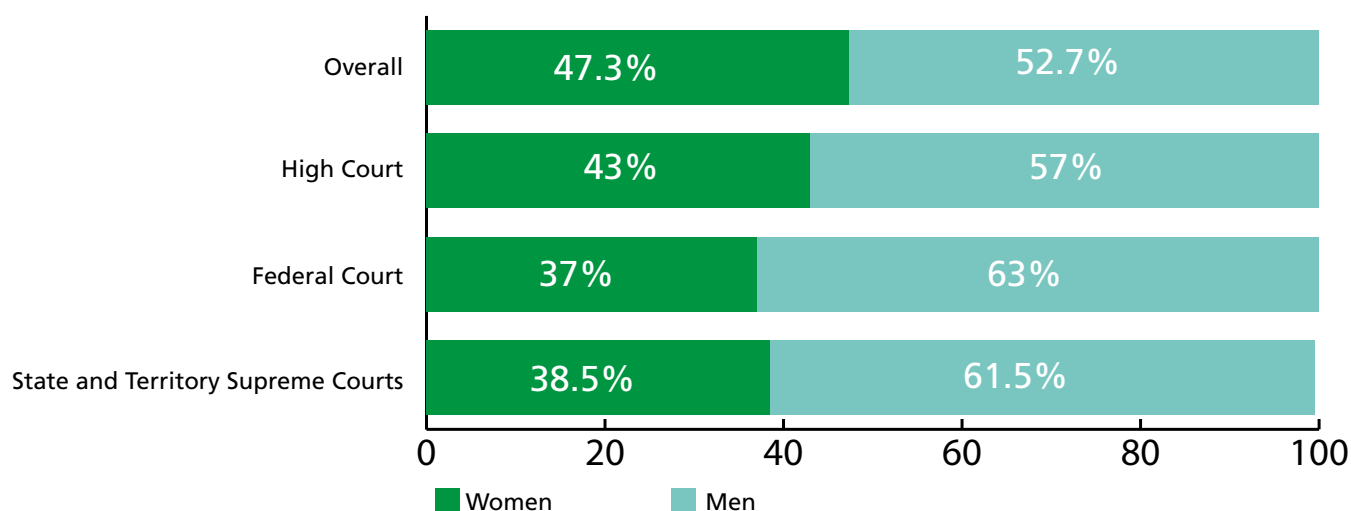


Figure 9: Women in the Australian judiciary – overall and at the High Court of Australia, Federal Court of Australia and state and territory Supreme Courts, based on data from the Australian Institute of Judicial Administration

48 ‘First Female Majority on High Court a “Historic Moment”’ (Australian National University, 14 October 2022), see www.anu.edu.au/news/all-news/first-female-majority-on-high-court-a-historic-moment accessed 11 December 2025.

49 ‘Current Chief Justices’ (High Court of Australia), see www.hcourt.gov.au/justices/current-justices accessed 8 December 2025.

50 ‘AIJA Judicial Gender Statistics’ (The Australasian Institute of Judicial Administration) see <https://aija.org.au/publications/aija-judicial-gender-statistics/> accessed 11 December 2025.

Efforts continue to ensure women’s representation in the judiciary in Australia. The Australian government, as part of its 2024 whole-of-government *Working for Women: A Strategy for Gender Equality*, has committed to ensuring that ‘there are more women across all levels of political, judicial and public service leadership and decision-making’,⁵¹ through actions to drive change including: reducing all forms of discrimination for women in leadership; addressing barriers to work; changing norms and stereotypes about leadership positions; target setting; and creating culturally safe workplaces.⁵²

51 *Working for Women: A Strategy for Gender Equality* (Australian Government, 2024), see <https://genderequality.gov.au/working-for-women/working-women-strategy-overview> accessed 11 December 2025.

52 *Ibid.*, 94.

Workplace initiatives: across the legal profession

The Women in Law Project survey asked respondents to provide details about the initiatives in place in their respective organisations, including ranking popularity and effectiveness. Respondent organisations were also asked to provide information about monitoring of gender balances.

Monitoring of gender balance

Of the survey respondents who indicated that they monitored the gender balance in their organisation, 100 per cent shared this data with the leadership of their organisation.

- **Law firms:** All respondent law firms indicated that they monitored the overall gender balance and senior gender balance in their organisation overall.
- **Public sector:** The Attorney-General's Department monitored the overall gender balance and senior gender balance in the department.
- **Chambers:** 83 per cent of respondent barristers' chambers indicated that they monitored this data at the overall and senior levels.

Initiative popularity and perceived effectiveness

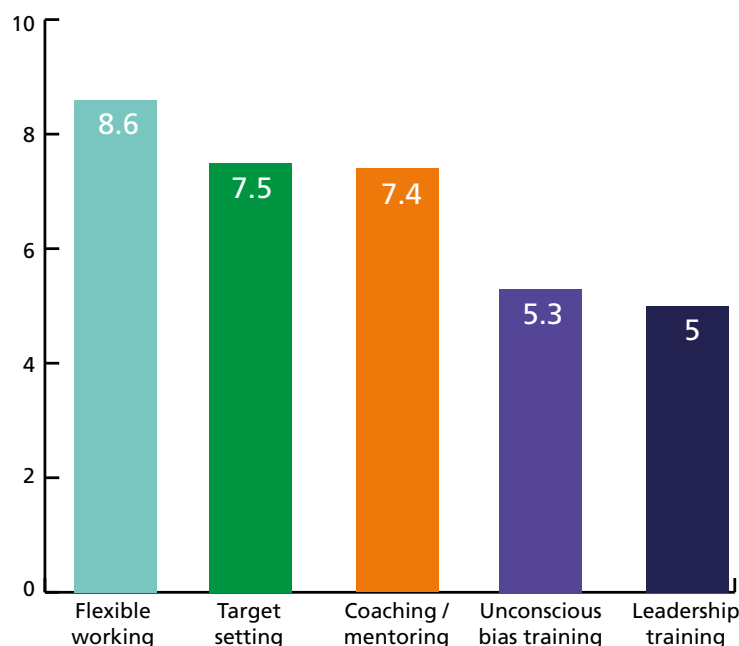


Figure 10: Average years in place across workplace initiatives surveyed

Overall, flexible working, target setting, and coaching and mentoring were in place the longest among respondents – flexible working had been available in workplaces for an average of 8.6 years, target setting for 7.5 years and coaching and mentoring for 7.4 years. Where provided, unconscious bias training and leadership training were in place for the least amount of time among respondents: 5.3 years and five years apiece. All initiatives offered had been in place at least five years.

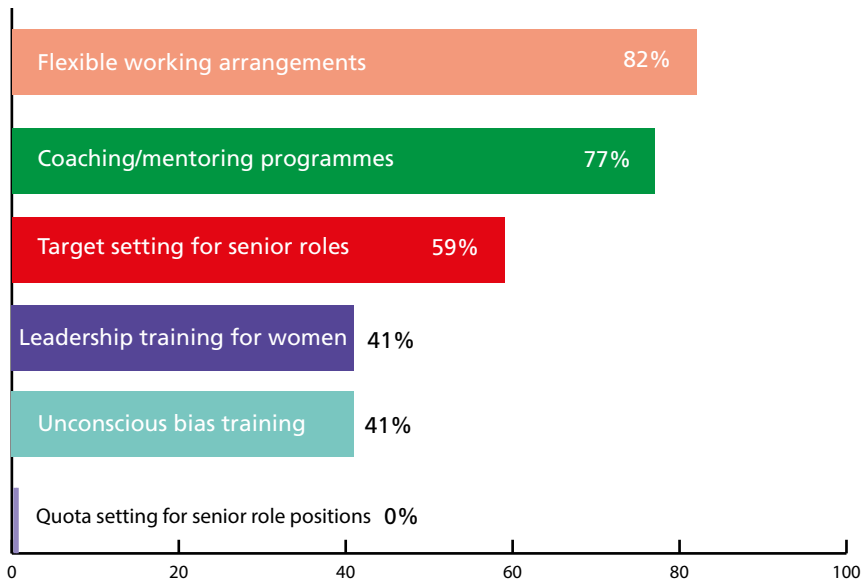


Figure 11: Popularity of workplace initiatives in place across respondent organisations

Among respondents, flexible working and coaching and mentoring were the most commonly offered initiatives at 82 and 77 per cent, followed by target setting for senior roles at 59 per cent. No workplaces had quota setting in place.

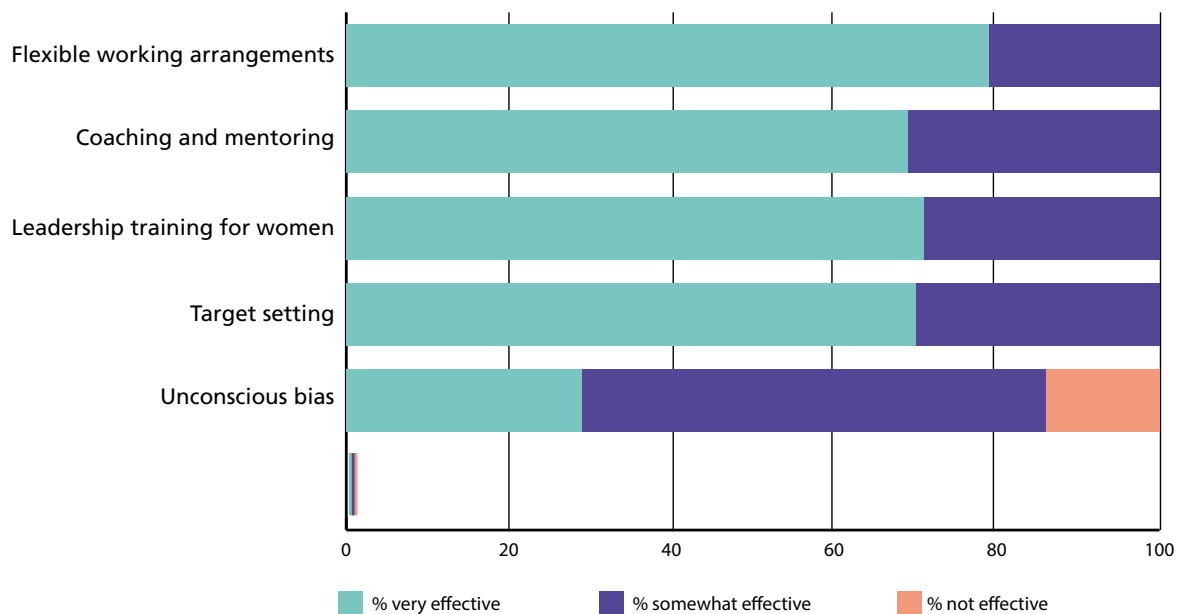


Figure 12: Perceived effectiveness of workplace initiatives in place across respondent organisations

Flexible working was ranked as the most effective workplace initiative among respondents (79 per cent of respondents ranked it as ‘very effective’ and 21 per cent ranked it as ‘somewhat effective’). Unconscious bias training was seen as least effective (57 per cent ranked it as ‘somewhat effective’, 29 per cent as ‘very effective’ and 14 per cent as ‘not effective’).

Workplace initiatives: sector breakdown

Data was received from law firms, barristers' chambers and the public sector (the Attorney-General's Department) in relation to workplace initiatives. The IBA did not receive any information from the judiciary about workplace initiatives.

Law firms

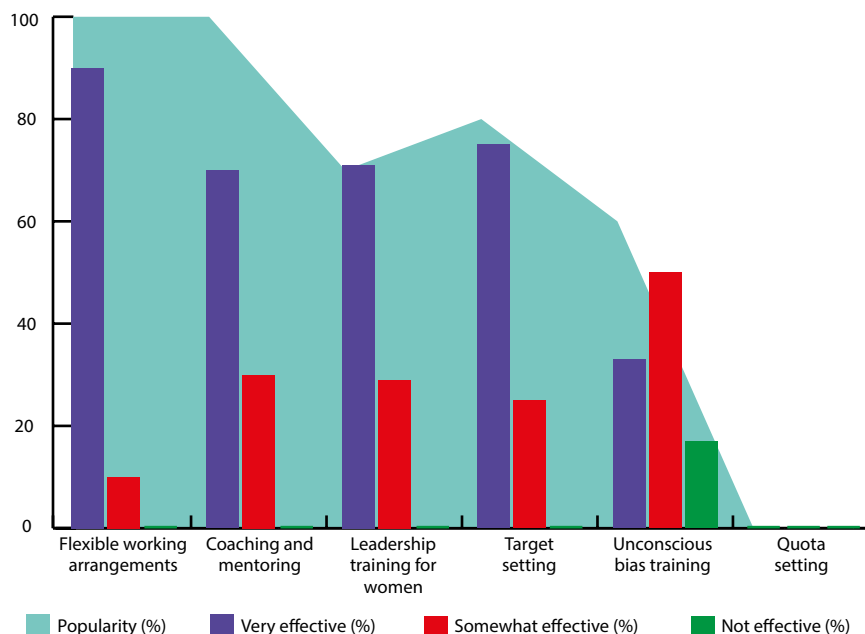


Figure 13: Popularity and perceived effectiveness of workplace initiatives in place across respondent law firms

The most popular initiatives in law firms were coaching and mentoring and flexible working arrangements (joint first with all respondents having these initiatives in place), followed by target setting for senior positions.

The most effective initiative in law firms was flexible working arrangements, followed by target setting and leadership training for women.

No respondents had quota setting in place.

Unconscious bias training was only rated 'very effective' by 33.3 per cent of respondent law firms.

Flexible working has been in place the longest, with an overall average of 9.3 years.

The Bar

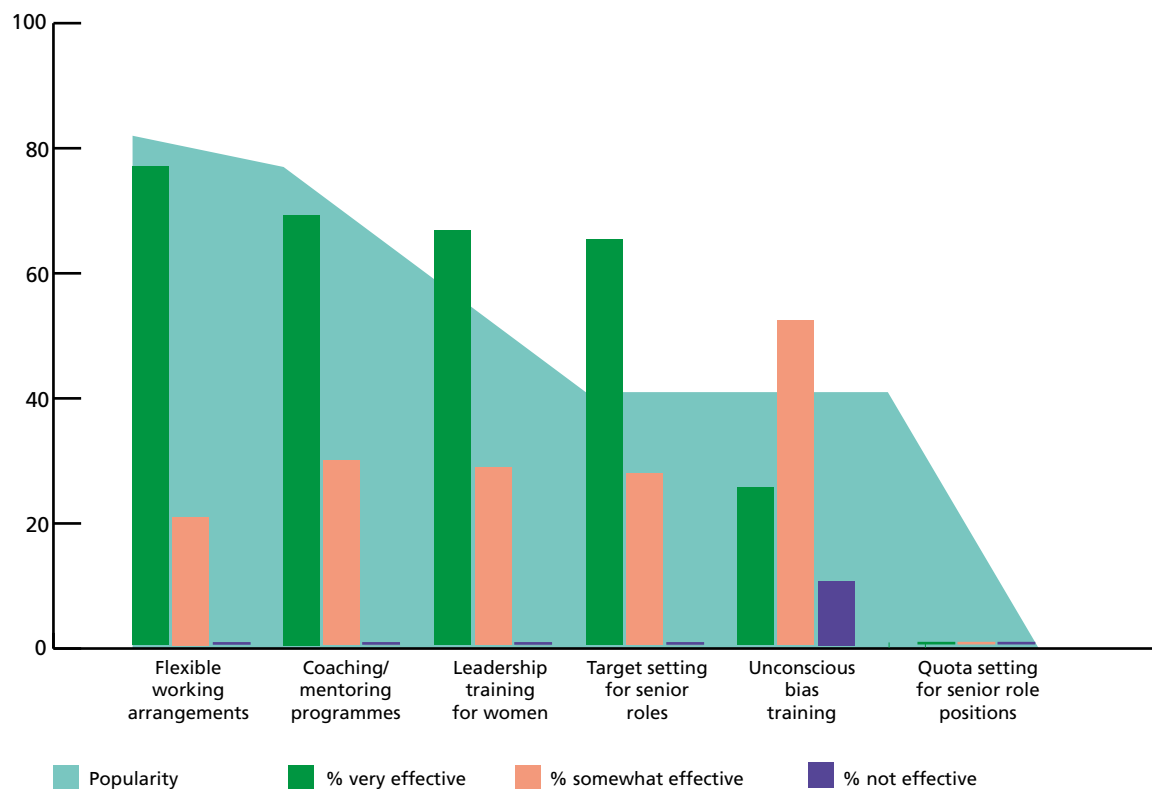


Figure 14: Popularity and perceived effectiveness of workplace initiatives in place across respondent chambers

The most popular initiative in barristers' chambers was flexible working, with 50 per cent of respondents having the initiative in place.⁵³

Fifty per cent of respondents did not have any initiatives in place.

The public sector

The Attorney-General's Department indicated that it had coaching and mentoring, target setting for senior role positions, flexible working arrangements and unconscious bias training in place.

All the initiatives were rated 'somewhat effective'.

Flexible working arrangements have been in place the longest (seven years), followed by unconscious bias training (five years), target setting (three years) and coaching and mentoring (two years).

⁵³ Information regarding workplace initiatives was provided by six of the seven respondent barristers' chambers.

Factors affecting retention and progression in the Australian legal profession

Flexible work

Research in Australia has identified access to flexible work arrangements as an important part of reconciling family and other caring responsibilities and managing work-life balance,⁵⁴ and key to ensuring satisfaction generally in the workplace.

The *2024 Legal Industry Satisfaction Survey* found that the majority of lawyers surveyed (both men and women) were satisfied with their working arrangements, with three-quarters either permitted to work remotely to some extent or able to negotiate individual agreements. Those who are required to be in the office full time were the least happy.⁵⁵ Among survey respondents, a lack of flexibility was a main driver of dissatisfaction with current employment.⁵⁶

Studies indicate hybrid and remote working arrangements are particularly important to (and valued by) women lawyers and lawyers with caring responsibilities,⁵⁷ and that employers may need to be aware of the gendered impact of return-to-office mandates and flexible work policies.⁵⁸

However, research has also revealed concern that the use of flexible workplace practices can cause further marginalisation of those with carer responsibilities. It has been observed that the use of flexible work practices can result in assignment to background or support roles, where work involves files with a lower profile, less client contact and reduced opportunities to develop legal skills and a client base, resulting in the notion of ‘pink files’ and ‘blue files’.⁵⁹ To address this issue, legal workplaces have been encouraged to allow and encourage flexible and remote work practices across all levels of seniority, and to ensure that lawyers working flexibly continue to receive interesting, challenging and quality work.⁶⁰

54 Meraiah Foley et al, *Designing Gender Equality into the Future of Law: Final Report* (Australia National University, 2023) 31, see <https://researchportalplus.anu.edu.au/en/publications/designing-gender-equality-into-the-future-of-law-final-report>.

55 *Law Forward 2024 Legal Industry Satisfaction Survey* (College of Law, 2024), 16, see www.collaw.edu.au/work-satisfaction-survey-2024 accessed 11 December 2025.

56 *Ibid*, 17.

57 See n 53 above, 27.

58 Vivien Holmes et al, *Lawyer Wellbeing, Workplace Experiences and Ethics* (Victorian Legal Services Board + Commissioner, the Law Society of New South Wales and the Legal Practice Board of Western Australia, 2025), 21, https://lsbc.vic.gov.au/sites/default/files/2025-04/Research%20Report%20-%202025-04-16%20-%20Lawyer%20Wellbeing%20Workplace%20Experiences%20%26%20Ethics%20FINAL_0.pdf.

59 Dr Trish Mundy and Professor Nan Seuffert, *Advancement of Women in Law Firms: Best Practice Pilot Research Project* (Women Lawyers Association of NSW, August 2017), 10, see <https://womenlawyersnsw.org.au/wp-content/uploads/2015/03/Advancement-of-Women-in-Law-Firms-2017-WEB.pdf>; see n 32 above, 30–31; *Equitable Remuneration in the Legal Profession* (Law Society of NSW, September 2023), 8, see www.lawsociety.com.au/sites/default/files/2023-09/LS3964_PAP_D&I_GenderPayGapPaper_2023-08-24.pdf.

60 Mundy and Seuffert (see n 59 above), 38.

Paid parental leave

In Australia, permanent employees who have completed 12 months of continuous employment with their employer are entitled to 12 months of unpaid parental leave.⁶¹ The Australian Government Paid Parental Leave scheme provides government-funded Parental Leave Pay for up to 24 weeks at the national minimum wage to employees who meet the eligibility criteria. In 2026, this will increase to 26 weeks.⁶²

Although the statutory leave entitlements have increased over time in Australia, they are notably less than other OECD nations.⁶³

Separate to the Australian Government Paid Parental Leave scheme, many Australian employers offer parental leave entitlements.

Each year, the WGEA – which is responsible for promoting and improving gender equality in Australian workplaces – publishes an update on the state of workplace gender equality in Australia.

The *2023–24 Gender Equality Scorecard* (the Scorecard) published by the WGEA was compiled from Gender Equality Reports from 7,414 larger organisations with 5,169,129 employees across 19 industries in Australia.⁶⁴

The Scorecard revealed that more employers across Australia generally are offering paid parental leave to eligible employees (up five percentage points to 68 per cent).⁶⁵ The average leave offered was 12.3 weeks.⁶⁶ Across all sectors, women are most likely to use parental leave; however, results from 2023–24 indicated that the number of men accessing parental leave has increased in recent years (up three percentage points to 17 per cent).⁶⁷

In the legal services sector, 99 per cent of employers provide paid parental leave, and the average weeks of universal (available to all genders without carer definitions) paid parental leave offered was 21.9 weeks.⁶⁸ Some law firms have reported an increase in the number of male lawyers taking parental leave.⁶⁹

61 S 70, Fair Work Act 2009 (Cth).

62 ‘How Much You Can Get’ (Services Australia, 1 July 2025), see www.servicesaustralia.gov.au/how-much-parental-leave-pay-you-can-get?context=64479 accessed 11 December 2025.

63 *Back of the Pack: How Australia’s Parenting Policies are Failing Women and Our Economy* (Equity Economics, December 2021), 32, see https://static1.squarespace.com/static/61b14c4abbc81a1543f55180/t/621853d776bb735abbed17b9/1757808859803/EE_Parenting_SPREADS_WEB.pdf.

64 Under the Workplace Gender Equality Act 2012, private sector and Commonwealth government employers with 100 or more employees must lodge gender equality data each year. ‘Who Needs to Report?’ (Workplace Gender Equality Agency), see www.wgea.gov.au/reporting/reporting-guide/eligibility accessed 8 December 2025.

65 *Australia’s Gender Equality Scorecard* (Workplace Gender Equality Agency, November 2024), 41, see www.wgea.gov.au/sites/default/files/documents/Australia%27s%20Gender%20Equality%20Scorecard%202023-24_V10.pdf.

66 *Ibid.*, 45.

67 *Ibid.*, 44.

68 ‘Industry Data Explorer’ (Workplace Gender Equality Agency), see www.wgea.gov.au/Data-Explorer/Industry accessed 8 December 2025.

69 Angela Tufvesson, ‘How More Male Lawyers Taking Parental Leave is Reshaping Law’ (Law Society of NSW Journal, 21 January 2025), see <https://lsj.com.au/articles/how-more-male-lawyers-taking-parental-leave-is-reshaping-law/>; Hannah Wootton, ‘These Lawyers Took Time Off to be Dads (and their Careers are Fine)’ (*Australian Financial Review*, 7 October 2021), see www.afr.com/companies/professional-services/these-lawyers-took-time-off-to-be-dads-and-their-careers-are-fine-20211006-p58xpp. Both accessed 11 December 2025.

Generous parental leave entitlements are increasingly viewed as an important part of law firms' policies to attract talent and achieve equity at senior levels. Some firms offer up to 26 weeks' full salary including superannuation for all new parents, regardless of gender, that can be taken over a two-year period.⁷⁰

Another feature of leading parental leave policies is that they do not require employees to work at the company for a minimum period before accessing it.⁷¹ Law firms are also paying attention to how to support parents who return from parental leave.⁷²

Barristers, who are self-employed, do not receive any paid leave. Barristers incur a loss of income when they take time away from work following the birth or adoption of a child, and a period of reduced earnings after returning to work as they rebuild their practices. In addition, many barristers continue to pay expenses (such as chambers fees or clerk fees) during their absence.

According to the Law Council's NARS Report, the main reason provided by barristers who participated in the survey for leaving the Bar was to take parental leave.⁷³

The Australian Bar Association's Diversity and Inclusion Principles encourage chambers to provide for parental leave with accompanying financial relief in respect of chambers fees.⁷⁴ Some barristers' chambers have adopted policies to allow a member to take a period of six months' leave free of rent and chambers fees following the birth or adoption of a child; however, there are no fixed rules that apply to all barristers' chambers.⁷⁵

In order to address the significant challenge faced by barristers with caring responsibilities, the Victorian Bar Council Parental Leave Policy provides that the Victorian Bar Council will pay 75 per cent of the chambers rental of qualifying members for a period of up to six months.⁷⁶ In New South Wales, the New South Wales Bar Association has adopted a Fee Waiver Policy which allows barristers taking parental leave, or carer's leave, a waiver of practising certificate fees dependent on the length and nature of the leave.⁷⁷ In Queensland, the Bar Association of Queensland has also adopted an Assistance for Barristers on Parental Leave Policy that provides reductions in membership and practising certificate fees for barristers on parental leave, as well as exemptions from mandatory Continuing Professional Development requirements.

⁷⁸

⁷⁰ Euan Black, 'These Companies Have the Best Parental Leave Perks' (Australian Financial Review, 17 October 2022) see www.afr.com/work-and-careers/workplace/these-companies-have-the-best-parental-leave-perks-20220926-p5bkzd accessed 11 December 2025.

⁷¹ *Ibid.*

⁷² Euan Black, 'The 'Game-Changing' Policies Helping These Parents Return to Work' (Australian Financial Review, 2 January 2024), see www.afr.com/work-and-careers/workplace/the-game-changing-policies-helping-these-parents-return-to-work-20231221-p5et2b accessed 11 December 2025.

⁷³ See n 32 above, 42.

⁷⁴ See n 35 above.

⁷⁵ Ingmar Taylor SC, 'Parental Leave and the Bar' (Greenway Chambers, 8 March 2017), see www.greenway.com.au/family-law/parental-leave-and-the-bar accessed 11 December 2025.

⁷⁶ *Parental Leave Policy* (Victorian Bar, 19 June 2025), see www.vicbar.com.au/Common/Uploaded%20files/Policies/Parental-Leave-Policy.pdf.

⁷⁷ *Policy on practice certificate fee waiver for parents and other carers* (NSW Bar Association), see [https://nswbar.asn.au/uploads/pdf-documents/Policy_on_practice_certificate_fee_waiver_for_parents_and_other_carers_\(final_copy\).pdf](https://nswbar.asn.au/uploads/pdf-documents/Policy_on_practice_certificate_fee_waiver_for_parents_and_other_carers_(final_copy).pdf) accessed 8 December 2025.

⁷⁸ *Assistance for Barristers on Parental Leave Policy* (Bar Association of Queensland, 18 June 2018), see <https://qldbar.asn.au/baq-cms/parental-leave-policy> accessed 11 December 2025.

Finally, the Australian Bar Association's Diversity and Inclusion Principles provide that state and territory bar associations may adopt policies covering the appointment of senior counsel, which aim to achieve diversity including by recognising that persons with parental or carers' responsibilities may have practised part time.⁷⁹

Gender pay gap

Solicitors

The College of Law's *2024 Australian Legal Salary Survey* found that in law firms, women's annual base salaries are on average ten per cent lower than men's regardless of role or experience level.⁸⁰ The gender difference is greatest (25 per cent) for legal professionals with 11 or more years' experience.⁸¹

Similarly, the *2024 Annual Profile of Solicitors in NSW* revealed that, as seen in previous years, women solicitors reported earning less than men solicitors. The result remained the same regardless of age, years since admission or sector, including in sectors in which women account for the majority of lawyers (the corporate legal and government legal sectors).⁸²

Under the Workplace Gender Equality Act 2012, private sector and Commonwealth government employers with 100 or more employees must lodge gender equality data each year. The WGEA's data for 2023–24 revealed that the average total remuneration gender pay gap in the law firms that supplied gender data was 14.9 per cent.⁸³ The national average across all industries was 21.8 per cent.⁸⁴

In reporting to the WGEA, some law firms have expressed that women and men in their firms are paid equally for equivalent roles across the firm (pay equity) and that any pay gap is driven by the type of roles within the firm and the distribution of men and women in those roles.

However, the WGEA considers that the gender pay gap encompasses broader differences in pay and gender composition within a workforce. Comparing the average pay of men and women in an organisation allows employers to see whether one gender has fewer barriers to high-paying roles than another.⁸⁵

Barristers

In 2014, the New South Wales Bar Association conducted a survey of its members as part of the membership renewal process. The results revealed stark differences between the average annual fees charged by men and women barristers.⁸⁶

79 See n 76 above.

80 See n 41 above, 18.

81 *Ibid.*

82 *2024 National Profile of Solicitors in NSW* (see n 6 above), 50–56.

83 See n 68 above.

84 See n 65 above.

85 *Employer Gender Pay Gaps Report 2023-24* (WGEA, 4 March 2025), see www.wgea.gov.au/publications/employer-gender-pay-gaps-report accessed 11 December 2025.

86 *Review of the Application in New South Wales of the Equitable Briefing Policy of the Law Council of Australia* (New South Wales Bar Association, August 2015), 7, https://nswbar.asn.au/docs/webdocs/eb_report_01092015.pdf.

On average, gross annual fees for men were AU\$226,213 higher than that of women across the whole of the New South Wales Bar.⁸⁷

The New South Wales Bar Association noted that the results, while stark, must be read in context. Men were generally older and had been established at the New South Wales Bar for longer compared to women barristers.⁸⁸

Furthermore, the gap between annual fees charged by men and women barristers could also be due to differences in the level of seniority of the counsel. The gap is lower for counsel who joined the New South Wales Bar after 2009.⁸⁹

The Law Council, through its Equitable Briefing Policy (see below), has also found evidence of a persistent gender pay gap in the barrister profession. The discrepancy between the share of briefs received by women barristers and the fees paid for those briefs is a trend that the Law Council has observed since the beginning of the Policy in 2016.⁹⁰

Initiatives to address the gender pay gap in the legal profession

In response to the findings on the gender pay gap in the *2021 Annual Profile of Solicitors*, the Law Society of New South Wales's Diversity and Inclusion Committee hosted a number of workshops to examine the causes of the pay gap.

Following the workshops, the Law Society of New South Wales published its *Equitable Remuneration in the Legal Profession Report*,⁹¹ which advocated for the adoption of the following measures to address the gender pay gap in the legal profession:

- improve data capture and undertake a pay gap analysis to ensure accountability and improve performance, even for those smaller firms and agencies that are not legally required to report to the WGEA;⁹²
- create a gender action plan/strategy with targets;⁹³
- consider the impact of billing structures and the way work is allocated to solicitors;⁹⁴
- increase transparency around compensation;⁹⁵
- ensure that flexible working arrangements do not negatively affect women's advancement;⁹⁶

87 *Ibid.*

88 *Ibid.*

89 *Ibid.*

90 *Equitable Briefing Policy Annual Report 2023–24* (Law Council of Australia, February 2025), 22, <https://lawcouncil.au/files/web-pdf/Equitable%20Briefing%20Policy%20Annual%20Report%202023-24FY.pdf>.

91 *Equitable Remuneration in the Legal Profession* (see n 58 above).

92 *Ibid.*, 4.

93 *Ibid.*, 5.

94 *Ibid.*, 6.

95 *Ibid.*, 7.

96 *Ibid.*, 8.

- ensure that lateral recruitment does not perpetuate inequitable pay outcomes;⁹⁷
- be aware of a confidence gap;⁹⁸
- prioritise intersectionality when considering the gender pay gap;⁹⁹
- support the retention of women through policies and sponsorship;¹⁰⁰ and
- collaborate with clients on gender equality initiatives.¹⁰¹

Concerned by the challenges faced by women barristers, and to support an uplift in gender equity practices across the sector, the Law Council of Australia adopted the Equitable Briefing Policy in 2016.¹⁰²

The Equitable Briefing Policy encourages entities and barristers that voluntarily adopt the policy to brief women barristers in at least 30 per cent of all briefs and pay women barristers at least 30 per cent of the total value of all brief fees. The Policy has attracted 532 adoptees. Between 2017 and 2024, the Law Council has published eight annual reports summarising the data collated through the policy. The *Equitable Briefing Policy Annual Report 2023–24* (Annual Report) revealed that policy adoptees had briefed women barristers for 31 per cent of all briefs; however, the briefing rate continues to be primarily driven by briefs to junior women barristers. Forty per cent of the total number of briefs went to junior women barristers, whereas only 22 per cent went to senior women barristers.¹⁰³

In relation to the value of brief fees, the Annual Report revealed that women had received 22 per cent of the total value of brief fees – well below the 30 per cent target.¹⁰⁴

The Annual Report noted that there are certain limitations with the data the Law Council collects, including the limited sample size and potential inconsistencies in data collection, and difficulty for briefing entities to track some categories of data.¹⁰⁵

The Annual Report also noted that it is not possible to analyse matters such as fees paid to senior and junior barristers, the types of matters briefed (commercial, pro-bono, no-win-no-fee, government) or the calibre of the briefs.¹⁰⁶

The Law Council has conducted a second review of the Equitable Briefing Policy to ensure it is appropriate and adapted to achieve its purpose, and able to capture accurate data.

97 *Ibid*, 9.

98 *Ibid*, 10.

99 *Ibid*, 11.

100 *Ibid*, 12.

101 *Ibid*, 13.

102 *Equitable Briefing Policy* (Law Council of Australia, November 2022), see <https://lawcouncil.au/policy-agenda/advancing-the-profession/equal-opportunities-in-the-law/national-model-gender-equitable-briefing-policy> accessed 11 December 2025.

103 See n 90 above, 20.

104 *Ibid*, 22.

105 *Ibid*, 22,23.

106 *Ibid*, 22.

Comparison with jurisdictions studied to date

Due to difficulties in obtaining extensive data from the judiciary and public sector in Australia, it is challenging to make direct comparisons with other jurisdictions at the overall level. For this reason, this comparison section focuses on the law firm and barrister sectors, complemented by data on individuals obtained during Phase 2 of the Project (which comprised a global study surveying women lawyers in their individual capacity and sought information about their careers and experiences in the profession, including the impact of workplace initiatives).

The Australian study found that there is a 13 per cent drop between overall levels of female lawyers (58 per cent) and senior lawyers (45 per cent). This drop in the proportion of female lawyers at the overall to senior level is similar to the findings of the project to date. As reported in the Phase 1 Progress Report, which detailed the findings of the project across the 12 jurisdictions covered as of December 2024, women made up 47 per cent of lawyers at the overall level and 38 per cent of senior lawyers.¹⁰⁷ The percentage drop in Australia is similar to levels in the Netherlands (57 per cent overall and 46 per cent senior).

As reported in the Phase 1 Progress Report, across jurisdictions studied, women constituted 48 per cent of all lawyers working in law firms, dropping to 30 per cent at the senior level. Australian law firms are therefore closer to gender parity than the global average of jurisdictions surveyed to date, with 59 per cent of overall lawyers and 42 per cent of senior lawyers being women.

Data provided by the Australian Bar Association indicates that approximately 30 per cent of barristers are women in Australia.¹⁰⁸ Of the IBA survey respondents in this sector, 23 per cent of overall and 14 per cent of senior barristers were women. The only other jurisdiction surveyed to date with a bifurcated legal profession (with solicitors and barristers surveyed separately) was England and Wales, where women made up 32 per cent of all barristers and 26 per cent of senior barristers.¹⁰⁹

Data provided by the AIJA indicates that 47.3 per cent of judges are women in Australia. This is higher than the average across jurisdictions studied to date (43 per cent). The representation of women judges in superior courts – 39.5 per cent – is similar to the Phase 1 average of 38 per cent of women in senior judicial roles.

Across 13 jurisdictions surveyed thus far, the two most popular initiatives are flexible working and coaching and mentoring, with quota setting being the least popular initiative. The Australia report matches this trend, with flexible working being the most popular initiative, followed by coaching and mentoring and target setting for senior roles. No Australian workplaces surveyed indicated that they had quota setting in place. Of individuals based in Australia that provided responses to the Phase 2 survey, flexible working was the most used initiative, followed by coaching and mentoring programmes.

¹⁰⁷ Available at www.ibanet.org/gender-equality-in-the-legal-profession.

¹⁰⁸ Unpublished data provided by the Australian Bar Association.

¹⁰⁹ England and Wales report available at www.ibanet.org/gender-equality-in-the-legal-profession.

Conclusion

The legal profession in Australia is demonstrating both encouraging progress and ongoing opportunities for further advancement towards gender equity. While women now comprise a significant proportion of the profession, and have achieved parity or near parity overall, this representation is not consistently mirrored at senior levels. The persistence of this imbalance highlights that further efforts are required to ensure that women are equally represented at senior levels.

The law firm sector demonstrates strong progress, with women forming the majority of lawyers overall. However, this representation is lower at partnership and executive levels, indicating that barriers continue to affect women's advancement. Comparatively, the barrister profession remains the sector with the most pronounced disparity, with women significantly underrepresented among practising barristers and even more so among Senior Counsel. This underscores the need for continued efforts to address challenges associated with self-employment, briefing practices and the compatibility of Bar practice with caring responsibilities as highlighted by the NARS Report.

Publicly available data regarding the judiciary and public sector demonstrates strong progress in gender equality in these sectors.

Across sectors, flexible working arrangements emerged as the most widely adopted and highly regarded initiative. Coaching and mentoring programmes and target setting for senior roles are also commonly implemented and demonstrate a commitment to supporting women's progression.

Overall, Australia stands at an important juncture in its journey towards gender equality in the legal profession. The commitment demonstrated by legal institutions, professional bodies and individual organisations provides a strong foundation for continued advancement. However, sustained focus and continued collaboration will be essential to ensure that the gains achieved at the entry and mid-levels are translated into parity at senior levels. With continued strategic effort, the Australian legal profession has the potential to further consolidate its progress and serve as a model for inclusive and equitable practice.

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Appendix 1: Project data tables

Overall picture: all lawyers

Organisation	Female lawyers (%)	Female senior lawyers (%)
Law firms	59	42
Barristers' chambers	23	14
Judiciary ¹¹⁰	23	14
Total ¹¹¹	58	45

Popularity of gender initiatives: sector breakdown¹¹²

	Law firms (%)	Public sector ¹¹³ (%)	Barristers' chambers	Judiciary (%)
Leadership training for women	70	0	0	N/A
Flexible working arrangements	100	100	50	N/A
Target setting	80	100	17	N/A
Coaching/mentoring programmes for women	100	100	33	N/A
Unconscious bias training	60	100	0	N/A
Quota setting	0	0	0	N/A

Perceived effectiveness of gender initiatives

	Very effective (%)	Somewhat effective (%)	Not effective (%)
Flexible working arrangements	79	21	0
Coaching/mentoring programmes for women	69	31	0
Leadership training for women	71	29	0
Target setting	70	30	0
Unconscious bias training	29	57	14
Quota setting	0	0	0

¹¹⁰ Note that only the Federal Court of Australia provided input from the judicial sector and these statistics are representative of that court's gender balance only.

¹¹¹ Across respondents from law firms, the Bar, judiciary (Federal Court of Australia) and public sector (Attorney-General's Department).

¹¹² Among respondents who provided data re workplace initiatives.

¹¹³ Based on information provided by the Attorney-General's Department.

Appendix 2: survey questions

1 What type of organisation do you work for?

- Law firm
 Corporation with in-house counsel
 Public sector
 Judiciary
 Barrister in chambers (self-employed)

2 We'd like to start by asking some general profiling questions about the lawyers/judges who are employed in your organisation or barristers who work in your chambers.

	Number
a) Total number of lawyers/judges/barristers	
b) Lawyers/judges/barristers who work on a part-time basis	
c) Lawyers/judges/barristers at a partner/management/senior/KC (or equivalent) level	
d) Lawyers/judges/barristers at a partner/management/senior/KC (or equivalent) level who work on a part-time basis	

3 This question asks about the lawyers /judges/barristers who are female. Please enter approximate numbers for the following:

	Number
a) Total number of lawyers/judges/barristers who are female	
b) Female lawyers/judges/barristers who work on a part-time basis	
c) Female lawyers/judges/barristers at a partner/management/senior/KC (or equivalent) level	
d) Female lawyers/judges/barristers at a partner/management/senior/KC (or equivalent) level who work on a part-time basis	

4 If your organisation is a law firm, how many individuals sit on your Partnership Council/Management Board Executive Council (or equivalent)?

Number: _____ Not applicable

5 Of the senior individuals identified in question 4, how many are female?

Number: _____ Not applicable

6 Do you monitor the gender balance in your organisation overall?

Yes No

7 Does your organisation monitor the gender balance in your organisation for lawyers/judges/barristers at senior level?

Yes No

8 Is the gender monitoring data referred to in questions 6 and 7 shared with the leadership of the organisation?

For the public sector, is this gender monitoring data shared with the leadership of the department or elsewhere within government?

- Yes No Not applicable

9 Does your organisation have any of the following initiatives/policies in place addressing gender equality and/or seeking to increase the number of women reaching positions of seniority?

Tick all that apply

- Quota setting for senior role positions
- Availability of greater flexible working arrangements (post Covid-19 restrictions)
- Leadership training for women
- Target setting for senior role positions
- Target setting for briefing of female barristers
- Unconscious bias training
- Coaching/mentoring programmes

Other: _____

- None of the above

10 If you marked any of the measures outlined in question 9, please provide a brief description of each measure/s.

Please include how it works, how it is measured, and the impact it is having.

11 If you marked any of the measures outlined in question 9, approximately how long has each of your measures been in place?

Please enter the approximate number of years

12 In your view, how effective has each measure selected in question 9 been in supporting gender equality and/or increasing the number of women reaching positions of seniority in your organisation?

- Very effective Somewhat effective Not effective

13 Does your organisation have any other diversity-related initiatives in place (race, ethnicity, sexual orientation, disability, religion, etc)?

- Yes No

14 Please describe how one of these initiatives or policies works.

Please include how it works, how long it has been in place (approximate number of years) and the impact it is having.

15 What else do you want us to know about other initiatives coming in the future?

16 Does your organisation engage in target setting for briefing female barristers?

- Yes No Not applicable

17 Would you like to associate your organisation's name with the feedback you have provided?

If you select 'No' below, your survey data will remain confidential and only reported in aggregate.

- Yes No Not applicable



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