

A top priority to balance the gender ledger

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Law firms are reaching for more sophisticated structural and cultural solutions as they attempt to transform their enduring failure to promote enough women into a 21st century success story.

Across the 50 firms in The Australian Legal Partnership Survey, women made up 31.9 per cent of full-time-equivalent partners, a weighted average increase of 0.31 per cent in the 12 months to July 1, which compares favourably to overall FTE partnership growth of 0.11 per cent. In the same period, growth in women FTE fee earners was 0.39 per cent and for graduates it was 1.26 per cent.

At top leadership level, nine of the firms surveyed had a woman in the managing partner role or, in the case of Banki Haddock Fiora's Kate Haddock, as a co-founding partner. Equity partner information showed the proportion of women across 43 of the firms surveyed at 27.48 per cent.

Partnership targets of 40 per cent women, 40 per cent men and 20 per cent of any gender are common now, although not universal, and deadlines for achieving that mix are not uniformly ambitious.

Some energetic attempts to institutionalise diversity and inclusion (D&I) are apparent, driven by a strong business case for doing so, the reputational risk for firms that drag their feet, and the imperative to maximise appeal to young, talented women.

Examples abound but they include Colin Biggers & Paisley, with its transparent path-to-partnership program, and Sparke Helmore, where 75 per cent of partners promoted in 2021 were women. The firm has formal programs including mentoring, leadership, a gender equality network and a D&I advisory committee.

At Norton Rose Fulbright, there is a formal sponsorship program to ease the passage of lawyers to junior partner and partner level, "to ensure women continue to succeed in building their practices and careers", chief executive partner Alison Deitz says.

KPMG Law has introduced a "bias disrupter" to its annual performance reviews, who national leader Kate Marshall says "acts as an independent observer and will challenge and test us if we are bringing bias into the considerations and assessments".

DLA Piper Australian managing partner Amber Matthews says its aim is to make the path to partnership "more achievable and desirable for women".

"It should be a role that more of our women lawyers want to perform," Matthews says. "We collaborate with key executive search firms and recruitment partners who ... are committed to supporting us in achieving our goals."

At Mills Oakley, five of seven new partners and four of six new equity partners are women. This signals commitment to a "transparent, merit-based promotions process, applying vigilance to ensure [there are] no arbitrary or systemic barriers to advancement and to enable talent to be recognised at all levels", chief executive John Nerurker says.

At Maddocks, chief executive David Newman attributes a doubling of the proportion of women in the partnership - from 18 per cent to 38 per cent in about a decade - to five initiatives.

These are: setting targets, the adoption of D&I as a "lens" through which all aspects of the firm is viewed, an annual gender pay-gap analysis that is also reported to the board, formal career development programs and public advocacy for equality.

Firms with pay transparency include Lander & Rogers. This includes pay-review processes, a gender pay-gap analysis to measure and monitor equity, and the removal of pay-secrecy clauses from employment contracts.

This is to "promote candid conversations about salaries with a view to minimising gender pay disparity", chief executive partner Genevieve Collins says.

PwC Australia is also among firms with pay transparency, which legal leader Nick Brown says enables "our people to better understand where they sit now as well as to see the full range of possibilities throughout their career".

"Within the legal business, the talent pipeline for partners is closely managed through quarterly pipeline reviews and succession planning," he says.

Aside from remuneration and career pathways, firms are tidying up parental leave, making it gender neutral, paying superannuation on the unpaid as well as paid parental leave, and being flexible about what is demanded of partners returning to the workforce.

Firms that are offering parental leave coaching to help lawyers plan for and cope with the adjustment to juggling parenthood and work include Allens, which achieved 37 per cent women partners last year and is aiming for at least 40 per cent by 2025.

WOMEN IN LAW

	Women partners	FTE women partners	% FTE women partners	% change (6 months)	% change (12 months)	FTE women fee-earners	% FTE women fee-earners	% change (6 months)	% change (12 months)	H/C women grads	% H/C women grads	% change (12 months)
MinterEllison	86	84	32.63	6.73	4.35	637.6	62.49	10.03	8.88	65	64.36	23.26
HWL Ebsworth	77	72.9	26.89	2.53	7.21	481.11	61.18	9.23	4.71	88	65.19	17.33
Ashurst	72	69.4	39.95	13.03	11.94	355.1	57.89	0.65	3.08	46	58.97	21.62
King & Wood Mallesons	61	57.8	32.22	9.06	13.33	489.9	57.64	19.49	13.98	49	61.25	6.99
Herbert Smith Freehills	56	56	34.57	10.89	n/a	527	56.61	6.01	n/a	59	65.56	n/a
Allens	57	53.7	35.19	13.29	16.74	498.41	58.77	16.56	15.09	75	61.48	25
Clayton Utz	49	48.1	28.87	-2.43	4.34	455.2	58.66	13.32	0.82	42	53.85	-23.64
Moray & Agnew	45	42.3	39.87	5.75	17.5	141.3	62.63	-8.84	-8.25	17	60.71	-57.14
Corrs Chambers Westgarth (n)	39	38.2	26.84	12.02	n/a	365.48	60.73	11.26	n/a	49	69.01	n/a
Lander & Rogers	40	37.7	45.98	10.23	11.21	191.9	72.25	10.73	136.91	22	53.66	30
Hall & Wilcox	40	37.5	35.92	12.61	25.84	249.3	66.73	15.58	17.54	37	75.51	146.67
Norton Rose Fulbright	39	36.4	29.76	0.28	-1.62	221.2	55.66	1.28	-1.43	56	58.33	-42
Maddocks	35	33.2	37.81	8.5	6.75	187.9	62.45	8.46	14.99	16	51.61	15.38
Mills Oakley	34	33	25.19	17.02	24.06	178	61.17	-7.77	-0.5	43	74.14	37.5
Sparke Helmore	32	30.8	35.08	0.65	4.76	198	62.68	4.21	11.17	38	60.32	100
Thomson Geer	30	30	22.56	7.14	0	157.6	55.87	2.47	3.21	28	57.14	75
Gadens	29	28.4	36.32	14.52	7.17	127	61.77	25.99	30.26	14	70	-17.65
Gilbert + Tobin	31	28.25	33.77	-3.25	0.18	253.6	56.81	-0.2	9.03	26	57.78	-14.29
Baker McKenzie	25	23.7	28.01	10.75	5.8	115.54	56.79	9.79	6.78	11	50	-18.18
Holding Redlich	24	23.6	32.55	-1.67	n/a	152.87	69.91	19.24	n/a	28	66.67	n/a
DLA Piper	21	20.5	27.97	10.81	n/a	114.24	59.86	0.3	n/a	39	78	n/a
Piper Alderman	21	20.4	25.89	0.99	n/a	65	52.04	10.54	n/a	11	47.83	n/a
Russell Kennedy	21	20	39.53	6.95	6.33	64.63	65.74	25.01	42.36	11	64.71	-16.67
Johnson Winter & Slattery	21	19.9	25.55	50.76	63.11	93.39	60.84	-4.8	-7.34	9	45	12.5
Colin Biggers & Paisley	19	18.1	24.9	6.47	7.74	116.6	66.44	27.85	28.84	18	72	18.18
Wotton & Kearney	18	15.8	34.05	20.61	42.34	117.9	53.37	11.12	20.06	8	38.1	700
McInnes Wilson	15	14.4	29.75	0.49	60	62	54.05	0.76	31.91	14	73.68	125
Hamilton Locke (n)	13	12.6	30.29	16.67	n/a	35	43.21	-22.22	n/a	10	83.33	n/a
HopgoodGanim	14	12.6	27.63	3.28	3.28	68.07	58.14	20.97	19.27	0	n/a	n/a
Macpherson Kelley	13	12.1	29.21	0	-19.33	41.05	52.26	21.99	9.76	7	70	250
Gilchrist Connell	13	12	38.71	0	27.66	50.7	63.3	20.71	n/a	2	40	n/a
McCullough Robertson	13	12	23.17	7.14	-0.83	72.15	62.95	-1.84	4.57	15	68.18	14.29
Clyde & Co	12	11.4	29.69	n/a	0	104.95	59.31	n/a	-11.95	9	75	0
Kennedys (n)	11	10.2	50.5	54.55	n/a	43	65.15	-5.7	n/a	0	0	n/a
(MDP) KPMG Law (N)	10	9.8	41.18	-2	n/a	61.76	60.22	-3.15	n/a	10	71.43	n/a
Arnold Bloch Leibler	10	9.8	22.9	16.67	13.95	72.5	55.98	7.25	-6.57	21	36.84	20
White & Case (n)	9	8.8	36.97	12.82	n/a	54.7	58.75	18.66	n/a	8	66.67	n/a
Jones Day	9	8.8	29.53	12.82	0	30.4	44.84	-13.14	-25.67	1	25	-75
Cooper Grace Ward	9	8.8	40.37	-2.22	-2.22	39.26	67.62	2.77	8.45	1	14.29	n/a
Pinsent Masons (n)	8	7.8	35.78	n/a	n/a	40.2	69.31	n/a	n/a	2	33.33	n/a
Banki Haddock Fiora	7	7	70	n/a	0	5	26.32	n/a	-24.24	0	0	n/a
Holman Webb	7	6.8	34.34	0	13.33	17.8	44.33	30.88	27.14	1	50	-100
HFW	7	6.8	28.57	41.67	n/a	25.88	56.36	-1.97	n/a	5	71.43	n/a
Addisons	7	6.8	33.01	0	0	29.87	60.38	13.27	14.58	6	75	500
Swaab	7	5.8	40.28	-14.71	-22.67	20.4	52.04	32.47	145.78	3	75	n/a
Seyfarth Shaw Australia	4	4	40	0	0	16.6	76.85	-15.31	-12.63	3	60	n/a
Cornwalls NSW (n)	1	1	16.67	n/a	n/a	3	60	n/a	n/a	0	n/a	n/a
McCabes (n)	5	0	n/a	n/a	n/a	0	n/a	n/a	n/a	10	76.92	n/a
Keypoint	23	0	n/a	n/a	n/a	10	66.67	42.86	400	0	n/a	n/a
(MDP) PwC Legal (n)	15	0	n/a	n/a	n/a	0	n/a	n/a	n/a	13	68.42	n/a
Total	1264	1168.95	31.9	0.2 (WAv)	0.31 (WAv)	12490.46	59.73	0.21 (WAv)	0.39 (WAv)	1700	61.65	1.26 (WAv)

Key: (n) = new entrant, (MDP) = multi-disciplinary practice, n/a = not available

Source: Eaton Strategy + Search

WOMEN EQUITY PARTNERS

	Equity partners	Women equity partners	% women equity partners
MinterEllison	260	86	33.08
HWL Ebsworth	213	45	21.13
King & Wood Mallesons	183	61	33.33
Allens	154	57	37.01
Clayton Utz	133	32	24.06
Herbert Smith Freehills	124	38	30.65
Hall & Wilcox	107	40	37.38
Ashurst	102	27	26.47
Gilbert + Tobin	84	28	33.33
Thomson Geer	79	10	12.66
Norton Rose Fulbright	77	17	22.08
DLA Piper	75	21	28
Sparke Helmore	65	21	32.31
Johnson Winter & Slattery	60	13	21.67
Mills Oakley	60	12	20
Piper Alderman	55	10	18.18
Maddocks	53	17	32.08
Wotton & Kearney	49	18	36.73
Holding Redlich	46	11	23.91
Hamilton Locke (n)	42	13	30.95
McCullough Robertson	39	6	15.38
Clyde & Co	39	12	30.77
Baker McKenzie	39	7	17.95
Arnold Bloch Leibler	35	7	20
Jones Day	30	9	30
Moray & Agnew	30	5	16.67
McInnes Wilson	29	8	27.59
Gadens	28	5	17.86
McCabes (n)	25	5	20
HopgoodGanim	24	5	20.83
Addisons	21	7	33.33
Russell Kennedy	20	6	30
Colin Biggers & Paisley	20	3	15
Cooper Grace Ward	13	3	23.08
HFW	12	3	25
Gilchrist Connell	10	2	20
Kennedys (n)	9	2	22.22
Holman Webb	9	1	11.11
Pinsent Masons (n)	8	0	0
Seyfarth Shaw Australia	8	2	25
Banki Haddock Fiora	7	5	71.43
Swaab	6	3	50
Cornwalls NSW (n)	3	0	0
Total	2485	683	27.48 (WAv)

Key: (n) = new entrant, (MDP) = multi-disciplinary practice, n/a = not available

Source: Eaton Strategy + Search

"We became aware that there was a gendered trend, reinforcing our broader societal experience of women with caring responsibilities of children, elder care and, more broadly, bearing more of the responsibilities," Sparke Helmore national managing partner Andrew White says.

"(So) we evolved our approach to our wellbeing programs to support people to tap into the mental health resources, online physical wellbeing programs, children's activities, and ... flexible working, aiming for a suite of choices that best suit personal circumstances."

Wotton & Kearney, which hired its first head of D&I in October, also sees gains. "In our view, our post-pandemic workplaces - and, most notably, the role of our flex policy - will assist in achieving our gender-diversity targets because of its inclusive nature," chief execu-

tive partner David Kearney says. HFW's global D&I committee is chaired by the head of its Sydney office, Carolyn Chudleigh, and at McCabes two of its three divisions are led by women. This is to "show women that they can and will be recognised as leaders in senior and important roles", managing principal Andrew Lacey says.

Russell Kennedy Lawyers is among firms recognised as an employer of choice for gender equality by the Workplace Gender Equality Agency, in its case for the fifth straight year.

It has hit the 40 per cent women partners target, with women equity partners at 30 per cent of all of its equity partners. "We continue to take deliberate, strategic actions to drive positive change towards gender equality," its managing director Paul Gleeson says.

More female equity partners good business

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When Anthony Foley talks about the job of boosting the proportion of female equity partners, he knows he has his work cut out for him. "We're very focused on the next and final task, which is to ensure that there are more equity and leadership positions where we have women who can make those critical contributions to the business and particularly serve as role models for younger lawyers," the Baker McKenzie national managing partner for Australia says.

Foley's candour is not reflected at many firms, that don't like to disclose information showing the lag in this critical measure of equality in the workforce, which is hovering around 27 per cent across the firms.

Many have adopted the 40:40:20 goal of 40 per cent each of women and men across all categories of their labour force, with 20 per cent of any gender. At Baker McKenzie, the goal is to achieve that at all levels by July 1, 2025; at the moment women equity partners are about 18 per cent; the proportion of non-equity partners is 38 per cent.

The goal has been achieved at the other levels, starting with their youngest hires, who last year included Australian National University commerce and law graduate Lara Ilic.

Ilic is part of a generation of women for whom reaching the summit should be a matter of course, all other things being equal. However, at this early stage, on the last of three rotations through the practice that graduates complete, she is still reeling



MONIQUE HARMER / NCA NEWSWIRE
Anthony Foley with commerce and law graduate Lara Ilic

in the variety of life at the firm, and pleased to have achieved a childhood dream.

"I'd always been interested in a corporate environment," the 25-year-old says. "Even as a kid driving in a car I would pass the skyscrapers in the city, look up and think, 'Oh wow, I'd love to work in an office', but I had no idea what that meant or what jobs would take me there."

As a schoolgirl with wide-ranging interests she devised a strategy that could well hold the key to her career path. "It all comes from that same principled approach that I took to school and to my degree and to a lot of different kind of aspects of life, which is to ask 'what do I enjoy and what opportunities can I seize to progress myself?'," she says.

Ilic sees that what is good for her will automatically be good for the firm, because she will retain her interest in the work and a balance in her life. "I'd like to find a space (in the firm that) I enjoy developing within because naturally

that feeds back into your team and the company as well," she says.

It has certainly worked for Foley, who entered the profession in the 1980s, and joined Baker McKenzie in 1987. As an undergraduate he had already been drawn to intellectual property, and enrolled in one of the first courses in the country, at the University of Sydney, and then as a young lawyer took advice from a canny mentor who predicted IP would be huge.

Although the IP partner, Foley says: "In terms of women in the profession in the 1980s, as I began my career here, it simply didn't reflect our society."

Now the task of the team he leads is to push on with equity targets: "One very important factor in that analysis is ensuring that we have the role models in place so that our women, as they are progressing their careers, can see a couple of really important things. First of all, that it's attainable. And second, that it's worth it."

Supporting women to progress includes "making sure that there's an appropriate distribution of work to our crew members, ensuring that we are very alert to these issues, including our gender aspiration targets".

Foley is also conscious of other challenges. "I absolutely expect that cultural diversity will become a bigger issue for the major law firms because we need to reflect the communities in which we live," he says.

Ilic, with everything to play for, is unfazed about what is ahead. "It's obviously a coveted position," she concedes about partnership. "I'm not so focused on the title, I've worked with people in my firm who are not partners, who act as if they are partners and have all the responsibility of a partner and just don't have that title."

"I think it's also a decision based on life stage: at what point does that career change slot in?" "I've met women and men who don't take that final step. The distinction I'd make is that they aren't necessarily on an equal playing field should they choose to do so."

"I think there are more complex