

Advancement of Women in the Legal Profession Working Group Summary of the Report to Council

The Law Society of Western Australia

Level 4, 160 St Georges Terrace, Perth WA 6000 | **Postal:** PO Box Z5345, Perth WA 6831 or DX 173 Perth
Phone: (08) 9324 8600 | **Fax:** (08) 9324 8699 | **Email:** info@lawsocietywa.asn.au | **Website:** lawsocietywa.asn.au

Background

In September 2014, the Women Lawyers of Western Australia launched the *20th Anniversary Review of the 1994 Report of the Chief Justice's Gender Bias Taskforce Review*.

Following a review of the report, on 23 August 2016, Council adopted the *Final Directions Paper* setting out a series of recommendations aimed at the advancement of women in the legal profession.

A *Final Directions Paper – Recommendation Timeframe* was prepared allocating a timeframe for each recommendation in either the first or second half of 2017 or 2018 and identifying in progress initiatives.

The Advancement of Women in the Legal Profession Working Group (AWILPWG) was established to review, consider and, where required, action the recommendations. Pursuant to clause 7 of the AWILPWG's Terms of Reference, the AWILPWG had its term is extended by Council to 30 June 2019.

This report outlines the initiatives that have been completed to implement the recommendations in the *Final Directions Paper* and initiatives that will be ongoing from July 2019.

Any ongoing or new initiatives will be referred to the Joint Law Society Women Lawyers WA Committee.

Action Completed

1. Cross-committee working group convened
2. Discussion paper on gender targets drafted
3. Terms of reference for Inter-firm Group drafted
4. Law Society website links relating to reporting requirements on gender indicators
5. Adoption of the Law Council of Australia Equitable Briefing Policy
6. Letter to Attorney-General WA regarding adopting a policy similar to the Commonwealth's Legal Services Directions and equitable briefing policy
7. Amendment to Supreme Court Practice Direction 10.3 recommended and accepted
8. Law Society website *Information Guide: Law Graduates' and Junior Legal Practitioners' Working and Pay Conditions*
9. Law Society website link to WABA's "Women barristers" webpage
10. Collaboration with the Legal Practice Board regarding collection of data about graduate recruitment
11. Funding from the Public Purposes Trust for a Retention Study by Catalyse sought and granted. The survey of women lawyers is underway.
12. Law Society website links to resources and policies relating to discrimination, harassment and bullying
13. Correspondence with the Department of Justice and the Office of the Director of Public Prosecutions regarding gender equity initiatives
14. A mentoring programme was established and is continuing
15. Correspondence with the Chief Justice about court hours has resulted in more family friendly arrangements in the Supreme Court.
16. Correspondence was sent to the Attorney-General regarding hearing times in the Magistrates Court
17. Law Society website promotion of the Law Council of Australia's Unconscious Bias training programme
18. Law Society website promotion of the Victorian Women Lawyers' *Flexible Work Protocols/Business Case Individual Flexible Work Plan and Flexible Work Protocols: A best practice guide for productive and engaged legal workplaces*
19. Engagement of Converge International in the LawCare service
20. Dial-an-angel service discount for members promoted on the Law Society website
21. Panel discussions with the Director of Workplace Gender Equality Agency and partners of firms on cultural and gender workplace diversity initiatives were held in 2017 and 2018
22. Annual meetings established between the Law Society CEO and Deans of Law Schools and Law School societies
23. The Law Society paper *The Future of the Legal Profession* discusses the billable hours model, pressure on practitioners to work long hours and the consequences for a practitioner's health and wellbeing
24. Engagement with the profession via Friday Facts inviting members to share their experiences of employer's assistance with childcare and sexual harassment in the workplace
25. Support of the Law Council of Australia's submission to the Senate Education and Employment Committee on the *Fair Work Amendment (Gender Pay Gap) Bill 2015*

Action Carried Over

The Final Directions Paper and Recommendation Timeframe is effectively a Gender Action Plan, which the Law Society will continue to progress.

1. Mentoring programme

2. Equitable Briefing Policy reporting

3. Research and discussion regarding alternative fee arrangements

4. Review of the Law Society of New South Wales *Charter for the Advancement of Women in the Legal Profession* with a view to modifying it for use in Western Australia.

5. Consideration by the Law Society Costs Committee (following the enactment of the Legal Profession Uniform Law provisions) of a template for a fixed costs agreement



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The voice of the legal profession in Western Australia