



How to engage and retain legal professionals

Recommendations from Western Australian practitioners

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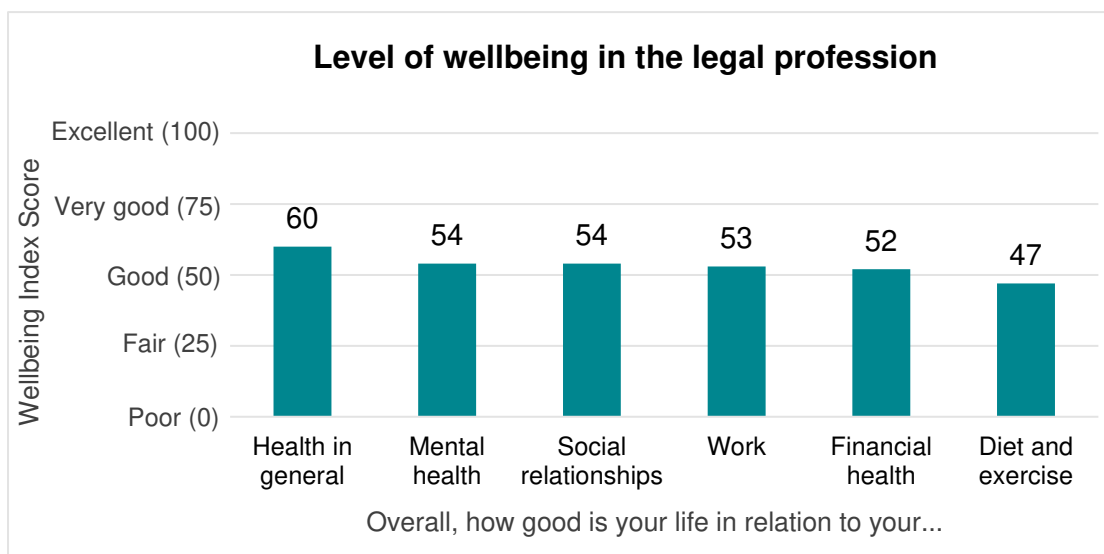
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1 Strategic Insights

Legal practitioners in WA report good wellbeing and engagement, overall

In a survey with 488 legal practitioners across Western Australia, they indicated that they have high levels of workplace engagement. Their work is challenging, interesting and engaging, they have positive relationships with line managers, receive excellent continuing professional development (CPD) and have high self-efficacy.

Legal professionals generally report positive wellbeing, with 80% rating their overall health as good, very good or excellent. The Wellbeing Index Score¹ for general health is 60 out of 100. Wellbeing scores are slightly lower for social relationships, financial health, work and mental health. Diet and exercise has the lowest score at 47 out of 100, representing an average rating slightly below good.



Wellbeing is higher for male practitioners with no dependents

Males with no dependent children report some of the highest levels of wellbeing. Compared to working parents, their results are significantly better for diet and exercise (19 points ahead of working dads with young children), social relationships (19 points ahead of working dads with young children), and financial health (18 points ahead of working mums with young children).

Diet, exercise and social relationships improve for working dads as their children get older. Diet and exercise increase from a score of 39 to 50 and social relationships increase from 43 to 58 as their children move from birth to young adults. However, the same does not occur for female practitioners. Diet and exercise ratings remain low for female practitioners, averaging around 47 points with little change by the age of their children or if they have children or not. However, working mums fare better than working dads in retaining social relationships, with mums averaging 57 points.

Some of the lowest wellbeing ratings are among legal practitioners in large, private firms. Their biggest gaps are for mental health (21 points behind barristers), work (19 points behind barristers) and diet and exercise (18 points behind corporate in-house lawyers).

¹ Please refer to section 4.5 Analysis for a description about how this score is calculated.

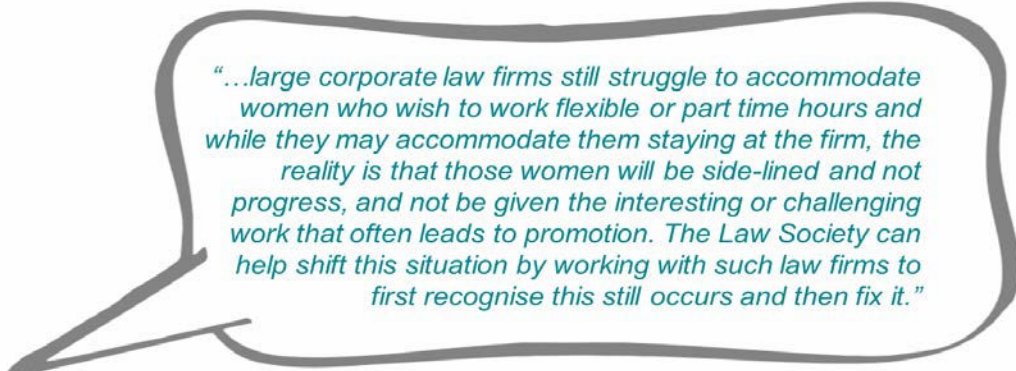
Working mums who are the primary carer face the biggest challenge with their wellbeing score for how good their work is. They score 49 points compared to working dads who are the primary carer with a score of 61 points and working mums who are not the primary carer with a score of 69. Although working mums who are not the primary carer have one of the highest scores for work, they report lower scores for financial health, only marginally ahead of working mums who are the primary carer. Working mums who are not the primary carer of their children also have much lower scores for diet and exercise; 10 points behind working mums who are primary carers.

Working parents who share primary care appear to have the most balanced health and wellbeing profile. There is little variance in the scores between working mums and working dads who share primary care.

Wellbeing is marginally lower among parents who have taken parental leave. The biggest gaps are for financial health (8 points lower) and mental health (6 points lower).

Engagement varies across the profession, gender gaps still present

Workplace engagement is higher among older males in full-time employment. It is lower among females, those who have taken parental leave and practitioners who work non-standard hours.



"...large corporate law firms still struggle to accommodate women who wish to work flexible or part time hours and while they may accommodate them staying at the firm, the reality is that those women will be side-lined and not progress, and not be given the interesting or challenging work that often leads to promotion. The Law Society can help shift this situation by working with such law firms to first recognise this still occurs and then fix it."

Females score engagement factors lower than males for return to work programs (9 point gap), work-life balance (8 points), fair workloads and targets (8 points), being treated equally (8 points) and support for personal or professional issues (8 points).

Engagement among those who have taken parental leave is lower than their colleagues for return to work programs (11 points gap), support for personal or professional issues (7 points), being treated equally (6 points), culture of supporting flexible working arrangements (6 points) and strong leadership (6 points).

Engagement scores for practitioners who work non-standard hours are lower than their full-time colleagues for career advancement opportunities (15 points gap), strong leadership (10 points), support for personal or professional issues (10 points), being treated equally (9 points), access to training and development (8 points) and return to work support programs (8 points).

Across the profession, barristers, sole practitioners and small private firms are least likely to have good parental leave policies or return to work support programs. Barristers also give the lowest ratings for being treated fairly and equally, receiving regular and encouraging feedback, getting support for personal or professional issues and being able to access flexible working arrangements. Government lawyers have the best ratings for accessing parental leave policies, while

practitioners in small, private firms are most optimistic about opportunities for career promotion and advancements.

Greater commitment needed to the Diversity and Equality Charter

More effort is needed to raise awareness, understanding and commitment to the Law Council of Australia's Diversity and Equality Charter. Only 29% of current practitioners are aware of the Charter. Once made aware of the Charter, 40% of practitioners think the legal profession in Western Australia's commitment to this charter is good, very good or excellent.

Discrimination is being experienced across the profession. Legal practitioners mainly report that they have experienced some level of discrimination or unconscious bias due to gender (50%) and age (46%), followed by pregnancy or family responsibilities (27%). Around 5% of practitioners say gender discrimination has had a severe impact. Around 4% say they have been severely impacted by age discrimination and 4% say they have been severely impacted by discrimination related to pregnancy or family responsibilities.

Females are more likely to experience discrimination due to gender, pregnancy and family responsibilities. When asked to rate the level of impact as none, low, moderate or severe and this rating is converted to a Discrimination Impact Score² out of 100, the Discrimination Impact Score for gender discrimination is 37 for females versus 11 for males. The Discrimination Impact Score for discrimination related to pregnancy and family responsibilities is 21 for females versus 9 for males. Age discrimination is greater among younger and older practitioners. Females are slightly more impacted by age discrimination than males, 26 versus 20 points respectively.

More flexibility needed in the workplace

The legal profession is making flexible arrangements available to legal practitioners. Among survey respondents, around 20% of active practitioners are employed in a part-time or casual role, on contract or labour hire or another arrangement. Access to non-standard roles is higher among practitioners who have taken parental leave recently (51%). It is also higher among females (24%) than males (12%).

Among legal practitioners in full-time roles who completed the survey, 47% have flexible working arrangements in place to work alternative hours to suit their needs. A further 15% would like access to flexible hours. Access to flexible working hours is greatest among working parents (63% have access). The greatest unmet need is among practitioners who have left the legal profession. Among those who left the profession in the past 12 months, only 27% had access to flexible working hours. Around 50% did not have access, but wanted access.

At the time of the study (noting this was before COVID-19), 21% of active practitioners had flexible working arrangements in place that allowed them to work from home instead of the office on a regular basis. A further 21% did not have access, but would have liked it. Among those who left the profession over the past 12 months, 27% could work from home and a further 50% would have liked this arrangement to be in place but were not allowed.

The main challenges with flexible working practices relate to workplace culture, client expectations, the urgency, type and volume of work, the court system, access to

² Please refer to section 4.5 Analysis for a description about how this score is calculated.

technology and resources, accessing and managing people remotely, poor compliance or support for policies by partners or senior managers, stereotypes, stigmas and a lack of trust.

Parental leave needs to be more accessible, for working dads too

While 33% of female practitioners have taken parental leave, parental leave has only been taken by 3% of males. Among practitioners who had taken parental leave over the past five years, a majority (71%) accessed paid parental leave. On average, practitioners took 43 weeks parental leave; 12 weeks was paid leave and 31 weeks was unpaid leave.

The main challenges with parental leave are the lack of parental leave policies or an entitlement to paid parental leave for women and men, and managing the impacts of parental leave on other team members.



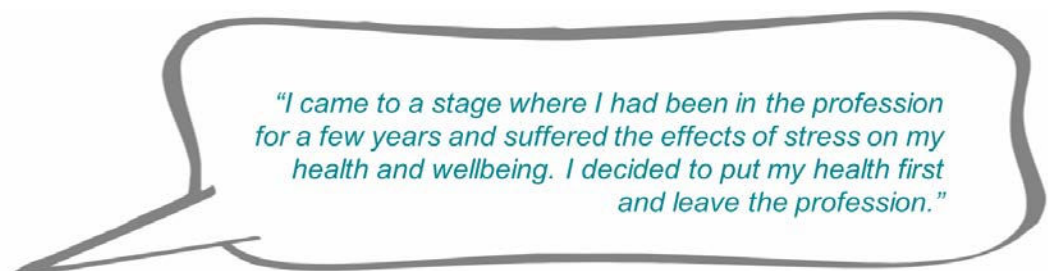
"Lack of access to parental leave for fathers provides a barrier to mothers returning to work."

On completion of parental leave, 78% of practitioners returned to the same workplace. Around 21% felt the person they reported to was not flexible and supportive of their needs and 36% found that changes that occurred in the workplace while they were on leave were not well communicated or explained.

The main challenges with returning to work after parental leave are retaining or accessing employment, in particular, flexible working arrangements, a poor understanding, respect and support for flexible workplace practices, balancing work with family commitments, discrimination and being marginalised, re-establishing their client base and files, and their career advancement being stalled.

Equality and flexibility are key reasons for leaving the legal profession

Practitioners who left the legal profession over the past 12 months scored significantly lower across most engagement drivers. The biggest gaps in the CULTYR® Engagement Scorecard³ between active practitioners and those who have left the profession were being treated equally (27 points lower), receiving regular, encouraging feedback (22 points), strong leadership (20 points), being appreciated and respected (20 points), having a culture where flexible working practices are supported (19 points), opportunities for career advancement (19 points), good relations with the person they report to (17 points) and fair and reasonable workloads and targets (16 points).





"I came to a stage where I had been in the profession for a few years and suffered the effects of stress on my health and wellbeing. I decided to put my health first and leave the profession."

³ Please refer to section 4.5 Analysis for a description about how this score is calculated.

Recommendations to strengthen engagement and retention

To strengthen engagement and retention in the legal profession, it is recommended that the profession addresses five critical success factors.

Critical Success Factors	
<p>Leadership</p>  <ul style="list-style-type: none"> • Advocate for improvements in workplace culture and diversity to address out-dated norms, values, attitudes and behaviours. • Modernise business models. • Develop and promote best practice HR policies that cover workplace culture, parental leave and flexible workplace arrangements. 	<p>Leader-Member Exchange (LMX)</p>  <ul style="list-style-type: none"> • Raise awareness, understanding and acceptance of flexible workplace arrangements, how FWP works and the benefits for organisations, employees and clients. • Advocate for leaders to provide employees with regular and encouraging feedback so they feel appreciated, respected and supported, both professionally and personally.
	<p>Accountability</p>  <ul style="list-style-type: none"> • Collect and report on workplace engagement measures to hold the legal profession and individual managers accountable for following best practice policies and practices. • Advocate for fair and reasonable workloads and targets to be set for legal practitioners, adjusted for part-time or casual hours.
<p>Diversity and inclusion</p>  <ul style="list-style-type: none"> • Strive for zero discrimination so all legal professionals feel they are treated equally and fairly. • Identify and promote role models. • Provide improved CPD and mentor programs to support graduates, current and emerging leaders, and those seeking career advancement. 	<p>Health and wellbeing</p>  <ul style="list-style-type: none"> • Improve overall quality of life; aiming for a state of complete physical, mental and social wellbeing. This is a foundation stone for workplace engagement. • Encourage the adoption of flexible working practices to improve work-life balance.

"...it is at the mid and later stages of legal practice where career development, opportunities and support are lacking - reflected in the abysmal representation of women in leadership roles some 30 years after women started graduating in higher numbers than men from law school. The Law Society needs to be a leader in championing diversity and equality."

2 Introduction

There are significant benefits to be gained from strengthening engagement and retention of female legal professionals in Western Australia. Despite more women than men being admitted to the legal profession, higher rates of attrition among females is leading to lower levels of representation by women at senior levels.

The Law Society of Western Australia, thanks to a Public Purposes Trust grant, commissioned a study to understand how to strengthen engagement and retention levels in the legal profession.

The strategic intent of this study was to understand the reasons for high attrition and low reengagement and provide solutions to stall this trend. Specifically, the study sought to understand:

- Levels of engagement across the legal profession in Western Australia
- Who is engaged and disengaged
- Critical success factors for engaging and retaining legal practitioners
- Mechanisms for change to strengthen engagement and retention

This report provides key findings from a survey among legal professionals in Western Australia.

3 Background

In 1999, the Law Society and Women Lawyers of Western Australia (WLWA) released a *Report on the Retention of Legal Practitioners* (1999 Report). The study was proposed by the Law Society following recommendations made in the 1994 *Chief Justice's Taskforce on Gender Bias* that the Law Society monitor and encourage the participation of women in the legal profession. The study was funded by the Public Purposes Trust and included surveys with 47 practitioners, both men and women, who had left the legal profession in the previous five years. Semi-structured interviews were conducted with 21 survey respondents to identify other issues that were significant to their exit decisions. The 1999 Report suggested that a disproportionate number of women would continue to leave the profession early in their careers until there was acknowledgement that a problem existed.

In September 2014, WLWA launched the *20th Anniversary Review of the 1994 Report of the Chief Justice's Gender Bias Taskforce Review*. Following a review of that report, on 23 August 2016, the Law Society adopted a *Final Directions Paper* (Paper) setting out a series of recommendations for the Law Society to action.

One of the recommendations was that a new retention study similar to the 1999 Report be jointly commissioned by the Law Society and WLWA. The report in respect to the study is to include an assessment of whether the Law Society's 2016/17 'Diversity and Inclusion' strategic campaign, and other efforts by the profession, have had a measurable impact upon the retention and advancement of women in the legal profession (see page 50 of the Paper).

4 Approach

The study involved a four stage process.



4.1 Scoping Meeting

CATALYSE® was invited to attend the Joint Law Society and Women Lawyers WA Committee Meeting to scope the requirements of this study. Objectives were brainstormed and prioritised. Ultimately, the Committee was seeking a clear pathway with specific mechanisms for change to improve the retention of lawyers.

4.2 Desk Research

Preliminary desk research was conducted to understand the current situation and shape the survey questions. This involved a review of key reports and papers, including:

- Report on the Retention of Legal Practitioners, The Law Society of Western Australia and Women Lawyers of Western Australia, March 1999
- 2018 National Profile of Solicitors, Urbis for Law Society of NSW, June 2019
- Advancement of Women in Law Firms: Best Practice, Pilot Research Project, August 2017, Legal Intersections Research Centre, University of Wollongong.
- National Attrition and Re-engagement Study (NARS) Report, Urbis for Law Council of Australia, commissioned in November 2012
- Women in Law: The Facts. How Females Leaving the Profession Affects the Gender Balance. Proctor, July 2016. Reported by Queensland Law Society.
- Why Women Leave the Profession, 2017, reported by the American Bar Association, www.americanbar.org/news/abanews/publications
- Kay, F.M., Alarie, S. and Adjet, J., 2013, *Leaving Private Practice: How Organizational Context, Time Pressures, and Structural Inflexibilities Shape Departures from Private Law Practice*, Indiana Journal of Global Legal Studies Vol. 20, Issue 2
- Ruckwardt, M L Sam, 2012, *Opting Out of Law Practice and Opting Back in*, Chicago Vol. 29, Iss. 5, (Sep/Oct 2012): 42,44-45.

4.3 In-depth interviews

A series of eight in-depth interviews were conducted with female practitioners in Western Australia. The interviews typically took around 40-60 minutes to administer and were conducted in-person or over the phone. Interviews followed a semi-structured discussion guide. Due to the sensitive nature of the topic, all participants were assured that their participation would remain private and confidential.

Interview participants had a range of profiles and experiences. Five participants were currently practising law; two of which had returned to practice law after taking a career break. Four participants had experience taking parental leave on one or multiple occasions. Three participants were no longer working in the legal

profession. They were admitted between 1995 and 2015 and had worked for a cross section of organisations, including sole practitioners, small firms, large firms, in-house counsel and government. Two participants had experience practising in regional Western Australia.

Profile of participants in the in-depth interviews

#	Admitted	Status	Experiences	Location	Type
1	2006	Practising	Parental leave (x2)	Metro	Large firm
2	2000	Practising	Re-engaged after 15 years career break	Regional Metro	Small firm Govt
3	2015	Non-practising	Left profession	Metro	Large firm
4	2006	Practising	Extended parental leave (3 years)	Metro	Govt Barrister
5	2015	Practising	Left profession and returned	Metro	Small firm Govt In-house
6	c. 1995	Non-practising	Parental leave (x2) + travel (6 months); now left profession	Metro	Govt
7	1998	Practising	Parental leave	Metro	Small firm Large firm
8	c. 2012	Non-practising	Left profession	Regional Metro	Govt

4.4 Survey Research

Survey questions were shaped from a review of the desk research, in-depth interviews and feedback from members of the Joint Law Society and Women Lawyers WA Committee. As the questionnaire from the 1999 Review could not be located by the Society, and the 1999 Report did not include references to the specific questions that were asked, a new survey needed to be designed.

An initial quote had been provided for a survey with up to 35 multiple choice questions and 2 open-ended questions. To satisfy the extended scope of the study, there was a need for a survey with close to 100 questions, including seven open-ended questions. As additional funding was not available, CATALYSE® agreed to conduct the additional work on a pro-bono basis⁴. CATALYSE® also provided the Law Society of Western Australia with a single use license to access the CULTYR® Engagement Scorecard to access a set of established engagement drivers.

To assure respondents that their responses would remain anonymous, the survey was programmed and hosted online by CATALYSE® using the Qualtrics platform. The Law Society of Western Australia was responsible for promoting the survey to members and non-members, with support from the Legal Practice Board.

In total, 488 legal practitioners across Western Australia participated. Respondents represented a cross-section of the legal profession by gender, age, duration of practice, employment contract, type of practice and family status. A detailed profile of survey participants is included in Appendix A.

⁴ The value of additional pro bono work on this project has been valued at \$20,000 plus GST.

4.5 Analysis

Data analysis includes the use of index scores. Index scores are a single measure that take all respondent ratings into account. They are a zero-based score expressed out of 100 that support a quick and easy comparison of results between different respondent cohorts.

Calculating a Wellbeing or Commitment to Diversity and Equality Score

Label	Weight	Example 1		Example 2	
		Survey Response	Index Score	Survey Response	Index Score
Poor	0	20%	0	0%	0
Fair	25	20%	5	0%	0
Good	50	20%	10	10%	5
Very good	75	20%	15	40%	30
Excellent	100	20%	20	50%	50
Index Score			50		85

Calculating a Workplace Index Score

Label	Weight	Example 1		Example 2	
		Survey Response	Index Score	Survey Response	Index Score
Strongly disagree	0	20%	0	0%	0
Disagree	25	20%	5	0%	0
Neutral	50	20%	10	0%	0
Agree	75	20%	15	100%	75
Strongly agree	100	20%	20	0%	0
Index Score			50		75

Calculating a Discrimination Impact Score

Label	Weight	Example 1		Example 2	
		Survey Response	Index Score	Survey Response	Index Score
None	0	25%	0	0%	0
Low	33.33	25%	8.33	50%	16.67
Moderate	66.67	25%	16.67	50%	33.33
Severe	100	25%	25	0%	0
Index Score			50		50

5 Health and wellbeing of legal professionals

Most legal practitioners rate their health and wellbeing measures as good, very good or excellent. General health receives the highest ratings (80%), followed by social relationships (74%), financial health (74%), work (73%) and mental health (71%). Diet and exercise receive the lowest ratings (61%).

Q. Overall, how good is your life in relation to your:	Good, very good or excellent
<i>Base: Legal practitioners who are currently working or seeking work</i>	424
Health in general	80%
Social relationships	74%
Financial health	74%
Work	73%
Mental health	71%
Diet and exercise	61%

A comment from a legal practitioner with young children who was diagnosed with breast cancer highlights the challenge and consequence of poor health and wellbeing:

“You get paid for 4 days, but in reality you’re working all the time. Up at 3am in the morning to prepare. This increases stress levels, lack of exercise, eating poorly to get by. I was eating Carmelo Koalas, milo and 2 cans of coke a day. You’re not taking responsibility for yourself. It’s unsustainable behaviour and has serious consequences with health.”

The following table provides a breakdown of results for each of the wellbeing measures and provides the Wellbeing Index Score⁵. The Wellbeing Index Score ranges from a high of 60 for health in general to a low of 47 for diet and exercise.

Q. Overall, how good is your life in relation to your: <i>Base: Legal practitioners who are currently working or seeking work</i>	Poor	Fair	Good	Very Good	Excellent	Well-being Index Score
Health in general	2%	17%	35%	31%	14%	60
Mental health	6%	22%	33%	25%	13%	54
Work	6%	20%	38%	24%	11%	53
Social relationships	6%	20%	38%	26%	10%	54
Financial health	7%	19%	41%	24%	9%	52
Diet and exercise	12%	28%	28%	25%	8%	47

⁵ Please refer to section 4.5 Analysis for a description about how this score is calculated.

5.1 Active vs non-active practitioners

Active practitioners (those who are currently working) report lower wellbeing than non-active practitioners (those no longer in the profession) for health in general, mental health, diet and exercise and social relationships.

While ratings drop for work and financial health when practitioners initially leave the profession, they bounce back to similar levels to active practitioners within 2 to 5 years.

Wellbeing Index Scores ⁶	Active practitioner	Last practiced within 1 year	Last practiced within 2-5 years
<i>Number of respondents</i>	404	27	26
Health in general	59	67	67
Mental health	54	63	72
Diet and exercise	47	57	59
Social relationships	53	66	71
Work	54	40	49
Financial health	53	42	53

5.2 Gender variances

Gender variances were seen among active practitioners. The biggest gaps were for financial health, mental health, and diet and exercise; all showing an 8 points margin with females scoring lower than males.

Wellbeing Index Scores	Male	Female
<i>Number of respondents</i>	156	247
Health in general	63	57
Mental health	59	51
Diet and exercise	52	44
Social relationships	54	53
Work	58	53
Financial health	58	50

5.3 Age variances

Younger practitioners report the lowest wellbeing overall. Their wellbeing index scores range from 47 for diet and exercise, followed by 49 for mental health, work and financial health, then increase to 54 for social relationships and 60 for their health in general.

While there are small variances between legal practitioners aged under 35 and those 35-64 years, wellbeing improves significantly over the age of 65 years. The biggest improvement is in mental health. Mental health increases from 49 among those under 35 years to 85 among those aged 65 years or older, an increase of 36 points.

⁶ Please refer to section 4.5 Analysis for a description about how this score is calculated.

Wellbeing Index Scores⁷	34 or younger	35-64 years	65+ years
<i>Number of respondents</i>	161	302	24
Health in general	60	60	74
Mental health	49	57	85
Diet and exercise	47	48	67
Social relationships	54	54	77
Work	49	55	71
Financial health	49	52	76

5.4 Variance by duration of practice

Levels of wellbeing are similar between legal practitioners who were admitted within the last five years and those admitted 6-14 years ago, then improve among those who were admitted over 15 years ago. The biggest improvement is for mental health, increasing from 50 among those admitted within the last five years to 62 for those admitted over 15 years ago, representing an increase of 12 index points.

Wellbeing Index Scores	Admitted in last 5 years	Admitted 6-14 years	Admitted 15+ years
<i>Number of respondents</i>	128	135	215
Health in general	59	57	63
Mental health	50	52	62
Diet and exercise	46	47	52
Social relationships	53	52	59
Work	48	52	58
Financial health	46	50	58

5.5 Variances by employment contract

Legal practitioners who work non-standard hours, including part-time, casual or on contract, report better health measures than those in full-time employment. The largest variances are for diet and exercise (9 index points higher) followed by social relationships (6 points) and general health (5 points).

People who work full-time have better scores for work (8 points higher) and financial health (7 points higher).

Wellbeing Index Scores	Full-time employment	Non-standard hours
<i>Number of respondents</i>	328	67
Health in general	58	63
Mental health	53	55
Diet and exercise	45	54
Social relationships	52	58
Work	55	47
Financial health	54	47

⁷ Please refer to section 4.5 Analysis for a description about how this score is calculated.

5.6 Variances by type of practice

Barristers and in-house corporate lawyers report the highest wellbeing scores. Barristers provide the best scores for work (69), mental health (68) and financial health (68). They have the equal high with corporate in-house lawyers for social relationships (60). Corporate in-house lawyers provide the best scores for health in general (67) and diet and exercise (59).

The lowest wellbeing being scores are provided by community and Legal Aid practitioners and in larger private practices.

Legal practitioners working for community organisations and Legal Aid provide the lowest scores for diet and exercise (39) and financial health (46).

Legal practitioners in large private practices provide the lowest scores for health in general (53), mental health (47) and social relationships (47). They also provide lower scores for diet and exercise (41).

Sole practitioners provide the second lowest score for financial health (48) while legal practitioners in medium sized firms provide the lowest score for work (48) followed by those working in community organisations (49) and large private firms (50).

Wellbeing Index Scores⁸	Barrister	Private firm (all)	Sole practitioner	Small private (2-15)	Medium private (16-40)	Large private (41+)	Corporate legal	Government legal	Community/ Legal Aid
<i>Number of respondents</i>	20	278	31	124	32	91	23	29	34
Health in general	63	58	60	60	66	53	67	59	56
Mental health	68	53	60	54	53	47	54	58	51
Diet and exercise	48	45	48	48	43	41	59	53	39
Social relationships	60	53	48	58	53	47	60	54	48
Work	69	54	63	56	48	50	60	52	49
Financial health	68	52	48	50	49	55	60	56	46

5.7 Dependent children vs no dependents

Overall variances in wellbeing scores were small between practitioners with dependent children versus those without. However, larger variances were noted among male practitioners who have dependent children versus those who do not have children.

Male practitioners with dependent children provided lower wellbeing scores than those without children. The biggest gaps were for diet and exercise (13 index points), social relationships (13 index points) and mental health (12 index points). Wellbeing ratings tend to improve for diet and exercise, social relationships and mental health as the children get older.

⁸ Please refer to section 4.5 Analysis for a description about how this score is calculated.

Wellbeing Index Scores ⁹	Have dependent children		Age of children			
	No	Yes	0-5	6-11	12-17	18+
<i>Number of respondents</i>	268	213	87	86	66	50
Health in general	61	60	59	59	63	63
Male	67	59	61	56	60	62
Female	58	61	58	61	66	63
Mental health	57	55	51	54	58	58
Male	66	54	50	53	56	59
Female	52	55	52	55	60	56
Diet and exercise	50	46	44	45	48	48
Male	58	45	39	43	46	50
Female	46	47	46	47	49	43
Social relationships	56	54	52	52	53	58
Male	62	49	43	46	51	58
Female	54	57	56	55	56	57
Work	54	53	51	54	53	57
Male	58	55	57	54	53	61
Female	52	51	48	55	54	49
Financial health	54	50	48	51	52	56
Male	63	55	54	57	57	56
Female	49	48	45	47	47	54

5.8 Primary vs non-primary carers

Care arrangements appear to impact wellbeing differently for male and female practitioners. Some of the key variances are:

Work	Female practitioners who are the primary carer report lower scores for work (49) compared to females who are shared primary carers (54) or non-primary carers (69). When their partner is the primary carer, females report higher wellbeing scores for work (69) compared to males (52).
Social relationships	Males who are primary carers find it a lot more difficult to maintain social relationships (28) than male practitioners who share care (55) or are non-primary carers (46). Males who are primary carers also find it a lot more difficult than females who are primary carers (56).
Diet and exercise	Female practitioners who are non-primary carers may have better work opportunities, but it affects their diet and exercise. Female practitioners who are primary carers report better diet and exercise (48) than females who share primary care (44) or are non-primary carers (38). Conversely, males who are primary carers find it more difficult to maintain their diet and exercise (36) than male practitioners who share care (49) or are non-primary carers (42).
Financial health	Males with dependent children generally report better financial health (61) than those who share primary care (54) or are non-primary carers (53). However, males who are primary carers report better financial health (61) than females who are primary carers (46).

⁹ Please refer to section 4.5 Analysis for a description about how this score is calculated.

Mental health	Males who are the primary carer (47) find it more difficult to maintain their mental health than males who share primary care (56) and non-primary carers (53).
Health in general	Sharing primary care appears to have a positive impact on general health for practitioners with dependent children. Practitioners who share primary care of their children provide higher ratings (64) than those who are non-primary carers (55) and primary carers (60).

Wellbeing Index Scores ¹⁰	Primary carer	Primary care is shared	Non-primary carer
<i>Number of respondents</i>	90	84	37
Health in general	60	64	55
Male	56	65	55
Female	60	63	56
Mental health	55	56	53
Male	47	56	53
Female	56	55	56
Diet and exercise	47	46	42
Male	36	49	42
Female	48	44	38
Social relationships	54	56	48
Male	28	55	46
Female	56	56	63
Work	50	56	53
Male	61	57	52
Female	49	54	69
Financial health	48	52	52
Male	61	54	53
Female	46	51	44

5.9 Parental leave

The level of wellbeing reported by legal practitioners who have taken parental leave in the past five years is similar to those who have not taken parental leave. The largest variances are for financial health (a difference of 8 index points) followed by mental health (a difference of 6 index points).

Wellbeing Index Scores	Taken parental leave over past 5 years	Have not taken parental leave
<i>Number of respondents</i>	63	374
Health in general	57	60
Mental health	50	56
Diet and exercise	46	48
Social relationships	53	55
Work	50	54
Financial health	45	53

¹⁰ Please refer to section 4.5 Analysis for a description about how this score is calculated.

6 CULTYR® engagement drivers

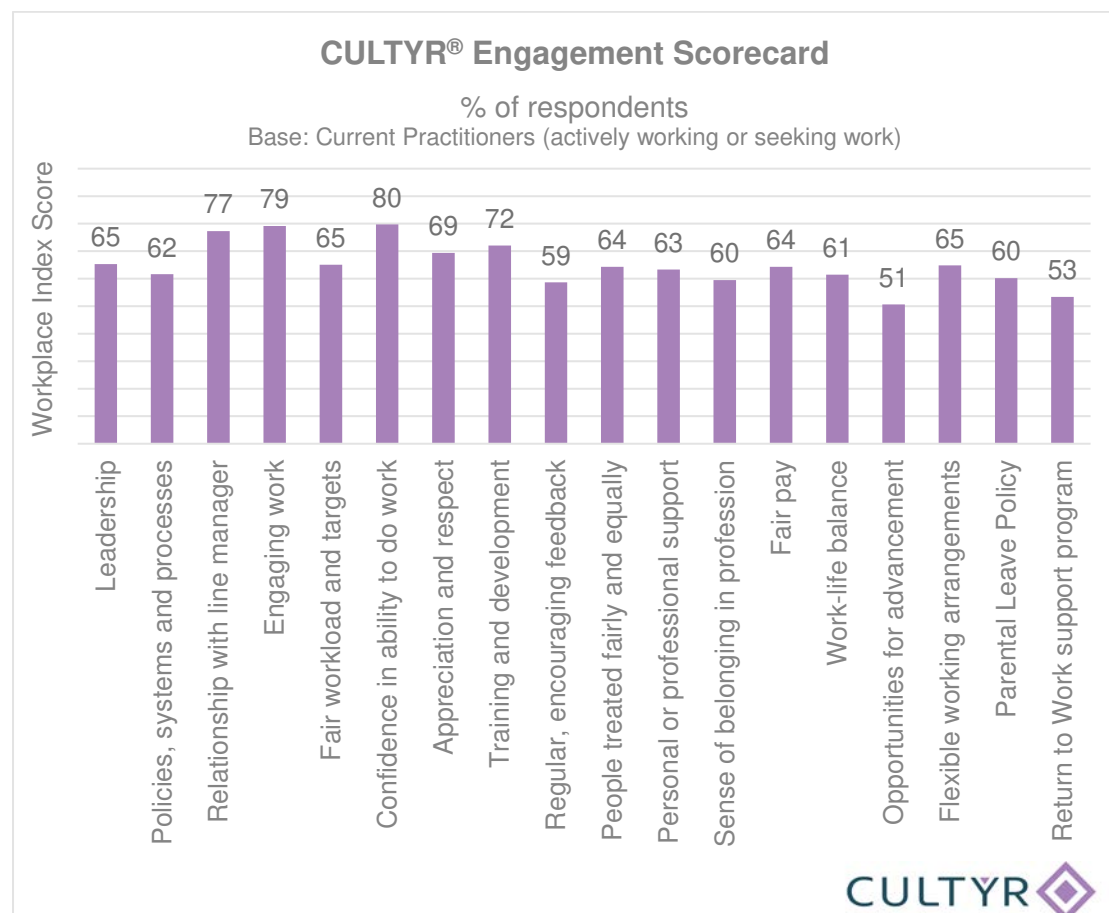
Workplace engagement has been assessed against the CULTYR® Engagement Scorecard. Respondents were required to assess engagement drivers on a five point scale from strongly agree to strongly disagree. A Workplace Index Score¹¹ has been used to summarise the results.

Relative strengths in the legal profession include:

- Legal practitioners are confident in their abilities to do work required of them (80)
- The work is challenging, interesting and engaging (79)
- Good relationships with their line managers (77)
- Legal practitioners receive good training and development (72)

To increase engagement focus on:

- Modernising policies, systems and processes to increase effectiveness (62)
- Improving work-life balance (61)
- Strengthening the sense of belonging in the profession (60)
- Providing regular and encouraging feedback (59)
- Better parental leave policies (60) and Return to Work support programs (53)
- Clarifying and enabling career pathways and opportunities for advancement (51)



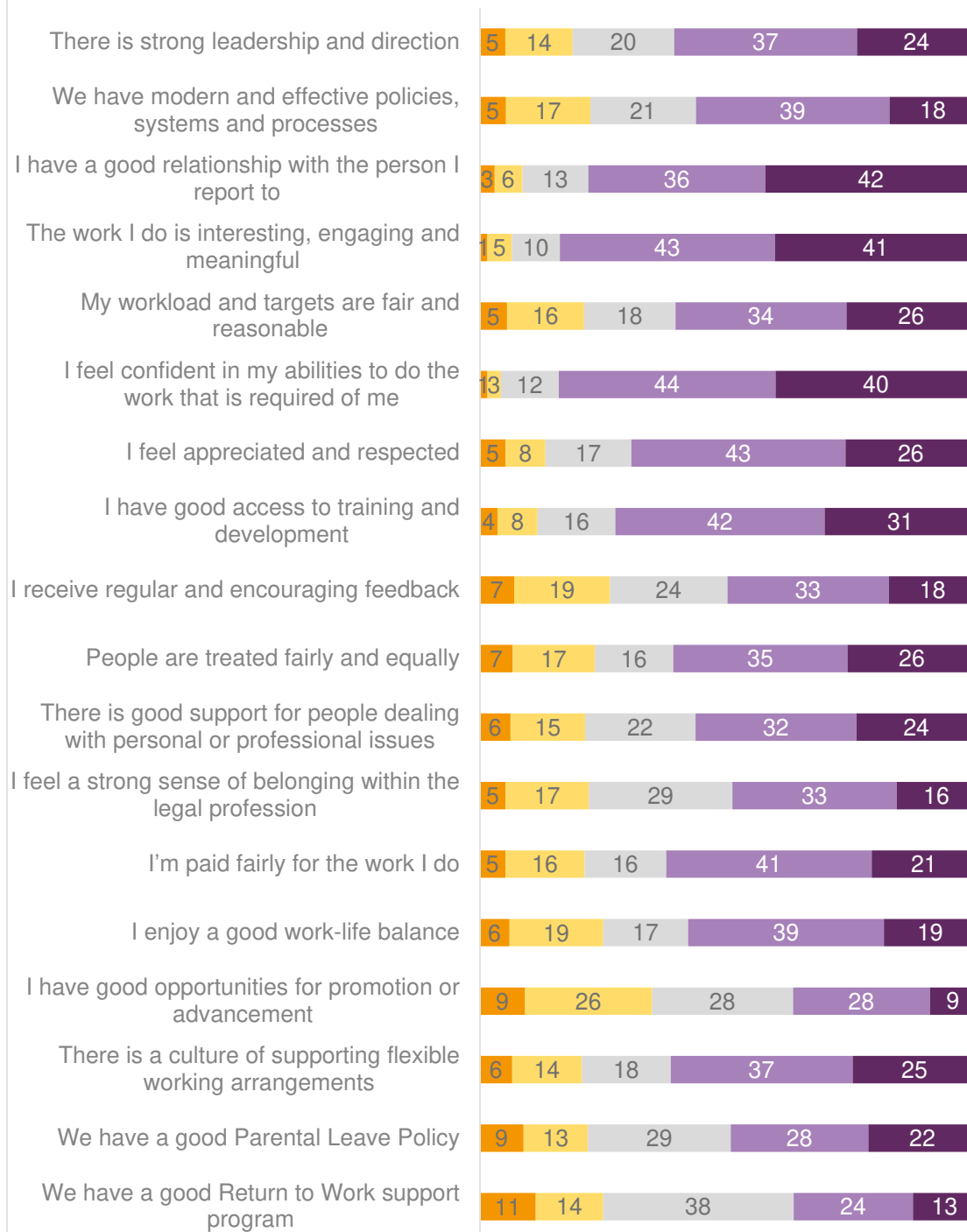
¹¹ Please refer to section 4.5 Analysis for a description about how this score is calculated.

CULTYR® Engagement Scorecard

% of respondents

Base: Current Practitioners (actively working or seeking work)

Strongly disagree Disagree Neutral Agree Strongly agree

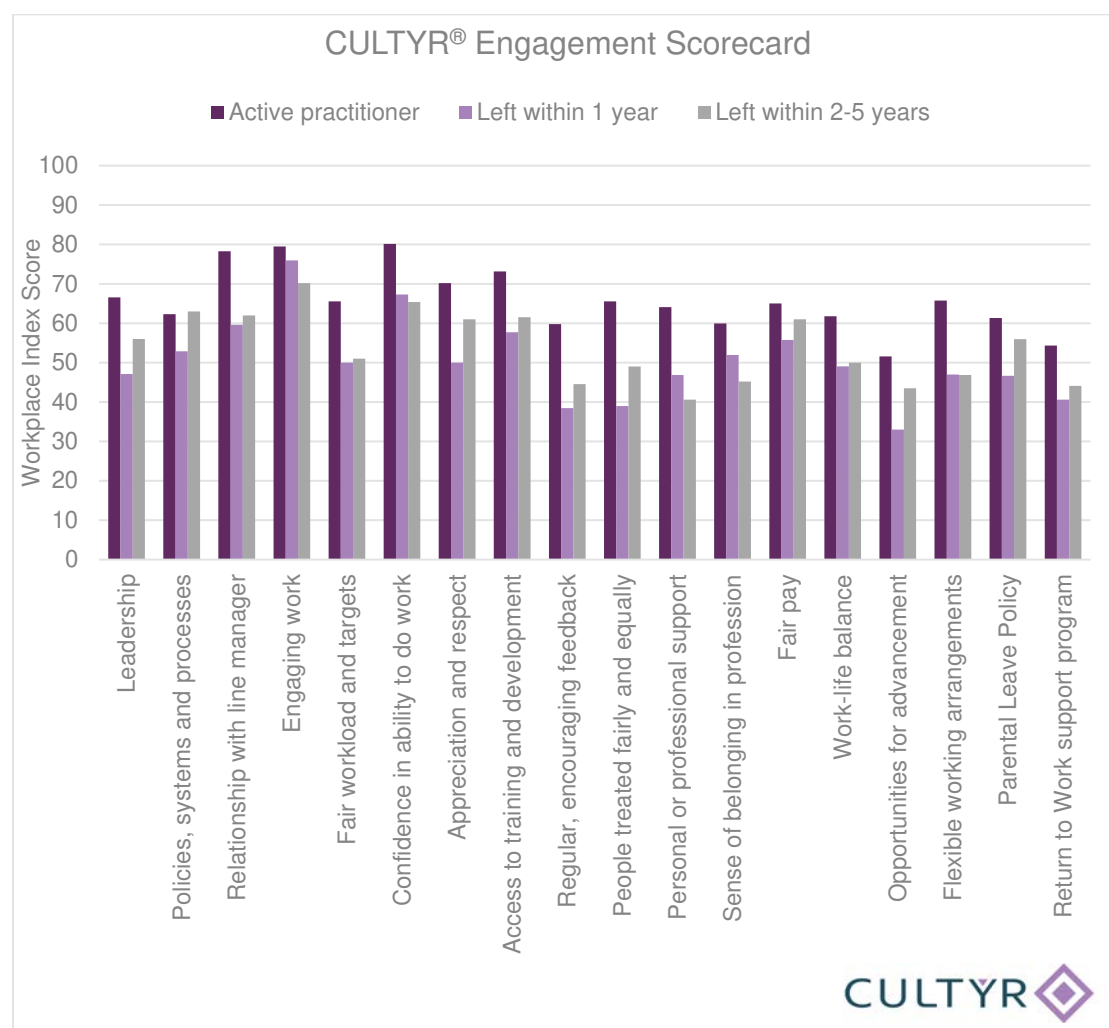


6.1 Active vs non-active practitioners

Active practitioners report stronger workplace engagement scores¹² than respondents who left the profession within the past year or five years.

The main drivers for leaving the profession within the past 12 months appear to be:

- Not being treated fairly and equally
- Not receiving regular and encouraging feedback
- Not feeling appreciated and respected
- Poor leadership and direction
- Poor opportunities for promotion or advancement
- Culture doesn't support flexible working arrangements
- Poor relationship with line manager



Detailed responses are provided in Appendix B.

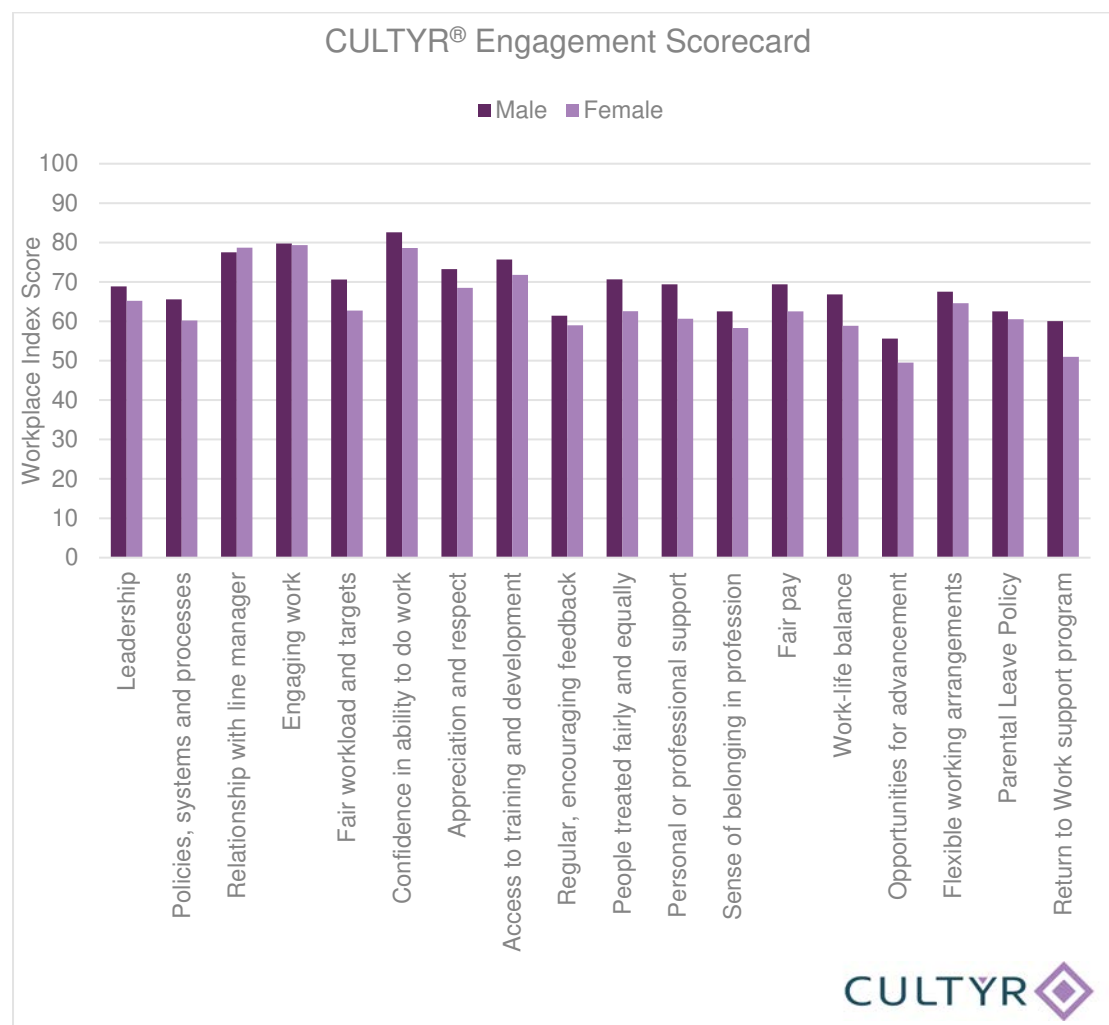
¹² Please refer to section 4.5 Analysis for a description about how this score is calculated.

6.2 Gender variances

Gender variances between male and female practitioners who are actively practising tends to be small, with males reporting stronger workplace engagement scores¹³ than females across most measures.

The biggest performance gaps are in the following areas, with males providing stronger results than females:

- Having a good Return to Work support program
- Supporting people dealing with personal or professional issues
- Treating people fairly and equally
- Providing a good work-life balance
- Providing fair and reasonable workloads and targets



Detailed responses are provided in Appendix B.

¹³ Please refer to section 4.5 Analysis for a description about how this score is calculated.

6.3 Age variances

Workplace engagement scores¹⁴ tend to be similar by age until legal practitioners reach 65 years. Seniors report the highest workplace engagement levels.

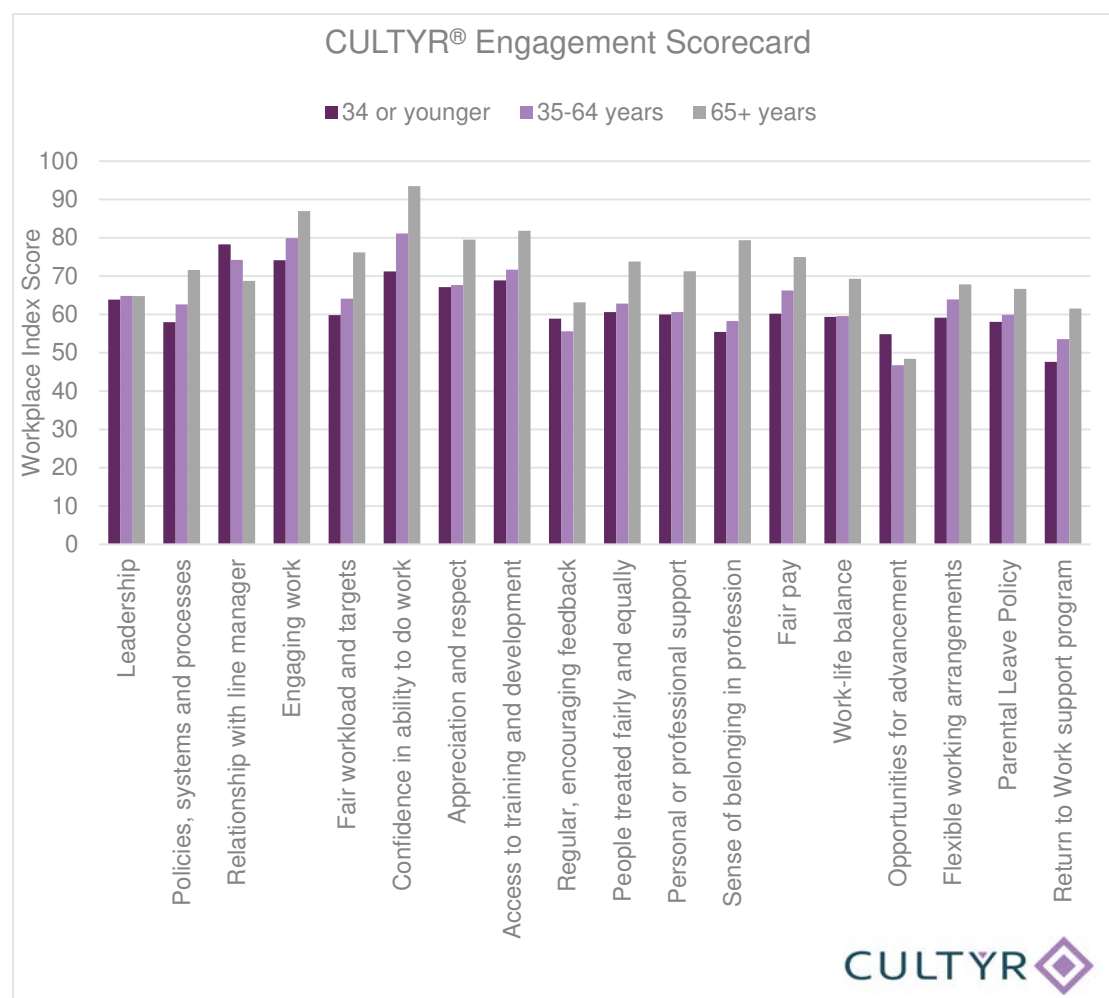
The biggest performance gaps are in the following areas, with seniors providing higher ratings:

- Feeling a strong sense of belonging within the legal profession
- Feeling confident in their abilities to do the work required of them
- Workloads and targets are fair and reasonable
- Feeling appreciated and respected

Practitioners aged 34 or younger report lower scores on the following measures:

- Feeling confident in their abilities to do the work that is required of them
- Being paid fairly for the work they do
- Having access to a good Return to Work support program
- Doing work that is interesting, engaging and meaningful

However, younger practitioners are more optimistic about promotion opportunities.



Detailed responses are provided in Appendix B.

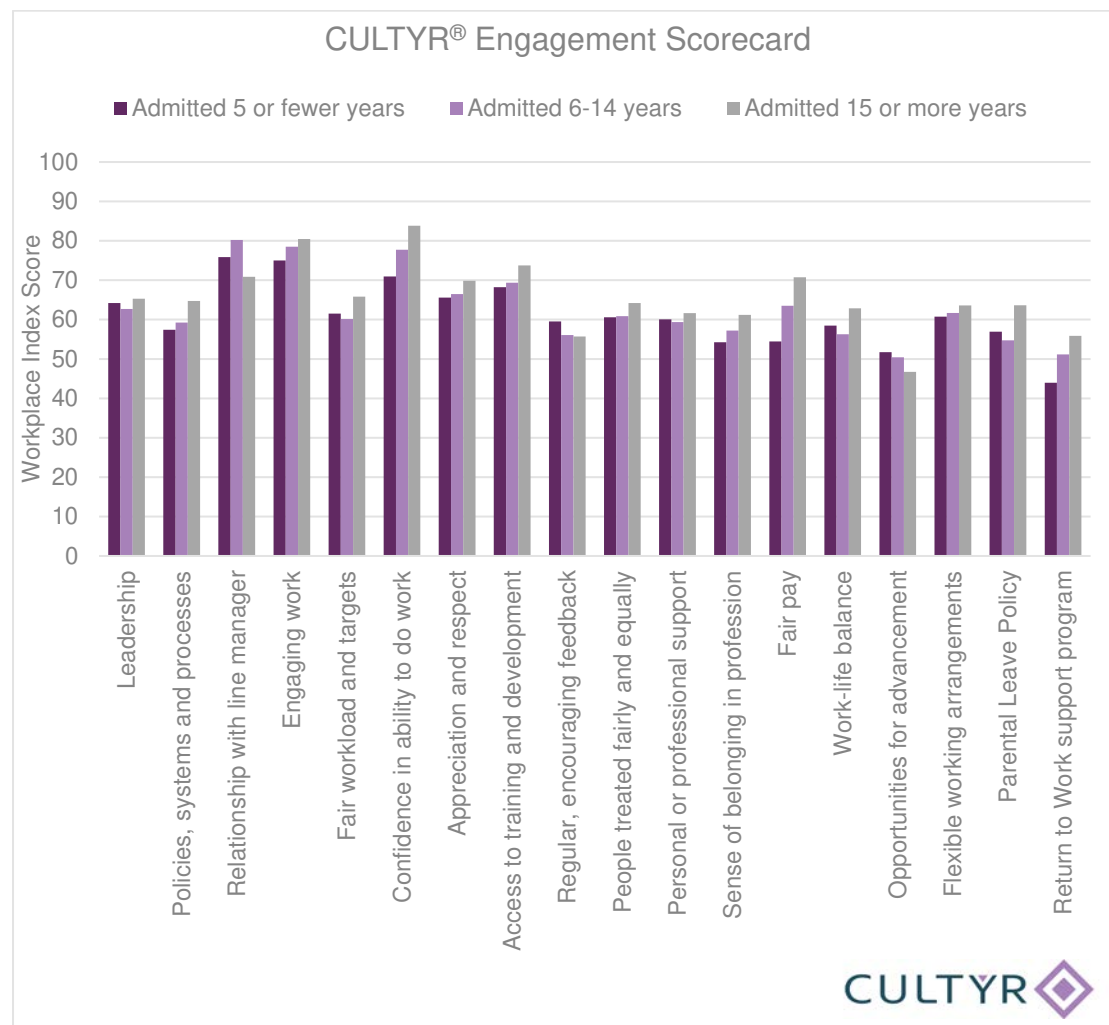
¹⁴ Please refer to section 4.5 Analysis for a description about how this score is calculated.

6.4 Variance by duration of practice

Workplace engagement scores¹⁵ tend to follow a similar pattern between legal practitioners with up to 5 years, 6 to 14 years and 15 or more years' experience.

The largest variations are for:

- Fair pay. The longer they have practiced the fairer they feel their pay is for the work they do.
- Confidence. The longer they have practiced, the more confident they feel in their abilities to do the work that is required of them.
- Return to Work. The longer they have practiced, the better they regard their Return to Work support program.



Detailed responses are provided in Appendix B.

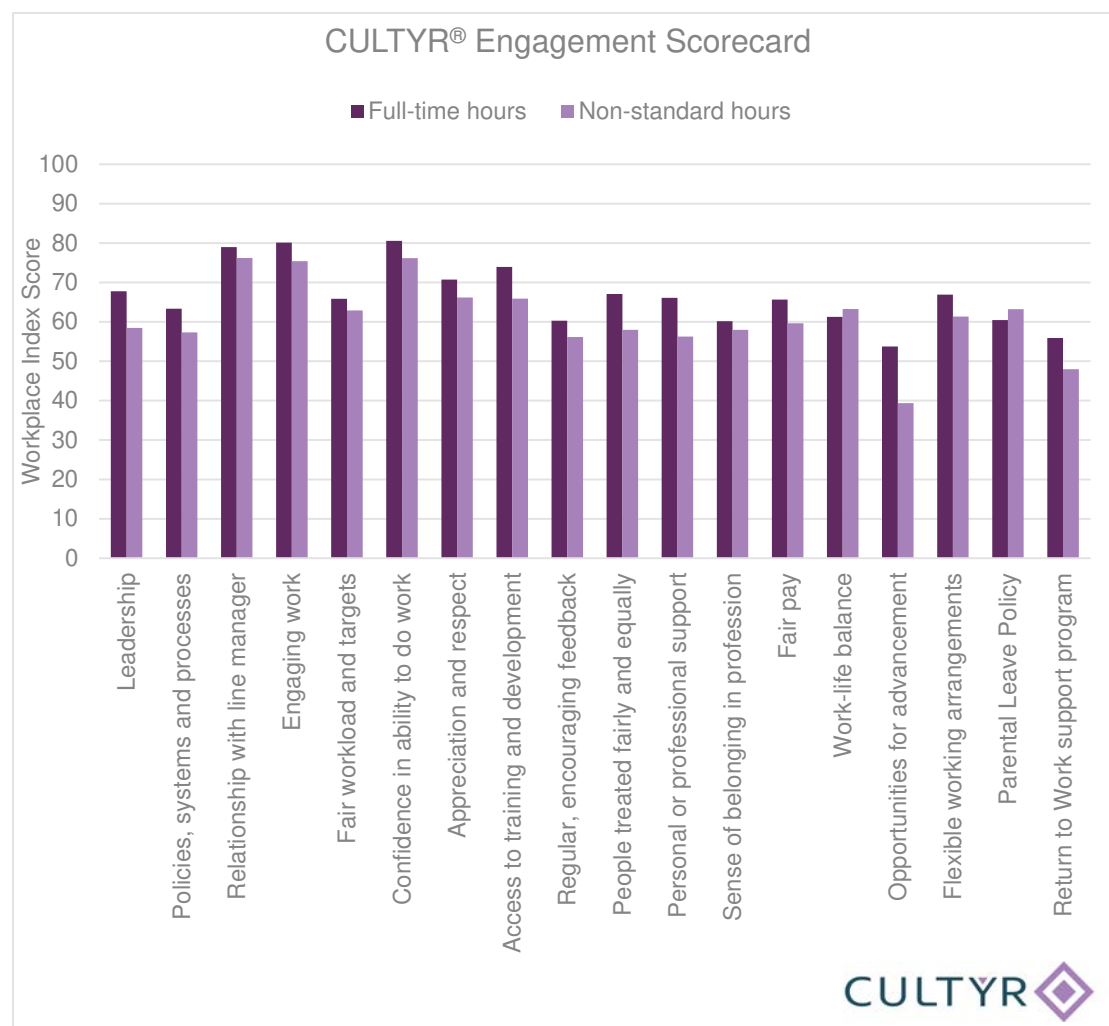
¹⁵ Please refer to section 4.5 Analysis for a description about how this score is calculated.

6.5 Working full-time vs non-standard hours

Legal practitioners who work non-standard hours, including part-time, casual or on contract, tend to provide lower workplace engagement scores¹⁶ than those who work full-time.

The biggest perceived gaps for those working non-standard hours are:

- Opportunities for promotion or advancement
- Access to good support for personal or professional issues
- Strong leadership and direction
- Fair and equal treatment



Detailed responses are provided in Appendix B.

¹⁶ Please refer to section 4.5 Analysis for a description about how this score is calculated.

6.6 Variances by type of practice

Workplace engagement scores¹⁷ vary by the type of practice. Average workplace scores are highest for legal practitioners in Community and Legal Aid organisations (71) and lowest among barristers (56).

CULTYR® Engagement Scorecard Workplace Index Scores	Barrister	Private firm (all)	Sole practitioner	Small private (2-15)	Medium private (16 -40)	Large private (41+)	Corporate legal	Government legal	Community/ Legal Aid
Average score	56	66	68	68	66	63	65	66	71

Key variances include:

- Government lawyers have the best ratings for fair pay and parental leave policies.
- Corporate in-house lawyers have the best ratings for relationships with line managers.
- Legal practitioners in small private firms are most optimistic about opportunities for career promotion and advancements.
- Legal practitioners in Community / Legal Aid organisations are more likely to receive regular and encouraging feedback and to feel a sense of belonging in the legal profession, but they lack career advancement opportunities.
- Barristers are less likely to feel they are treated fairly and equally, to receive regular and encouraging feedback, to get support for personal or professional issues or to be able to access flexible working arrangements.
- Barristers, sole practitioners and small private firms are least likely to have a good Parental Leave Policy or a Return to Work support program.
- Legal practitioners in large, private firms have the lowest ratings for work-life balance and fair workloads and targets.

¹⁷ Please refer to section 4.5 Analysis for a description about how this score is calculated.

The following table shows variances by type of practice.

CULTYR® Engagement Scorecard¹⁸ Workplace Index Scores	Barrister	Private firm (all responses)	Private firm, sole practitioner	Private firm, 2 to 15 practitioners	Private firm, 16 to 40 practitioners	Private firm, 41+ practitioners	Corporate legal	Government legal	Community/ legal aid
Leadership	56	67	74	69	54	70	63	62	71
Policies, systems and processes	49	66	71	66	58	67	50	47	63
Relationship with line manager	65	78	69	79	82	77	88	74	82
Engaging work	83	77	86	80	80	69	82	79	88
Fair workload and targets	56	66	77	74	67	52	67	60	74
Confidence in ability to do work	81	79	85	79	78	77	82	78	84
Appreciation and respect	64	71	75	76	67	64	69	69	74
Access to training and development	80	73	81	72	73	72	66	71	78
Regular, encouraging feedback	46	58	68	59	56	56	64	64	74
People treated fairly and equally	45	67	74	73	62	61	61	70	68
Personal or professional support	40	66	65	71	66	60	58	63	71
Sense of belonging in profession	63	60	58	60	63	59	55	56	70
Fair pay	66	63	65	64	62	62	66	72	66
Work-life balance	56	59	65	65	64	46	66	69	71
Opportunities for advancement	56	54	44	60	46	54	40	49	45
Flexible working arrangements	39	67	70	67	77	61	72	64	73
Parental Leave Policy	29	60	48	53	63	70	60	74	68
Return to Work support program	29	54	44	51	67	55	56	59	64

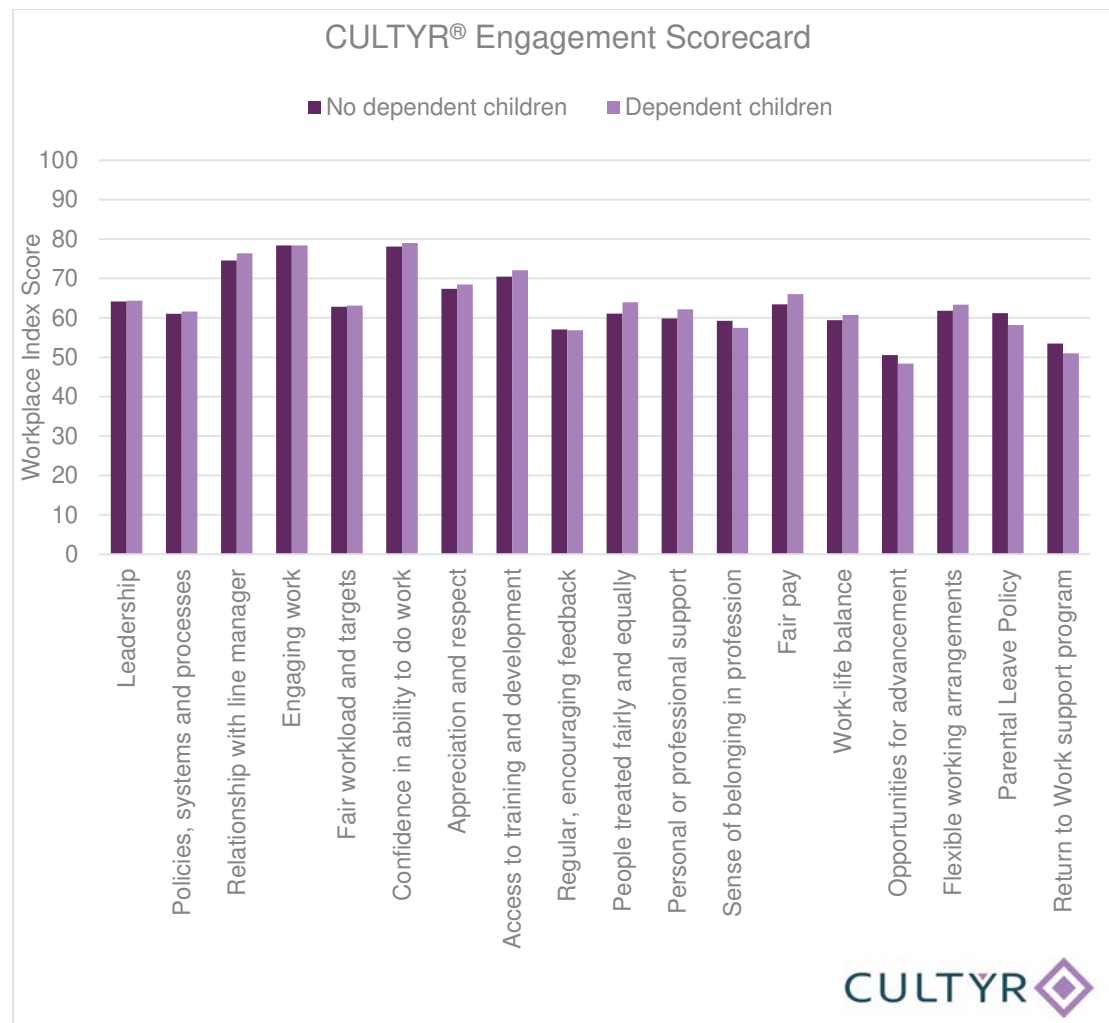
¹⁸ Please refer to section 4.5 Analysis for a description about how this score is calculated.

6.7 Dependent children vs no dependents

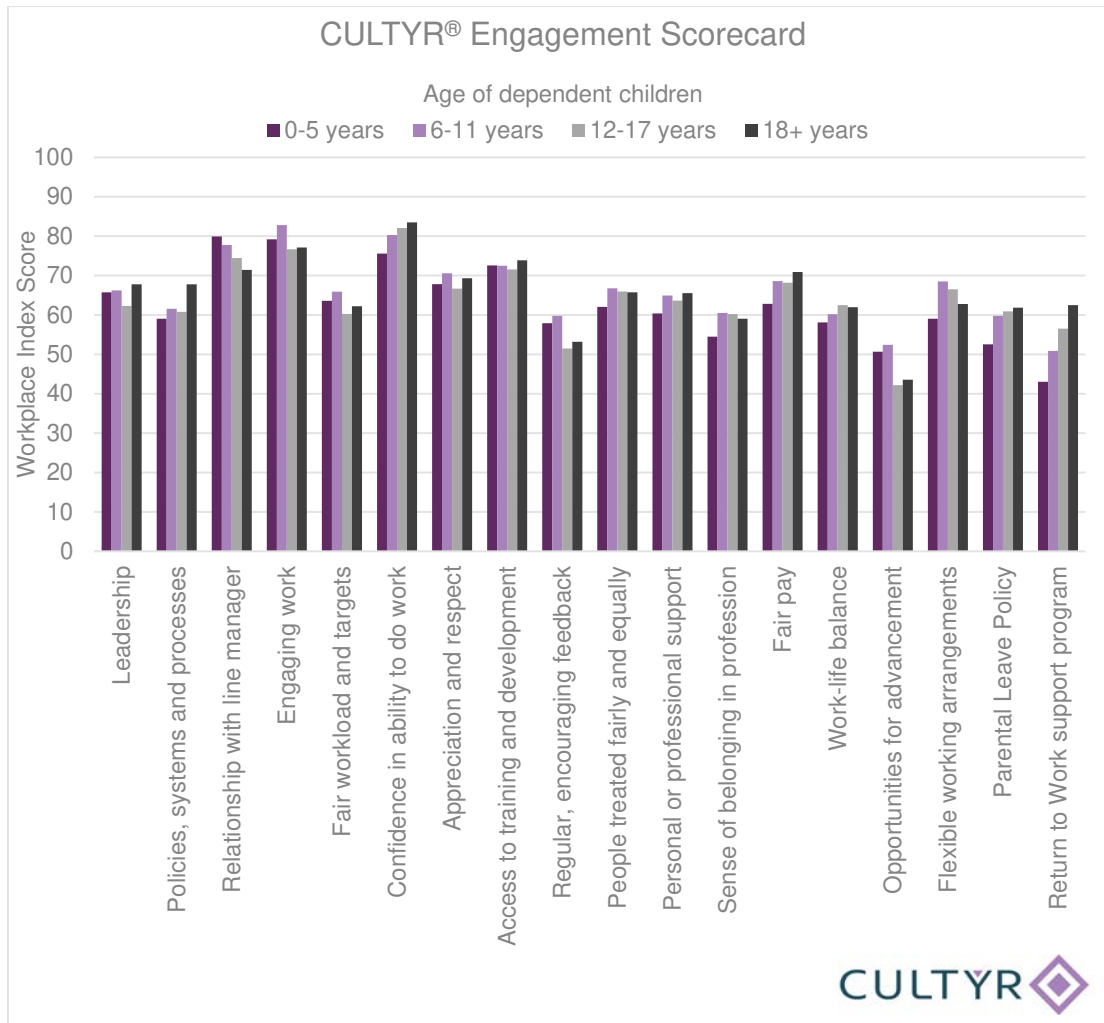
Having dependent children or not, and the age of their children, does not appear to be a key determinant of higher or lower workplace engagement among legal practitioners. Scores¹⁹ are remarkably similar with the exception of Return to Work support programs where results vary by the age of dependent children.

Key variances include:

- Legal practitioners with children are marginally more likely to feel they have a good Parental Leave policy (3 points higher), but that people are not treated fairly or equally (3 points lower) and that they are not paid fairly (3 points lower).
- For Return to Work programs, scores from parents and non-parents are very similar. The margin is only 2 points. However, the margin between parents with young children and older children is 20 index points. Parents with children aged 0-5 years provide the lowest ratings (43). Scores steadily increase as children get older with the highest scores provided by parents with dependents aged 18 years or older (63).



¹⁹Please refer to section 4.5 Analysis for a description about how this score is calculated.



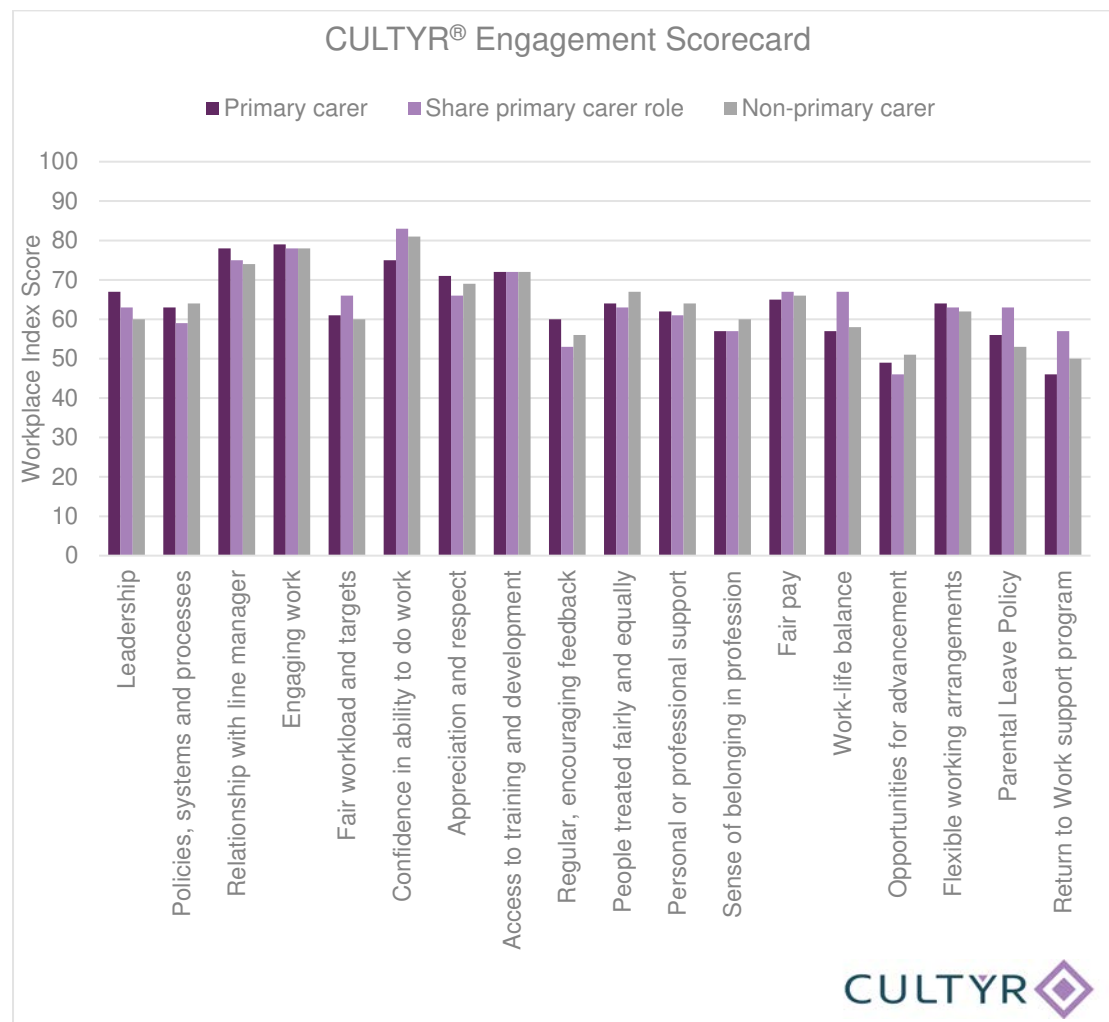
Detailed responses are provided in Appendix B.

6.8 Primary vs non-primary carers

Workplace engagement scores²⁰ vary among legal practitioners with primary care, shared primary care and non-primary care. The main differences are in work-life balance, confidence in their abilities to do the work that is required of them, parental leave policies and return to work support programs.

The key variances are:

- Legal practitioners who share primary care have the best work-life balance (67) compared to primary carers (57) and non-primary carers (58).
- Primary carers are less likely to feel confident about their ability to do the work required of them (75) compared to legal practitioners who share primary care (83) and non-primary carers (81).
- Legal practitioners who share primary care provide the best scores for parental leave policies (63) compared to primary carers (56) and non-primary carers (53).
- Return to work programs also get better scores from those who share primary care (57) compared to primary carers (46) and non-primary carers (50).



Detailed responses are provided in Appendix B.

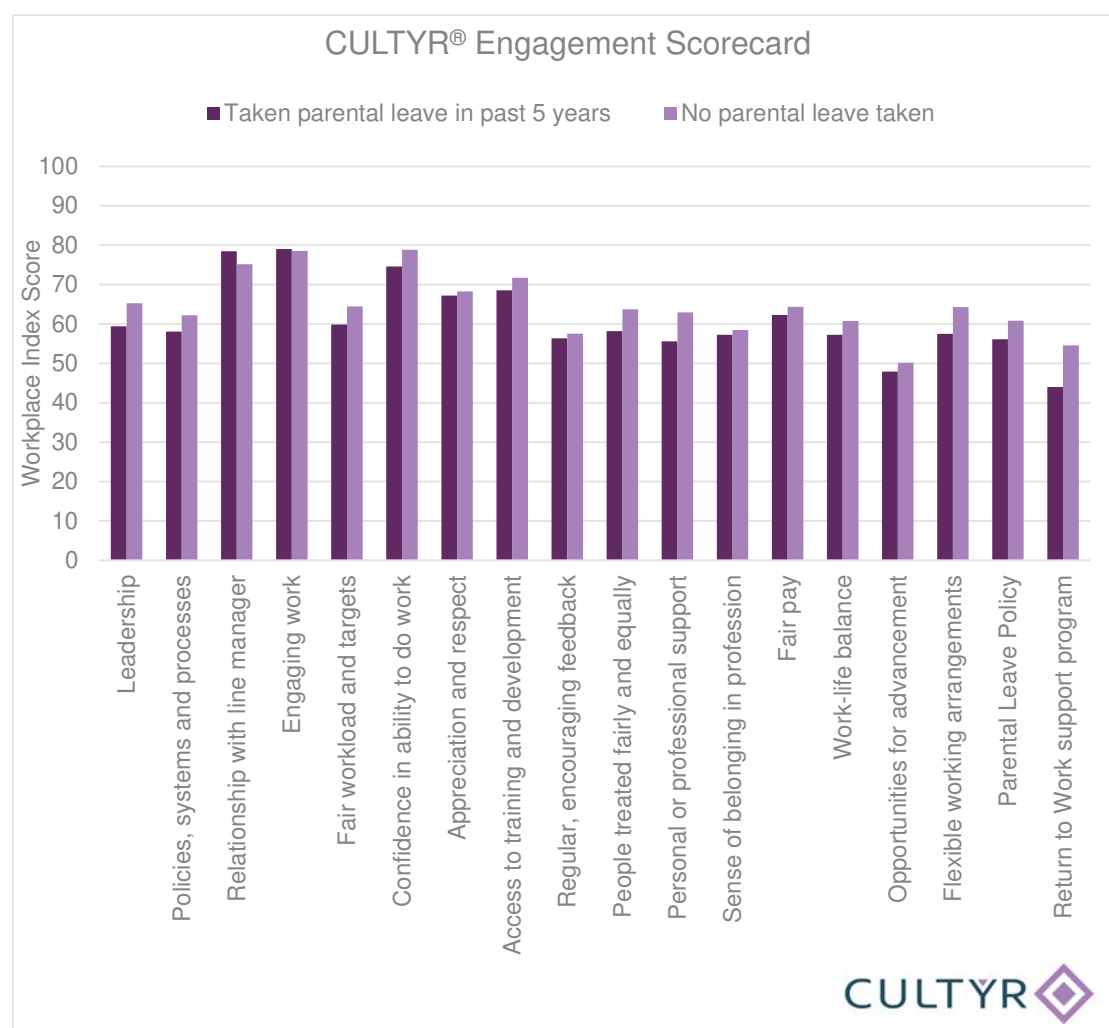
²⁰ Please refer to section 4.5 Analysis for a description about how this score is calculated.

6.9 Parental leave

Among legal practitioners who have taken parental leave in the past five years, workplace engagement scores²¹ are marginally lower than colleagues who have not taken leave.

The biggest gaps are for:

- Return to Work support program (11 points lower)
- Support for people dealing with personal or professional issues (7 points lower)
- Culture of supporting flexible workplace arrangements (7 points lower)
- Strong leadership and direction (6 points lower)
- People are treated equally and fairly (6 points lower)
- Parental leave policy (5 points lower)
- Workloads and targets are fair and reasonable (5 points lower)



Detailed responses are provided in Appendix B.

²¹ Please refer to section 4.5 Analysis for a description about how this score is calculated.

7 Diversity and equality

More effort is needed to raise awareness, understanding and commitment to the Law Council of Australia's Diversity and Equality Charter.

Currently, 29% of current practitioners are aware of the Charter. Once made aware of the Charter, 40% of current practitioners think the legal profession in Western Australia's commitment to this charter is good, very good or excellent.

Most (60%) are unsure how Western Australia is going with its commitment to the Charter compared to other states and territories. Around 26% think Western Australia is on par, 3% better and 10% consider local efforts to be worse.

Diversity and Equality Charter

The Australian legal profession is committed to promoting diversity, equality, respect and inclusion consistent with the principles of justice, integrity, equity and the pursuit of excellence upon which the profession is founded.

We recognise that diversity benefits the legal profession and the community as a whole.

Accordingly, the Australian legal profession and its members:

- treat all people with respect and dignity regardless of sex, sexuality, disability, age, race, ethnicity, religion, culture or other arbitrary feature
- create and foster equality through a supportive and understanding environment for all individuals to realise their maximum potential regardless of difference
- promote and support a strong and fair legal profession comprising, accommodating, encouraging and respecting a diverse range of individuals and views

7.1 Awareness of the Diversity and Equality Charter

Awareness of the Diversity and Equality Charter is relatively low. Only 29% of current practitioners (including active practitioners and those seeking work) had heard of the Charter.

Awareness is highest among barristers (75%), practitioners aged 65+ (57%), those admitted over 15 years ago (37%), practitioners who share primary care of their children (34%), males (34%) and practitioners who have left the profession (38%).

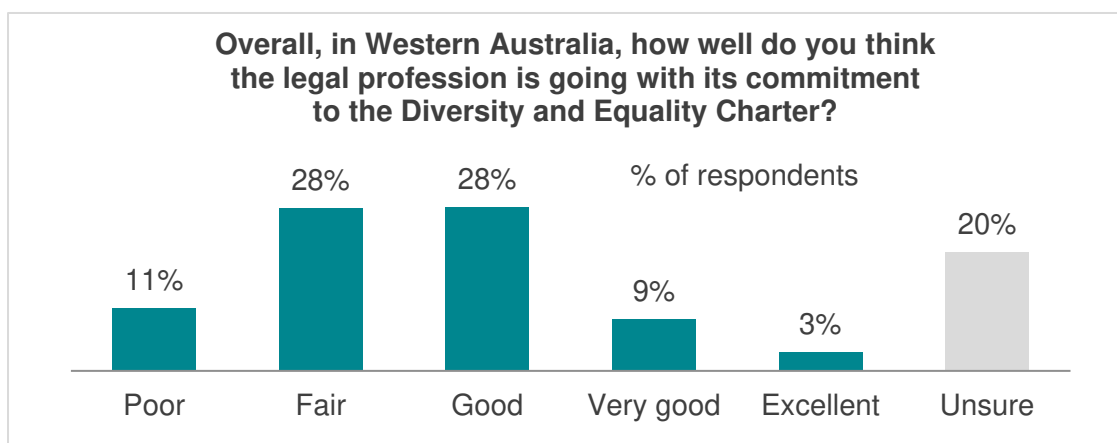
Awareness is lowest among newly admitted practitioners (15%), those working non-standard hours (18%), practitioners aged 34 or younger (20%), sole traders (20%) and practitioners working for community organisations and Legal Aid (21%).

Awareness is also lower among females (25%), parents with children aged 0-11 years (23%) and those who have taken parental leave in the past five years (21%).

Q. Were you aware of the Diversity and Equality Charter before this survey?								
% aware								
Status			Admitted			Employment Contract		
Actively practising	Left within 1 year	Left within 2-5 years	Last 5 years	6-14 years	15+ years	Full-time	Non-standard	
28%	38%	38%	15%	24%	37%	29%	18%	
Gender			Age					
Male		Female	34 or younger		35-64	65 or older		
34%		25%	20%		31%	57%		
Practice Type								
Barrister	Private (total)	Sole (1)	Small (2-15)	Med (16-40)	Large (41+)	Corp legal	Govt legal	Comm-unity
75%	25%	20%	23%	42%	25%	27%	23%	21%
Have dependent children			Age of children					
No		Yes	0-5		6-11	12-17		18+
28%		29%	24%		22%	37%		38%
Carer type					Parental leave taken in past 5 years			
Primary		Shared	Non-primary		Yes		No	
26%		34%	22%		21%		30%	

7.2 Commitment to the Diversity and Equity Charter

Around 40% of current practitioners think the legal profession is going well with its commitment to the Diversity and Equality Charter. They provide a rating of good, very good or excellent. A similar proportion (39%) provide a fair or poor rating and 20% are unsure.



Base: Current practitioners (actively working or seeking work), excludes no response n = 405

The overall Commitment to Diversity and Equality Score²² among current practitioners is 39.

Perceived commitment to Diversity and Equality is higher among males (45) and practitioners aged 65 years or older (56).

Perceived commitment to Diversity and Equality is lower among practitioners who left the profession in the past year (32), practitioners in corporate legal roles (25) and community organisations (30), practitioners with young children (31), primary carers (33) and practitioners who have taken parental leave over the past five years (30).

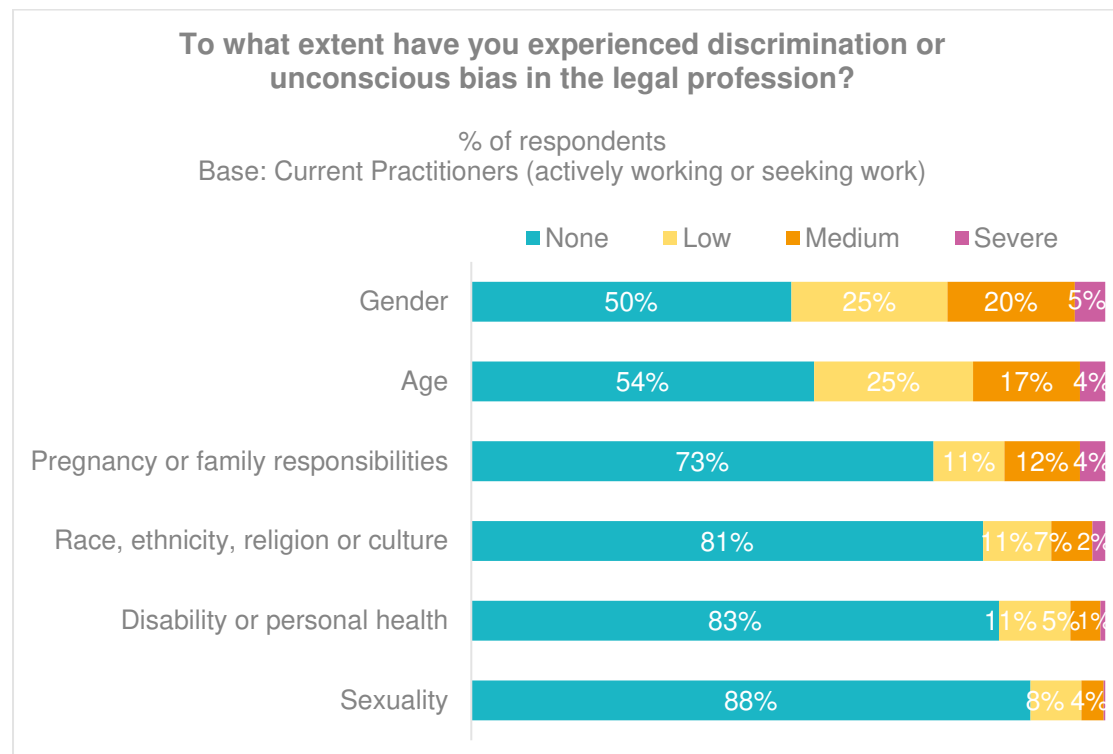
Q. Overall, in Western Australia, how well do you think the legal profession is going with its commitment to the Diversity and Equality Charter?								
Commitment to Diversity and Equality Score out of 100								
Status			Admitted			Employment Contract		
Actively practising	Left within 1 year	Left within 2-5 years	Last 5 years	6-14 years	15+ years	Full-time	Non-standard	
39	34	32	37	36	40	41	33	
Gender			Age					
Male		Female	34 or younger		35-64	65 or older		
45		34	36			38		56
Practice Type								
Barrister	Private (total)	Sole (1)	Small (2-15)	Med (16-40)	Large (41+)	Corp legal	Govt legal	Comm-unity
36	43	38	44	38	45	25	38	30
Have dependent children			Age of children					
No		Yes	0-5		6-11	12-17		18+
40		36	31		35	41		43
Carer type					Parental leave taken in past 5 years			
Primary		Shared	Non-primary			Yes		No
33		36	44			30		40

²² Please refer to section 4.5 Analysis for a description about how this score is calculated.

7.3 Experience with discrimination

Legal practitioners mainly report that they are impacted by discrimination related to gender (50%) and age (46%), followed by pregnancy or family responsibilities (27%), race, ethnicity, religion or culture (19%), disability or personal health (17%) and sexuality (12%).

A minority have been severely impacted by discrimination relating to gender (5%), age (4%), pregnancy or family responsibilities (4%), race, ethnicity, religion or culture (2%) and disability or personal health (1%).



7.4 Experience with gender discrimination

Around 50% of current practitioners have been impacted by gender discrimination to some degree. 25% have experienced a low impact, 20% a moderate impact and 5% a severe impact.

"The legal profession is terrible for women. The older generation of male lawyers (particularly barristers) are particularly sexist. I was asked during interview as a graduate "whether I was going to have children in the next 5 years", "whether I was okay to wear heels because the standard of dress is important", whether I am a "sulker." There is no flexibility for working mothers whatsoever. I know many people in their early 30s who began transitioning from private firms to other roles in preparation for having kids."

Analysis of Discrimination Impact Scores²³ suggests the following groups are impacted by gender discrimination to a greater degree: females (37), barristers (37),

²³ Please refer to section 4.5 Analysis for a description about how this score is calculated.

legal practitioners who have taken parental leave in the past 5 years (35), those with younger children (34) and younger practitioners (33).

Q. Within the past 12 months, to what extent have you experienced discrimination or unconscious bias in the legal profession due to <u>gender</u> ? Q. [If left the profession] with your most recent experience in the legal profession, to what degree did you experience discrimination or unconscious bias due to gender? Discrimination Impact Score out of 100 ²⁴								
Status			Admitted			Employment Contract		
Actively practising	Left within 1 year	Left within 2-5 years	Last 5 years	6-14 years	15+ years	Full-time	Non-standard	
26	31	31	31	32	21	25	29	
Gender			Age					
Male		Female	34 or younger		35-64	65 or older		
11		37	33		25	8*		
Practice Type								
Barrister	Private (total)	Sole (1)	Small (2-15)	Med (16-40)	Large (41+)	Corp legal	Govt legal	Comm-unity
37	24	24	20	18	31	30	30	25
Have dependent children			Age of children					
No		Yes	0-5		6-11	12-17		18+
27		27	34		28	22		21
Carer type					Parental leave taken in past 5 years			
Primary		Shared	Non-primary		Yes		No	
33		26	15		35		25	

* Older practitioners (65+ years) are least likely to be impacted by gender discrimination (8). However, it must be noted that there was only one female practitioner (4%) versus 23 male practitioners (96%) who responded in the 65+ age group. Given that females are more likely than males to be impacted by gender discrimination, the heavy skew towards males in the older age cohort must be taken into account.

7.5 Experience with age discrimination

Around 46% of current practitioners have been impacted by gender discrimination to some degree. 25% have experienced a low impact, 17% a moderate impact and 4% a severe impact.

²⁴ Please refer to section 4.5 Analysis for a description about how this score is calculated.

Analysis of Discrimination Impact Scores suggests the following groups are impacted by age discrimination to a greater degree: newly admitted (30) and younger practitioners (30), followed by older practitioners (28). Impacts are also higher among those who left the profession within the past year (35) and within 2 to 5 years (29).

Q. Within the past 12 months, to what extent have you experienced discrimination or unconscious bias in the legal profession due to <u>age</u> ? Q. [If left the profession] with your most recent experience in the legal profession, to what degree did you experience discrimination or unconscious bias due to age? Discrimination Impact Score out of 100 ²⁵									
Status			Admitted			Employment Contract			
Actively practising	Left within 1 year	Left within 2-5 years	Last 5 years	6-14 years	15+ years	Full-time	Non-standard		
22	35	29	30	24	20	22	23		
Gender			Age						
Male		Female	34 or younger		35-64		65 or older		
20		26	30		20		28		
Practice Type									
Barrister	Private (total)	Sole (1)	Small (2-15)	Med (16-40)	Large (41+)	Corp legal	Govt legal	Comm-unity	
18	22	20	21	20	24	21	22	20	
Have dependent children			Age of children						
No		Yes	0-5		6-11		12-17		18+
26		21	25		18		15		27
Carer type					Parental leave taken in past 5 years				
Primary		Shared		Non-primary		Yes		No	
20		21		20		22		24	

7.6 Experience with pregnancy and family discrimination

Around 27% of current practitioners have been impacted by discrimination related to pregnancy or family responsibilities. 11% have experienced a low impact, 12% a moderate impact and 4% a severe impact.

Analysis of Discrimination Impact Scores suggests the following groups are impacted by pregnancy and family related discrimination to a greater degree: females (21) and practitioners with dependent children (27), in particular those with children aged 0-5 (42) followed by 6-11 years (28). Impact is also higher among practitioners who work

²⁵ Please refer to section 4.5 Analysis for a description about how this score is calculated.

non-standard hours, such as part-time, casual or on contract (29), practitioners who work in role for Government (24) or corporates (21), those admitted within 6-14 years (28) and practitioners who left the profession within 2 to 5 years (23).

Q. Within the past 12 months, to what extent have you experienced discrimination or unconscious bias in the legal profession due to pregnancy and family responsibilities?

Q. [If left the profession] with your most recent experience in the legal profession, to what degree did you experience discrimination or unconscious bias due to pregnancy and family responsibilities?

Discrimination Impact Score out of 100²⁶

Status			Admitted			Employment Contract		
Actively practising	Left within 1 year	Left within 2-5 years	Last 5 years	6-14 years	15+ years	Full-time	Non-standard	
15	19	23	8	28	14	12	29	
Gender			Age					
Male		Female	34 or younger		35-64	65 or older		
9		21	15		18	3		
Practice Type								
Barrister	Private (total)	Sole (1)	Small (2-15)	Med (16-40)	Large (41+)	Corp legal	Govt legal	Comm-unity
15	14	14	14	10	15	21	24	12
Have dependent children			Age of children					
No		Yes	0-5		6-11	12-17		18+
8		27	42		28	13		9
Carer type					Parental leave taken in past 5 years			
Primary		Shared	Non-primary		Yes		No	
38		19	16		42		11	

²⁶ Please refer to section 4.5 Analysis for a description about how this score is calculated.

8 Flexible work practices (FWP)

While the majority of active practitioners (80%) work on a full-time basis, non-standard working arrangements are in place for 20% of respondents. The breakdown is 15% are employed on a part-time basis, 1% have casual employment and 1% practice on contract or labour hire. 3% have another type of employment arrangement in place.

The profile among non-active practitioners is similar, however, they are less likely to have held a full-time role (5% point variance) and more likely to have worked on a casual basis in their most recent role (3% point variance).

Q. How are you currently employed / engaged in the legal profession? Q. In your last role in the WA legal profession how were you employed / engaged?	Active practitioners	Non-active practitioners
<i>Number of respondents</i>	<i>408</i>	<i>68</i>
Full-time employment	80%	75%
Part-time employment	15%	16%
Casual employment	1%	4%
On contract or labour hire	1%	1%
Other	3%	3%

8.1 Flexible working hours

Around 51% of active legal practitioners had flexible working arrangements in place to work non-standard hours to suit their needs over the past 12 months. A further 15% of active practitioners would have liked to have been able to access this type of arrangement.

Among practitioners who left the profession within the last year, 27% were working non-standard hours in their most recent role. A further 50% wanted to be able to work non-standard hours but were unable to. Among those who left the profession up to five years ago, 35% were working non-standard hours and another 35% wanted to.

Q. Within the past 12 months, have you had flexible working arrangements in place to work non-standard hours to suit your needs?	Active practitioner	Last practiced within 1 year	Last practiced within 2-5 years
<i>Number of respondents</i>	<i>382</i>	<i>26</i>	<i>26</i>
Yes	51%	27%	35%
No, but would have liked to	15%	50%	31%
No, did not need this arrangement	33%	23%	35%

The groups with the greatest access to flexible working hours over the past 12 months (or in their most recent role) were sole practitioners (79%) and practitioners with dependent children, in particular those with primary school aged children (74%), followed by high school aged children (67%) and young children (63%).

Practitioners who worked flexible hours over the past 12 months (or in their previous role if they have left the profession)								
% of respondents								
Status			Admitted			Employment Contract		
Actively practising	Left within 1 year	Left within 2-5 years	Last 5 years	6-14 years	15+ years	Full-time	Non-standard	
51%	27%	35%	34%	50%	56%	47%	71%	
Gender			Age					
Male		Female	34 or younger		35-64	65 or older		
52%		50%	35%		55%	55%		
Practice Type								
Barrister	Private (total)	Sole (1)	Small (2-15)	Med (16-40)	Large (41+)	Corp legal	Govt legal	Comm-unity
60%	50%	79%	48%	55%	39%	50%	59%	68%
Have dependent children			Age of children					
No		Yes	0-5		6-11	12-17		18+
36%		63%	63%		74%	67%		53%
Carer type					Parental leave taken in past 5 years			
Primary		Shared	Non-primary		Yes		No	
67%		66%	50%		63%		47%	

The groups with the greatest unmet needs for flexible working hours over the past 12 months (or in their most recent role) were legal practitioners who left the profession within the past year (50%), followed by newly admitted practitioners (30%), younger practitioners (25%), those who have taken parental leave in the past five years (25%) and practitioners with children aged 0-5 years (24%). Unmet demand for flexible working hours was also higher in large private law firms (23%).

Practitioners with unmet needs for flexible hours over the past 12 months (or in their previous role if they have left the profession)								
% of respondents								
Status			Admitted			Employment Contract		
Actively practising	Left within 1 year	Left within 2-5 years	Last 5 years	6-14 years	15+ years	Full-time	Non-standard	
15%	50%	31%	30%	21%	12%	15%	20%	

Gender			Age						
Male		Female	34 or younger		35-64		65 or older		
12%		18%	25%		17%		10%		
Practice Type									
Barrister	Private (total)	Sole (1)	Small (2-15)	Med (16-40)	Large (41+)	Corp legal	Govt legal	Comm-unity	
10%	18%	7%	19%	10%	23%	18%	11%	9%	
Have dependent children			Age of children						
No		Yes	0-5		6-11		12-17		18+
20%		19%	24%		10%		15%		19%
Carer type					Parental leave taken in past 5 years				
Primary		Shared		Non-primary		Yes		No	
20%		16%		22%		25%		17%	

Demand to work non-standard hours over the next year is high across all groups. Among current practitioners (those working or seeking work), 68% would like to be able to work flexible hours.

The groups with the greatest need for flexible working hours over the next 12 months are practitioners in community organisations (88%), those who work part-time, casual or on contract (86%), practitioners who have taken parental leave over the past five years (84%) and those with dependent children (77%), with demand greatest among practitioners with young children (81%) followed by primary school aged children (79%) and high school aged children (77%).

Practitioners with need for flexible hours over the next 12 months % of respondents							
Status			Admitted			Employment Contract	
Actively practising	Left within 1 year	Left within 2-5 years	Last 5 years	6-14 years	15+ years	Full-time	Non-standard
67%	79%	88%	66%	75%	65%	63%	86%
Gender			Age				
Male		Female	34 or younger		35-64	65 or older	
64%		68%	64%		71%	65%	

Practice Type								
Barrister	Private (total)	Sole (1)	Small (2-15)	Med (16-40)	Large (41+)	Corp legal	Govt legal	Comm-unity
70%	66%	79%	61%	74%	65%	73%	63%	88%
Have dependent children			Age of children					
No	Yes		0-5	6-11	12-17	18+		
61%	77%		81%	79%	77%	75%		
Carer type					Parental leave taken in past 5 years			
Primary	Shared	Non-primary			Yes	No		
79%	78%	71%			84%	65%		

8.2 Working from home on a regular basis

Around 21% of active legal practitioners have flexible working arrangements in place to work from home instead of the office on a regular basis. A further 21% of active practitioners would like access to this type of arrangement.

Among practitioners who left the profession within the last year, 27% could work from home on a regular basis. A further 50% wanted to be able to work from home but were unable to. Among those who left the profession up to five years ago, 12% could work from home and another 46% wanted to.

Q. Within the past 12 months, have you had flexible working arrangements in place to work from home instead of the office on a regular basis?	Active practitioner	Last practiced within 1 year	Last practiced within 2-5 years
<i>Number of respondents</i>	382	26	26
Yes	21%	27%	12%
No, but would have liked to	21%	50%	46%
No, did not need this arrangement	58%	23%	42%

The groups with the greatest opportunity to work from home over the past 12 months were barristers (55%), sole practitioners (52%) and practitioners with children aged 12-17 (37%) and 18+ years (36%). Opportunity increases the longer practitioners have worked in the legal profession. Those who were admitted 15+ years ago have greater opportunity (28%) than those admitted within the past five years (9%). Opportunity was also higher among practitioners who left within the past 12 months.

Practitioners who worked from home on a regular basis over past 12 months (or in their previous role if they have left the profession)								
% of respondents								
Status			Admitted			Employment Contract		
Actively practising	Left within 1 year	Left within 2-5 years	Last 5 years	6-14 years	15+ years	Full-time	Non-standard	
21%	27%	12%	9%	19%	28%	19%	20%	
Gender			Age					
Male		Female	34 or younger		35-64		65 or older	
22%		21%	8%		27%		20%	
Practice Type								
Barrister	Private (total)	Sole (1)	Small (2-15)	Med (16-40)	Large (41+)	Corp legal	Govt legal	Comm-unity
55%	19%	52%	18%	16%	10%	18%	15%	18%
Have dependent children			Age of children					
No		Yes	0-5		6-11	12-17		18+
14%		29%	21%		26%	37%		36%
Carer type					Parental leave taken in past 5 years			
Primary		Shared	Non-primary		Yes		No	
31%		32%	17%		24%		20%	

The groups with the greatest unmet need to work from home on a regular basis within the past 12 months (or in their most recent role) were legal practitioners who left the profession within the past year (50%) or within the past five years (46%), those who had taken parental leave in the past five years (41%), practitioners with children aged 0-5 years (38%), practitioners who work part-time, casual or on contract (37%), those admitted within the last six to 14 years (36%) and last five years (30%), younger practitioners (30%) and females (25%). Unmet demand to work from home was also higher for practitioners in government (41%) and corporate roles (36%).

Practitioners with unmet need to work from home on a regular basis over past 12 months (or in their previous role if they have left the profession)								
% of respondents								
Status			Admitted			Employment Contract		
Actively practising	Left within 1 year	Left within 2-5 years	Last 5 years	6-14 years	15+ years	Full-time	Non-standard	
21%	50%	46%	30%	36%	17%	19%	37%	

Gender			Age					
Male		Female	34 or younger		35-64	65 or older		
13%		25%	30%		24%	10%		
Practice Type								
Barrister	Private (total)	Sole (1)	Small (2-15)	Med (16-40)	Large (41+)	Corp legal	Govt legal	Comm-unity
5%	19%	7%	22%	13%	21%	36%	41%	26%
Have dependent children			Age of children					
No		Yes	0-5		6-11	12-17		18+
24%		28%	38%		30%	22%		15%
Carer type					Parental leave taken in past 5 years			
Primary		Shared	Non-primary			Yes		No
38%		18%	22%			41%		22%

Demand to work from home on a regular basis over the next year is relatively high across all groups. Among current practitioners (those working or seeking work), 44% would like to be able to work from home on a regular basis.

The groups with the greatest need to regularly work from home over the next 12 months are practitioners who left the profession within the past 12 months (75%), those who have taken parental leave over the past five years (61%), primary carers (58%) and those who work in a legal role with the government (56%).

Practitioners with need to work from home on a regular basis over the next 12 months							
% of respondents							
Status			Admitted			Employment Contract	
Actively practising	Left within 1 year	Left within 2-5 years	Last 5 years	6-14 years	15+ years	Full-time	Non-standard
43%	75%	50%	49%	50%	39%	42%	52%
Gender			Age				
Male		Female	34 or younger		35-64	65 or older	
37%		47%	46%		46%	29%	

Practice Type								
Barrister	Private (total)	Sole (1)	Small (2-15)	Med (16-40)	Large (41+)	Corp legal	Govt legal	Comm-unity
50%	42%	52%	38%	42%	44%	45%	56%	47%
Have dependent children			Age of children					
No		Yes	0-5		6-11	12-17		18+
42%		51%	54%		47%	53%		54%
Carer type					Parental leave taken in past 5 years			
Primary		Shared	Non-primary			Yes		No
58%		50%		37%		61%		43%

8.3 Working from home on an ad hoc basis

Around 54% of active legal practitioners have flexible working arrangements in place to work from home instead of the office on an ad hoc basis. A further 19% of active practitioners would like access to this type of arrangement.

Among practitioners who left the profession within the last year, 31% could work from home on an ad hoc basis. A further 50% wanted to be able to work from home but were unable to. Among those who left the profession up to five years ago, 31% could work from home and another 38% wanted to.

Q. Within the past 12 months, have you had flexible working arrangements in place to work from home instead of the office on an ad hoc basis?	Active practitioner	Last practiced within 1 year	Last practiced within 2-5 years
<i>Number of respondents</i>	382	26	26
Yes	54%	31%	31%
No, but would have liked to	19%	50%	38%
No, did not need this arrangement	27%	19%	31%

The groups with the greatest access to work from home on an ad hoc basis are sole practitioners (83%), barristers (75%), in-house corporate lawyers (73%), practitioners with dependent children, in particular those with high school aged children (73%), practitioners aged 35-64 years (61%) and those admitted over 15 years ago (63%).

Practitioners who worked from home on an ad hoc basis over the past 12 months (or in their previous role if they have left the profession)								
% of respondents								
Status			Admitted			Employment Contract		
Actively practising	Left within 1 year	Left within 2-5 years	Last 5 years	6-14 years	15+ years	Full-time	Non-standard	
54%	31%	31%	27%	52%	63%	53%	51%	
Gender			Age					
Male		Female	34 or younger		35-64		65 or older	
58%		52%	31%		61%		45%	
Practice Type								
Barrister	Private (total)	Sole (1)	Small (2-15)	Med (16-40)	Large (41+)	Corp legal	Govt legal	Comm-unity
75%	52%	83%	43%	61%	51%	73%	44%	50%
Have dependent children			Age of children					
No		Yes	0-5		6-11	12-17		18+
41%		62%	56%		67%	73%		66%
Carer type					Parental leave taken in past 5 years			
Primary		Shared		Non-primary		Yes		No
60%		64%		58%		54%		51%

The groups with the greatest unmet needs to work from home on an ad hoc basis were legal practitioners who left the profession within the past year (50%), followed by those who left the profession within the past five years (38%), newly admitted practitioners (39%) and younger practitioners (34%).

Practitioners with unmet needs to work home on an ad hoc basis over the past 12 months (or in their previous role if they have left the profession) % of respondents							
Status			Admitted			Employment Contract	
Actively practising	Left within 1 year	Left within 2-5 years	Last 5 years	6-14 years	15+ years	Full-time	Non-standard
19%	50%	38%	39%	26%	12%	18%	26%

Gender			Age						
Male		Female	34 or younger		35-64		65 or older		
13%		22%	34%		18%		10%		
Practice Type									
Barrister	Private (total)	Sole (1)	Small (2-15)	Med (16-40)	Large (41+)	Corp legal	Govt legal	Comm-unity	
0%	20%	3%	24%	10%	25%	18%	22%	18%	
Have dependent children			Age of children						
No		Yes	0-5		6-11		12-17		18+
25%		21%	25%		21%		13%		15%
Carer type					Parental leave taken in past 5 years				
Primary		Shared		Non-primary		Yes		No	
20%		18%		28%		25%		21%	

Demand to work from home on an ad hoc basis over the next year is relatively high across all groups. Among current practitioners (those working or seeking work), 74% would like to be able to work from home on an ad hoc basis.

The groups with the greatest need to work from home on an ad hoc basis over the next 12 months are practitioners who left the profession within the past five years (88%) and the past 12 months (83%), practitioners in corporate roles (86%) or in large, private firms (82%), and those with dependent children (80%) and shared primary care (84%).

Practitioners with need to work from home on an ad hoc basis over the next 12 months							
% of respondents							
Status			Admitted			Employment Contract	
Actively practising	Left within 1 year	Left within 2-5 years	Last 5 years	6-14 years	15+ years	Full-time	Non-standard
73%	83%	88%	71%	80%	73%	72%	80%
Gender			Age				
Male		Female	34 or younger		35-64	65 or older	
70%		76%	72%		76%	71%	

Practice Type								
Barrister	Private (total)	Sole (1)	Small (2-15)	Med (16-40)	Large (41+)	Corp legal	Govt legal	Comm-unity
70%	73%	79%	65%	74%	82%	86%	67%	76%
Have dependent children			Age of children					
No	Yes		0-5	6-11	12-17	18+		
71%	80%		79%	83%	79%	81%		
Carer type					Parental leave taken in past 5 years			
Primary	Shared	Non-primary			Yes	No		
79%	84%	71%			80%	73%		

8.4 Challenges with flexible work practices (FWP)

Respondents were asked to describe any challenges experienced or observed with flexible working arrangements and how these challenges could be addressed. 163 respondents provided a response. While 20% of respondents shared that they had not experienced or observed any challenges, 80% had. The main challenges with FWPs are:

- Workplace culture
- Client expectations
- Urgency, type and volume of work
- The court system
- Access to technology and resources
- Accessing and managing people remotely
- Partners or senior managers don't follow policy
- Stereotypes
- Stigmas
- Lack of trust

8.4.1 Workplace culture

Workplace culture and expectations need to change around FWP. Some of the difficulties experienced or observed with FWPs include expectations to have a physical presence in the office, to work long and demanding hours and to meet unrealistic targets.

“Leadership at the top levels is necessary to promote a flexible yet efficient working culture.”

There is an expectation to be present in the office.

“Employer still wants to see a body on a chair in an office meeting billable targets between 9am and 5pm. The mentality will not change. The perception has not changed and it will not change.”

"My experience has been that you can have the best policies in place, but how they are implemented, supported and lived by management is critical. Even with the ability to work flexibly provided for in policy, some leaders/manager will simply not allow it in the legal profession, still working under the outdated view that one must be in the office at all times!"

"It's difficult to work from home as a junior lawyer when you need to be present and part of a deal team / need to be able to quickly ask for assistance / settle work."

"Supervising junior staff cannot be done as effectively unless we share space."

"Being allocated the work in the first place (when working from home) is a challenge for a legal practice. If I wasn't physically present in the office I would not be given a consistent level of work. I've experienced this in 3 different firms. Better planning is required in relation to the particular job, in order to allocate tasks to appropriate people, whether they are physically present in the office or not."

"I often work from home. The reason is to share properly caring for our family, and support my wife who is highly capable and has her own career which I want to support. While I work hard and perform well in cases, there is constant feedback about being (physically) absent from the Bar."

"Before getting pregnant I received comments such as "don't get pregnant, or if you do you we will need to put a cot in the corner of your office." I had a boss who boasted about going into labour on a Friday and being back at work on the Monday."

There is an expectation to work long and demanding hours.

"Because firms are not required to pay by the hour - you end up being enslaved."

"The work is considered more important than the person; regardless of parenting or personal commitment, expected to drop everything and work out of hours."

"Inability to separate work/home life. Staff expect you to be available even when you are not in the office. Personal barriers need to be established and communicated to others."

"In my view, flexible working arrangements work against women in particular - who tend to be paid part time wages for full time work. Technology means that all people are contactable at all times - I often work at nights and on weekends answering phone calls or e-mail queries and it is very clear that there is an expectation on me to do so from my supervisors."

"Having people unavailable to discuss urgent matters they have knowledge of when they are not in the office due to the flexible arrangement. People must be contactable even if they are away from the office on a flexible arrangement."

"Inflexible, with certain demands for early video conferences (0500am) which could not be changed due to international time changes."

There is an expectation to meet unrealistic targets.

"Working 0.8 PT but still working 40+ hours per week to meet financial targets plus finding time for training (self) and mentoring and business development."

“Bizarrely, allegations of not meeting pre reduced hours costs targets were made despite reduced hours. No alternative support roles were offered prior to termination.”

8.4.2 Client expectations

High and growing expectations from clients for lawyers to be available 24/7 are an impediment for flexible working arrangements.

Some legal practitioners are learning to overcome this barrier by pushing back; by managing and helping to re-set their clients' expectations.

“Law is a demanding profession, client expectations are increasing and most work pressure(s), inappropriate comments and attitudes that I have experienced have come from clients, not those (including employers) in the profession.”

“Unfortunately the main issue is unreasonable client expectations coupled with high stress dealing with onerous but important professional standards and obligations.”

“The expectation of client[s] are that their lawyers work unrealistic hours and are therefore always available to client[s].”

“The main challenge that I have experienced is from clients who are resistant to the idea that I am not available 5 days a week. It is very difficult to manage their expectations but also personally challenging to "push back" when a client eg requests a meeting on a non-working day or the like. The other main challenge is work related travel and the requirements to do that on non-working days and the juggle that it requires of all home matters!”

“Our office has flexible working arrangements for parents returning from maternity leave or with ~~and with~~ school age children. The school time hours work reasonably well. The return to work with only 2 days in the office does not work so well mainly due to client expectations.”

“Technology means that all people are contactable at all times - I often work at nights and on weekends answering phone calls or e-mail queries and it is very clear that there is an expectation on me to do so from my supervisors. I have deliberately avoided undertaking any obvious parental role - e.g. leaving to pick my children up from school - as I know this would be allowed ~~by~~ or] perceived as slacking off. The only way I have seen to avoid these problems is to train clients that 24/7 hours are not acceptable and that all legal services, like other services, should be provided at reasonable times. Clients also need to be trained that urgent really needs to mean urgent - if it is genuinely urgent, it should be the exception and lawyers can work to meet that deadline. In all other circumstances, if the matter can wait, the client needs to understand that their lawyer will deal with it at the first available opportunity.”

8.4.3 Urgency, type and volume of work

Excessive workloads or the type of work being done make it difficult to embrace FWP's or when FWP's are in place to work within the terms.

“Flexibility helps but doesn't change the volume of work.”

“The issue wasn't whether flexible work arrangements were available. The issue was the sheer volume of work to be done regardless of your availability to do it.”

"In a national firm, working with interstate partners and clients, or with overseas clients in other time zones, is very difficult in a flexible arrangement. This requires a level of client management which is not often taken by senior leadership and partners."

"My centre is very supportive of flexible hours but the service we provide to the community means that it is difficult to work from home on a regular basis."

"Because of the heavy workload we have as Aboriginal Legal Service of WA, flexible working arrangements would be hard because it requires other staff members to cover any gaps in the daily regime for others when [yet] everyone is already drowning."

"The challenges with a flexible working arrangement in a small firm like ours [is #] that we do not control the work flow and most of the work that comes in is urgent. Any attempt to work less than full time can come unstuck if there is urgent work to be done. I haven't yet come up with a solution."

"Working from home on my days off due to workload pressures."

"I would like to work part time but the problem I see in my office is part timers trying to manage a full time workload."

"Appropriate arrangements should be made to assist those who remain in the office while a person takes parental or other extended leave. This may involve a frank discussion with all who are affected. Where a party is not working on a full time [basis] and has flexibility, there should be a frank discussion leading to an agreement on the realistic sharing of home duties so that the party working flexibly is not unduly stressed and unreasonable pressure is not placed on others in the workplace."

8.4.4 The court system

The lack of flexibility in the court system is a key barrier for flexible work practices. It's also felt that the courts are more accommodating of working mothers; but less flexible with working fathers and those who do not have children.

"I can't have flexible working arrangements entirely due to the court sitting hours being basically fixed!"

"These are not available if you are in the Court environment it is inflexible."

"Once you are in court, there is no such thing as flexibility, for anything."

"Court availability and preparation for significant deadlines (i.e. trial, hearings and filing deadlines)."

"Being a government lawyer with court commitments regularly does not allow for flexible working arrangements especially when the bench has expectations that lawyers be in attendance whenever they request despite personal circumstances. Workloads also do not cater for reduced hours."

"It is extremely difficult to address these issues just within our profession. Criminal law is 24/7 and school hours don't really exist in this job. There would need to be a

change in the school system too to accommodate children starting or finishing earlier so that we could get to court for 9am.”

“No accommodation of, for example, peaks in litigation cases and inflexible deadlines set by Tribunals and courts. Instead a lawyer’s duty to the court results in long hours - generally unpaid. At government lawyers pay. Instead of allowing persons to recoup that down time when work load might ease off there is an expectation you will accommodate other areas experiencing high workload or carry out duties necessarily neglected during peak times. It is personally unsustainable, amounts to exploitation, and wholly inconsistent with the values espoused by the organisation which do not translate to practice.”

“The notion that being able to work from home, or even work non-standard hours, can only go so far. Yes, it can be great for lawyers who do transactional work, drafting work or other work. However, as a barrister the area where flexible work arrangements are lacking is being suitably accommodated by the various Courts. It is true that most Courts will try and accommodate counsel’s availability to some extent. However, there is a tension between being available and parenting obligations. Take, for example, a situation where a barrister (or indeed any lawyer) cannot work Wednesdays because owing due to a lack of day-care availability or family to care for a child. That person may be happy to refuse briefs to appear on a Wednesday. However, it means that person also must refuse to accept a brief if any of the following are true:(a) the matter is a trial lasting 3 or more days in duration; (b) the matter is a trial lasting two or less days, but does not have a fixed start time and is in a rolling list (as is often the case in the Family Court); (c) any matter where there is any risk that the trial may ‘spill’ into a third day; The reality is, such a scenario effectively disqualifies a person - in this example a barrister - from accepting most trial briefs. Similar situations arise where, again particularly in the Magistrates Court, hearings do not commence on time due to over-listing. That often results in hearings running late, sometimes well after 4.15pm. It is difficult for a practitioner - when the Court is obviously working hard trying to complete a case to be able to rise to indicate that they are late for a parenting commitment. Other examples are rife, particularly where the Court fixes short time frames for responses - without regard for parenting commitments. The general attitude seems to be that people must just ‘get on with it’.”

“Fitting court responsibilities around flexible working arrangements can be tricky. If it works it’s because colleagues are equally skilled and committed to the arrangement so you can all flexibly swap client files between each other to cover court dates/MOs etc.”

8.4.5 Access to technology and resources

Poor access to technology and efficient collaboration tools is a barrier for flexible work practices. As technology improves, this barrier is expected to reduce.

“Better collaboration tools reduce isolation and improve teams operating remotely.”

“Technology is a barrier for me - to replicate my set-up in the office, I’d have to purchase my own docking station and dual screens for home, and I’m not willing to do this.”

To work safely and efficiently from home, legal practitioners want employers to invest in home office set ups, with provision of mobile phones, computers, laptops, docking

stations, dual screens, web based interface, digital collaboration tools, remote access to files, IT support and fast, reliable internet access.

“Not having an adequate home office set up causes outlays. It wouldn't cost much to assist employees to work comfortably from home.”

“Reliability of cellular service at home (required to access VPN).”

“Our network is very slow to use from home....makes working from home very difficult for my particular role.”

“A good stable remote portal is essential which is not always the case at my work. More investment in IT and web based interface will help.”

“Sometimes it is more difficult to access file information or focus, and things are missed. Sometimes it is slower with remote access. Technology as it improves will assist.”

“Good IT support and provision of work laptop etc.”

“Increase funding to the community legal sector and our centre could allow for systems to be put in place to allow staff to work from home more (ie work mobile phones so we do not call clients from personal numbers etc).”

In addition to improving remote access, some employers need support to embrace digital document storage within their organisation to improve their readiness for FWP's.

“My workplace is still reliant on paper copies of documents and files - this can make working from home impractical.”

8.4.6 Accessing and managing people remotely

People with direct reports can find it difficult to work remotely and manage their teams effectively. They feel that supervision and training is best provided on a face to face basis.

“Too many people report to me for this to be effective on a regular basis. I need to have regular face to face conversations.”

“If you are the director of a small firm, you need to be there so impossible to have lower workload or flexible arrangements.”

“Motivation and accountability. Also, the need to supervise on-site staff in a small firm is an impediment to working out of the office on an extended basis.”

“People often want the reassurance of being able to come and speak to you about issues in person-for whatever reason they would rather do this than ring. Maybe greater use of video conferencing on the computer is a remedy etc.”

“I manage a large number of people, as well as a large legal practice and associated in-house client relationships. As a result, it is difficult to apply flexible working arrangements to the job that would have me out of the office and not personally present. However, when needed for family reasons, I can and do work from home without a problem. It would be a problem if I needed to do it regularly.”

“...very junior lawyers also learn far more being present in an office working side by side more senior lawyers - that is not to say they should not be able to work flexibly on an ad hoc basis or if their personal circumstances warrant this (and the same for PAs).”

On the flipside, subordinates can find it is more difficult to access their manager, and to make time sensitive decisions, when their manager is not physically present in the office.

“My manager is good but never accessible in person due to their remote and flexible working so even though the firm has an open door attitude I cannot interact with someone who isn't available.”

“Find it difficult when others, especially management, work from home. Front line contact with clients and time sensitive work means that management needs to be available to make quick and important decisions.”

8.4.7 Partners or senior managers don't follow policy

In some cases, the firm, company or organisation may support FWP and have excellent policies in place, but individual partners or line managers do not support these policies or practices.

“The firm may provide flexible working arrangements but if they are not fully supported on all levels particularly across partnership, it is pointless. There is still bullying of those who engage in flexible working, other than if they are partners themselves.”

“Whilst workplaces can have fantastic policies regarding flexible working arrangements, it's how they're implemented and supported by senior managers which makes all the difference.”

“Supervisor is not in step with the agency which itself encourages working from home on a regular and ad hoc basis.”

8.4.8 Stereotypes

Access to FWPs is being denied to some legal practitioners due to stereotypes that it is only working mothers who require flexible working arrangements.

“The only observations I would make from a personal perspective is that it appears that flexible working arrangements are well received where it is a female at any level however when it is a senior executive role held by a male it is not accepted with the same degree of readiness and there is more "push back" from the line manager.”

“For senior lawyers, there is a lower take up rate for flexible practices for male lawyers with families. There is also a lack of firm role models in these arrangements or who work non-standard hours.”

“Flexibility arrangements are there [is if] your need is based on being pregnant but not for other carer's needs.”

“My husband was also in law and was back in the office 3 days after our daughter was born while I was still recovering from a c-section in the hospital. This is despite

him having taken 3 weeks annual leave from work. His boss had approved the leave but was not willing to cover for him, nor arrange anyone else to."

"Supporting men having flexibility supports women having flexibility as the role for caring is then shared and not burdensomely placed on your partner. My previous employer in Victoria advertised flexibility but provided none. My late nights and inability to work even the slightest shift to my [standard] hours was met with a statement that it would set a bad precedent for the office. I was a new dad too so that placed a large burden on my wife as we couldn't share the duties together. I now work in WA at an amazing employer who understands the need and importance of/for flexibility. Somehow we need to change the 'norm'. It's not only women who care for their kids."

"Only certain employees are afforded these arrangements, whilst others' requests for the same arrangements are rejected. Streamlined policies are required in relation to flexible working to make it accessible to others. In my experience with a number of firms, my requests have never been taken seriously, for example, when I requested to start my work day an hour earlier (7:30am) and finish an hour earlier (4:30pm)."

"...there is also a developing discrimination against males who have parenting commitments. Anecdotal experience suggests that a Court will always be more accommodating of a female practitioner who indicates that something would clash with parenting commitments than they will of a male. There seems to still be an attitude that males should have people to look after children for them. It is possible that is an aspect of the same sort of bias that operates against women receiving the same level of work that men receive."

"Unless a prosecutor has children, I felt there was simply no scope for management to allow any flexibility."

"The arrangements also need to be extended to anyone - not just parents - anyone seeking flexibility to accommodate external responsibilities and needs. And they need to be accessed equally by men. So they're not just seen as a niche accommodation to women. Otherwise it just continues to embed damaging gender stereotypes."

"Flexibility in the workplace and the idea it sets a bad precedent to allow for it when you are a junior solicitor."

"It feels like positive discrimination in favour of women with children for support and promotion even though many of them have family and nannies to help out and have partners who have high earning jobs too and live in Perth's leafy western suburbs. It is propagating a cycle of privilege that is not reflective of the socioeconomic and cultural diversity of the legal profession and is an unspoken problem for clients."

8.4.9 Stigmas

Unfairly, legal practitioners who work with FWP's can be perceived to be slack, lazy and not pulling their weight. Those with FWP's can be regarded with "deep suspicion" and to feel a need to continually justify their commitment, worth and value.

"General negative perception within the profession towards remote and flexi working."

"There are some potentially negative "optics" associated with working from home."

"Flexible working arrangements were not even considered. In bringing them up you were met with statements that had the implication that you were lazy or not committed to your job enough."

"Senior people being closed to the idea of flexibility. Resistance to innovative practices."

"It is a trust-based system. The majority of people are hard working and work just as effectively from home but there are some exceptions. As a result, there may be an assumption that you are slack or lazy if you request these arrangements unless you have children or caring responsibilities."

"Whilst workplaces can have fantastic policies regarding flexible working arrangements, it's how they're implemented and supported by senior managers which makes all the difference. It's all very well to say a firm supports part timers; but then there's kick back from a partner if the part timer leaves at their agreed time (eg for school pick up etc). It then encourages others to think the part timer isn't pulling their weight etc."

"These work quite well in the team I am in but are regarded with deep suspicion by [the] many of the other partners."

"The greatest challenge is convincing colleagues that working from home is a valid use of work time."

"I have known staff constantly to have to justify working from home instead of the office, having to prove they will be as productive and profitable and contactable while working from home."

"Despite managing an entire team of part time working mothers, who met or exceeded our KPIs each year, there was ongoing judgment and we were never good enough. There was no option for promotions despite excellent performance."

"I had 'some' flexibility but it was highly controlled and monitored by the firm and senior staff members did not agree with it and I constantly had to justify my existence and work output because I was not in the chair in the office."

"General reluctance to adopt flexible work - reason seems to be client needs immediate access but with technology this is not an issue."

"Working from home on a regular basis generally not supported without jumping through a lot of hoops, some are genuine, some I suspect are roadblocks to discourage it."

"There is a reluctance to allow this as being out of the office is equated to not working, however in my experience I am far more efficient when I work from home as you cannot be as readily interrupted and you can manage different responsibilities, such as children, without the guilt of being absent. Employers need to change their perspective and realise that productivity is improved with happy workers who feel they have balance and are supported."

"Flexible work arrangements need to be determined on a case by case basis - the point is that they should not be considered in a negative way or as indicating a person's lack of commitment to a role or productivity - or interest in promotion."

8.4.10 Lack of trust

Employers may be reluctant to support flexible working arrangements due to a lack of trust, understanding or belief that FWP's are feasible.

"I think the lack of flexibility is due to a distrust of change or new ways of working."

"Lack of trust and willingness of most senior managers to extend these arrangements to other staff."

"Management at my office needs to be reassured that people who are seeking to work from home will be able to do their work. They should have more trust and confidence in the solicitors they employ. I was able to work very flexibly on a contract arrangement while on maternity leave, but once that leave ended there was very little flexibility."

"I worked under a flexible arrangement when an employed solicitor. Such arrangements can work very well for solicitors, including men, provided there is a focus on mutual flexibility and trust."

9 Parental leave

Parental leave is the main reason for taking extended leave (21%), followed by travel (10%) and a career change (6%). Only a small proportion have taken study leave (3%), sick leave (2%) or carer's leave (1%). Around 3% have taken time away due to unemployment.

Q. Have you ever taken an extended period of time away from the legal profession for any of the following reasons? Base: Active practitioners	
<i>Total number of respondents</i>	404
Parental leave	21%
Travel	10%
Career change / work in a non-legal position	6%
Unemployment	3%
Study	3%
Sick leave	2%
Carer's leave	1%
Other	3%
None of these – never taken time away from the legal profession	59%

9.1 Awareness of parental leave entitlements

All employees who have worked for their employer for at least 12 months are entitled to 12 months of unpaid parental leave when a child is born or adopted. However, only 76% of practitioners are aware of these parental leave entitlements.

Awareness is higher among practitioners with dependent children (85%), females (82%) and practitioners aged 35 to 64 years (81%). Awareness is lower among males (69%), newly admitted practitioners (62%), and those aged 34 or younger (68%) or 65+ years (65%).

9.2 Take-up of parental leave

Around 21% of active practitioners have taken parental leave. Parental leave is predominantly taken by females. Around 33% of females have taken parental leave, compared to 3% of males.

Q. Have you ever taken an extended period of time away from the legal profession for the following reasons? Base: Active practitioners	All	Male	Female
<i>Total number of respondents</i>	404	156	247
Parental leave	21%	3%	33%

Among active practitioners, 14% had taken parental leave over the past five years. Around 8% had taken parental leave once over the past five years, 6% had taken parental leave twice and 1% had taken parental leave three or more times.

Q. On how many occasions have you taken parental leave over the past 5 years? Base: Active practitioners, excludes no response	
<i>Total number of respondents</i>	<i>399</i>
Never	86%
Once	7%
Twice	6%
Three or more times	1%

In some cases, legal practitioners have had very positive experiences.

A participant in the in-depth interviews discussed how she had a very open minded and supportive boss. She was interviewed for a legal role by a panel when she was eight months pregnant and she got the job. She attributes her success to her boss being highly intellectual, very good at reading people and willing to stand up for and protect his people. They were happy for her to commence the role after completing six months parental leave. Initially, she returned to work two days per week, then increased to three days, then four days. They were very supportive of flexible hours. The organisation was happy to support a further year of parental leave with her second child, and to repeat the re-entry to the workforce starting with two days, then three, and four days again.

9.3 Paid and unpaid parental leave

There were 56 respondents in the survey who had taken parental leave and shared information about their paid and unpaid leave.

Among practitioners who had taken parental leave, a majority (71%) accessed paid parental leave. The breakdown was 29% received no paid leave, 32% received up to 3 months, 29% received 3 to 6 months, 9% received 6 to 12 months and 2% received over one year of paid parental leave.

In total, considering total paid and unpaid leave, 27% received up to 3 months leave, 13% received 3 to 6 months leave, 34% received 6 to 12 months leave, 23% received 1 to 2 years and 4% received just over two years of parental leave. The maximum amount of parental leave cited was 110 weeks.

On average, practitioners took 43 weeks parental leave; 12 weeks was paid leave and 31 weeks was unpaid leave.

Paid and unpaid parental leave taken	Paid	Unpaid	Total
Base: Respondents who have taken parental leave			
<i>Total number of respondents</i>	<i>56</i>	<i>56</i>	<i>56</i>
None	29%	29%	-
1-13 weeks (up to 3 months)	32%	13%	27%
14-26 weeks (3 to 6 months)	29%	41%	13%
27-52 weeks (6 to 12 months)	9%	18%	34%
53-104 weeks (1 to 2 years)	2%	0%	23%
105+ weeks (over two years)	0%	0%	4%

9.4 Participation in CPD while on parental leave

Around 43% of practitioners who have taken parental leave participated in continuing professional development (CPD) while on parental leave. A further 14% didn't take part, but would have liked to.

Q. Did you participate in continuing professional development (CPD) activities while on leave? Base: Practitioners who have taken parental leave	
Total number of respondents	63
Yes, participated in CPD	43%
No, but would have liked to	14%
No, didn't feel a need for this	43%

"We could take babies along to CPD sessions while on paternity leave or participate remotely by video conference."

9.5 Engagement with colleagues while on parental leave

Around 67% of practitioners who have taken parental leave maintained regular contact with their colleagues while on parental leave. A further 21% didn't take part, but would have liked to.

Q. Did you maintain regular contact with your colleagues while on leave? Base: Practitioners who have taken parental leave	
Total number of respondents	63
Yes, maintained regular contact	67%
No, but would have liked to	21%
No, didn't feel a need for this	13%

"We were encouraged to visit the workplace with babies while on leave to say hello and stay in touch. It helps to strengthen bonds between colleagues and to foster a positive workplace environment."

9.6 Challenges with parental leave

Respondents were asked to describe any challenges experienced or observed with parental leave and how these challenges could be addressed.

The main challenges with parental leave are:

- Lack of a parental leave policy or entitlement for paid parental leave
- Managing the impact of parental leave on other team members

A challenge was also shared in relation to the Legal Practice Board (LPB). They would like the LPB to allow for people on parental leave to maintain their practising certificate for the period of unpaid leave without penalty or cost and to allow for sole practitioners to take leave and for the insurance premiums to reflect part time working.

9.6.1 Lack of a parental leave policy or entitlements

The main challenge with parental leave relates to employers not having a parental leave policy with paid parental leave, not implementing the policy consistently or not extending the policy to cover fathers, same sex couples or egg donors.

There is no or limited access to paid parental leave:

“The firm I worked at when I had both children did not have a written parental leave policy. This may have changed.”

“No paid parental leave at workplace for lawyers.”

“No paid parental leave from law firm.”

“When I had my second child I was only working 2 days a week and I had to go on early maternity leave due to a serious complication and I got no parental leave at all because I had not worked at the firm long enough.”

“We had to dip into our savings heavily to support us while I was on unpaid leave. Clearly the gold standard (and the economically smart option) is to provide fully paid parental leave, as some of the mining and other large companies do. 18 weeks seems to be the best you can get in a law firm at the moment.”

“The first is that it only applies to employees. Sole practitioners or barristers do not have access to a parental leave scheme or something even approaching a parental leave scheme. For a sole practitioner or barrister to take parental leave - they are essentially giving up their practice and will need to 'start again' when they return from parental leave. It simply is not feasible.”

“Obtaining a maternity leave payment from work. I do not qualify for the Gov payment and my contract did not have any provision for a payment. I had to forgo a salary review for maternity leave.”

“No paid parental leave in our firm, and there is an income cap on the government paid parental leave.”

“I received no paid parental leave. It was difficult financially to go from having 2 full time wages to only having one, plus the government parental leave at minimum wage for 4.5 months. This also affected my confidence as I had gone from always earning my own money to being financially dependent on my husband. Dealing with Centrelink to arrange the parental payments was also a nightmare and very delayed. I was not paid by my employer or the government on my first round of leave because I was not a citizen. My employer offered no leave pay for my second child and I relied on 18 weeks of government pay, which is minimum wage. I felt rushed to go back to work to earn money, as well as ensure the profession didn't think I wasn't reliable anymore.”

“As the primary income earner, it was not practical to take unpaid leave.”

“Taking parental leave for my first child was fine, as I was working full time when I went on leave. However, when I had my second child I was only working 2 days a week and I had to go on early maternity leave due to a serious complication and I got no parental leave at all because I had not worked at the firm long enough. This was

because I refused to accept my previous employer's insistence that I return full time after my first child."

"I returned to work very quickly following 3 months of maternity leave so as not to jeopardise my career. There were also financial considerations - I am the breadwinner in my house and I was not paid during that time by my employer. Employers need to recognise the importance of paying people whilst on parental leave in order to encourage them to stay in the job."

There are specific challenges with parental leave policies in small firms:

"Employer not offering any paid parental leave or superannuation top up on the basis that "I am a small business, I cannot afford to".

"I appreciate that it is really difficult for small employers to pay full pay during maternity leave periods, but I think it is an important investment into the employee. I would be happy to discuss a bond (for a period of time to ensure I remain with the firm) or any other arrangements. I am concerned about my files - workload coming back in, and what flexible arrangements can be made after maternity leave. I am also concerned about how long I can reasonably have off in the absence of these matters (mostly financial)."

There are also specific challenges with parental leave policies for fathers, same sex couples and donors:

"Lack of access to parental leave for fathers provides a barrier to mothers returning to work."

"Parental leave is outdated. It should be more flexible in design, for instance, allowing the secondary care giver to take unpaid leave to share the load and allow the primary care giver a more balanced role. Or allow leave that would close the gap between 'primary' and 'secondary' care givers."

"Fathers are unable to access the same leave entitlements and flexible work arrangements as mothers, when their partners have chosen to return to work."

"Men are not expected to take any parental leave or, if they do (eg, one or two weeks), then only as part of their annual leave. This requires a culture change, which is already slowly happening."

"No policies in place for catastrophic situations, medical emergencies etc. No consideration for same sex couples and egg donors."

9.6.2 Managing impact of parental leave on other team members

The impact of parental leave can be detrimental on partners, managers and team members. Clients and workflow need to be maintained for when the lawyer who is on parental leave returns to work, however, it can be difficult to find lawyers with the required specialisation or who are happy to work on a 12 months contract to cover their workload while they are on leave. This means that their colleagues must carry a heavier load. These impacts appear to be greater in smaller firms.

"We have supported all our employees, and transitioned them well back into work afterwards. But someone has to make up for all that lovely flexibility, and that someone is me."

“My work place is very accommodating to those with parental responsibilities, at times to the detriment of those who don’t.”

“It is very difficult for very small firms to accommodate any form of extended leave.”

“In a small team of busy lawyers having one go on parental mean may make it difficult for the other lawyers in the team as it is not in a specialised area always possible to cover the gap with a suitable replacement.”

“In a small firm for a reasonably senior practitioner with a solid practice to take 12 months leave and then return to work can create problems in terms of keeping enough work flow to be able to keep the practitioner meaningfully busy when they return to practice without burning out the practitioners who keep working.”

“Appropriate arrangements should be made to assist those who remain in the office while a person takes parental or other extended leave. This may involve a frank discussion with all who are affected. Where a party is not working on a full time [basis] and has flexibility, there should be a frank discussion leading to an agreement on the realistic sharing of home duties so that the party working flexibly is not unduly stressed and unreasonable pressure is not placed on others in the workplace.”

“From an employer perspective in a small practice, when senior lawyers take parental leave it is difficult to fill their position on a temporary basis. We promoted other lawyers from within the firm during the parental leave period to fill the gap, but that caused difficulties for the lawyer returning from parental leave feeling as though their role had been replaced. Not sure there is a ready supply of senior lawyers wanting to fill temporary roles and for a small practice it is difficult to tread water for a year whilst a senior lawyer is on parental leave.”

“We have granted extended leave and left open a position for unrelated reasons (opportunity to work/travel overseas) but it is very detrimental to the smooth efficient running of the business and significantly increases the personal stress and workload on the firm principals to hold open a position and find and/or train someone else who we can then no longer offer employment to as there is insufficient work for two persons ... there are few mid-level lawyers willing to take on 1 year contracts in any event.”

“As a small business it is difficult to obtain cover for the person who is off for 12mths parental leave. It means that other staff have to pick up their work essentially, as our area of work does not really lend itself to short term contracts.”

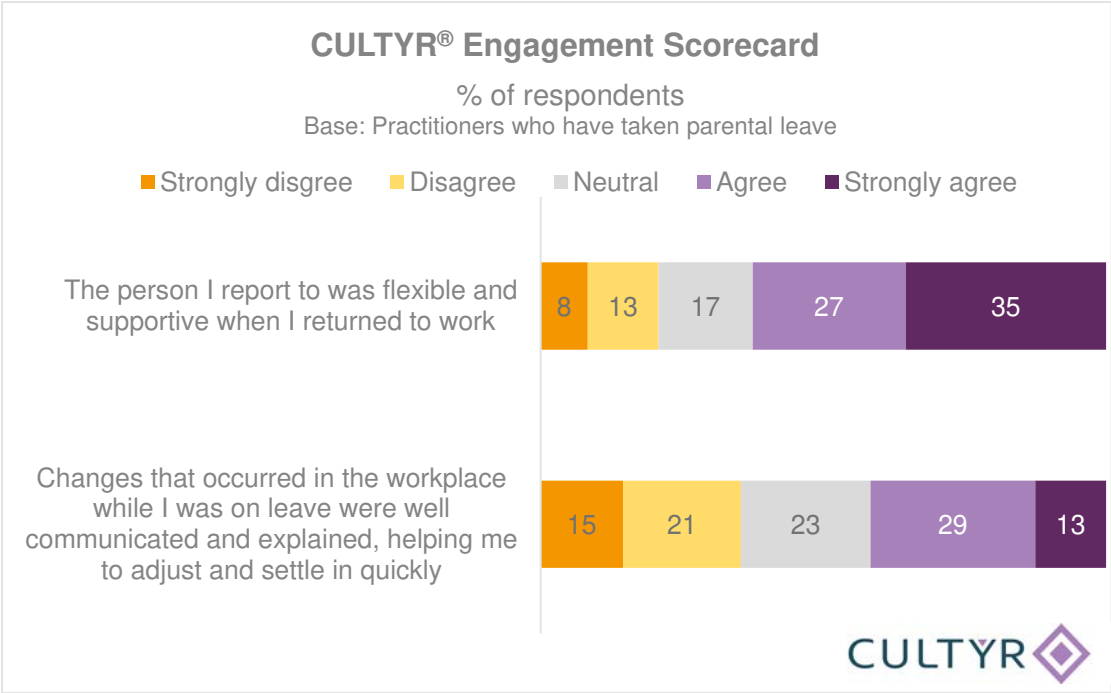
9.7 Returning to work after parental leave

After taking parental leave, a majority of practitioners (78%) returned to the same workplace. A further 19% didn’t, and 3% were still on parental leave when the survey was completed.

Q. After your parental leave ended, did you return to the same workplace?	
Base: Practitioners who have taken parental leave	
<i>Total number of respondents</i>	63
Yes	78%
No	19%
Still on parental leave	3%

Those who returned to the same workplace mostly agreed (63%) that the person they reported to was flexible and supportive when they returned. However, 21% felt their manager was not flexible or supportive. A further 17% shared that their experience was neither positive nor negative.

There were communication challenges when practitioners returned from parental leave. While 42% had positive experiences with communication, 36% found that changes that occurred in the workplace while they were on leave were not well communicated or explained. This made it more difficult to adjust and settle in quickly. A further 23% shared that their experience was neither positive nor negative.



A participant in the in-depth interviews discussed how her organisation invested heavily in diversity and considering the needs of working parents through their Return to Work program. Return to work sessions were facilitated by an external consultant. Staff who were returning to work could attend sessions one day a month for four months. In these sessions, they brainstormed issues like how could communication with colleagues and clients be improved with a flexible workplace.

9.8 Challenges with returning to work after parental leave

The main challenges with returning to work after parental leave are retaining or accessing employment, poor understanding, respect and support for FWPs, balancing work with family commitments, discrimination and being marginalised, re-establishing client base and files, and career advancement is stalled.

A suggestion was provided to offer a discounted membership category for lawyers who are on extended leave so that they can keep in contact with the profession and it's not so daunting returning to work. While the suggestion was made in relation to the Law Society of Western Australia, the suggestion could apply to other membership organisations that support legal practitioners while taking extended leave.

9.8.1 Retaining or accessing employment

Unfortunately, some lawyers reported that their employment was terminated due to their pregnancy or parental leave.

“Had my employment terminated as soon as they found out I was pregnant.”

“I was fired for being 3 months pregnant.”

“The partner I worked for said “what did you do that for” when I told him I was pregnant and then fired me.”

“Finding a new job as I was made redundant from the role I was in when I commenced maternity leave.”

“I was not [4 in] full time employment when I fell pregnant and as such was not eligible for parental leave. I was offered a graduate legal position shortly into my pregnancy, I thought I was being ethical disclosing my pregnancy - the offer of employment was revoked and my calls were never answered or returned.”

“I asked and was granted a part time role (3 days/week) upon my immediate return from parental leave (1 year and 3 weeks), with the understanding that I would return to full time within 6 months. Shortly before the start of the full time period, when I tried to confirm the date that I would be returning full time, I was advised they did not have a full time position available for me at the law firm. Consequently, I started looking for another job and accepted a full time position as in-house counsel. I probably could have taken legal action to get my full time role back, but I did not want to go down that path...”

Lawyers who return to work after parental leave can find it difficult to access a role, in particular a role that offers flexibility or part-time hours.

“Looking for part time work that was flexible and not too stressful.”

“...more challenging was the attitude of my law firm when I first left the profession to have a baby - they were not keen on having me back 'part time' - I felt I had offered them a reasonable proposal, but they were not flexible.”

“After being made redundant and taking maternity leave, it took about 5 months to find employment, and even so, only contract work was available. There is also very little part time work available.”

“Lack of flexibility in work arrangements - flexible days/times and work from home were not permitted.”

“Very difficult to secure part time or flexible work arrangements that facilitate caring for a young family.”

“When I returned from parental leave, there was an expectation that I may be less committed to my role. Also when I was making the transition from in-house to a law-firm, many law firms would not consider my application or would consider[ed] my skills and experience in-house as low value. This was disappointing.”

"The firm I worked for when I had my first baby at age 27 (a top-tier national firm) would not let me return to work part-time in M&A since they considered M&A work was "incompatible with family duties". I offered to gradually build back up to full time, starting with 3 days a week, then back to full time in 18 months but I was refused. I was offered full time or nothing. I decided to leave that firm as I was not prepared to leave my baby full time at that stage. I was forced to sacrifice promotions and career progression to look after my children."

Others had to jump through hurdles to keep their roles.

"Despite being entitled to 12 months unpaid leave - when I went past my contract date, I had to jump through numerous hurdles to have my contract renewed and continue my unpaid leave for 3 months into the contract."

"At the time my second child was born / prior to her birth I'd been left on revolving 3 month contracts for 2 years. When I became pregnant I was told I had no parental leave entitlement. My job was advertised when I let them know I'd have to leave. I interviewed for my job at 37 weeks pregnant. I felt unable to overtly challenge this situation as the profession is small and I was concerned if I did, I'd look like a troublemaker and harm my future prospects. Instead, I interviewed and presented them with the flexible work arrangement I was seeking documented into an agreement I'd drafted. I'd adapted one I knew had worked from women in insurance and banking at the time. My strategy worked and I maintained employment after my child was born but without the usual time off. It was stressful."

9.8.2 Poor understanding, respect and support for FWP

Working parents would like more understanding, flexibility and support when returning to work. This includes understanding what part-time means, adjusting expectations for billable targets and arranging meetings at suitable times.

They would like more understanding and respect for what part-time hours means:

"Managing expectations of team when returning to work with flexible arrangements."

"Responsibilities need to be modified for part time lawyers and the firm and colleagues need to acknowledge and respect the different work arrangements."

"I have been called at home to discuss legal issues while on paid maternity leave. I have been told that flexible working means that the firm can change the days I come in at short notice. However, they did agree to find an emergency childcare solution."

"Colleagues expected me to be on call 7 days a week even though I am only working 3 days a week."

"Lack of understanding around constraints of young children and how this would impact my working hours."

"It was challenging working part time on resumption of work after parental leave. I think there should be more acknowledgment and recognition by employers when people are on flexible working arrangements with a concerted effort not to require (even if by inference) people to work on their days off."

"Out of site out of mind. There was inadequate planning for what support I might need upon my return. Some planning would have helped considerably. A lack of understanding around what flexible/part time working actually means."

"A workplace that had no adaptations to deal with a part time lawyer and the ongoing impact on my performance at work e.g. nobody to deal with my clients on my days off."

They would like expectations, salary and billable hour targets to be adjusted in line with their flexible working arrangements:

"Some firms do not deal well with women returning from parental leave - particularly senior women - where their clients and matters have been handled by others in their absence. This needs to be dealt with sensitively and people who benefit from these matters and relationships should appreciate this - and be required to acknowledge it. Senior women who have taken parental leave should not have to return to work on their former salary. There needs to be a period of grace in respect of those who have budgets/targets to meet (within reason), but their remuneration must reflect market. Once that period of grace has expired, obviously remuneration should be determined by performance and productivity. This is one of the biggest issues with the gender pay gap in law in my view."

"While working part time my billable targets remained the same (pro rata to my days in the office). However, admin, training, marketing etc requirements did not reduce. This made it difficult to achieve billable targets. I think a little consideration for and talking to the person on parental leave would go a long way. It can't be one size fits all and discussion within the legal team (not just HR) is required."

"No reduction in administrative work to account for reduced days at work."

"I did face pressure from within the partnership to increase my hours - which I successfully resisted."

"There needs to be more education for people returning to work on a part time basis so they are aware how that impacts their entitlements, including superannuation."

They would like improved flexibility and understanding:

"It would be nice if new parents are allowed to work from home for the first few months of return to work."

"Thinking of parents, particularly those with young children, and designing approaches that take into account parental needs without them always having to ask/demand (often unsuccessfully) is key to achieving equality surrounding parental leave."

"No allowances made for parenting responsibilities. For instance, meetings often scheduled at 5:30 pm when day cares shut at 6 pm at the latest."

"It is crazy to insist that employees who are parents of young children remain in the office in major school holiday periods when they have no work to do. It results in paying for care of the children while the employee sits at their desk doing nothing or very little. Ultimately it leads to reduction in retention of employees, builds unnecessary resentment and affects productivity of the employee in busier periods, noting also it usually impacts women as primary carers of children in the early years."

Something has to change for there to be true diversity, inclusion and equality in the workplace - particularly in law."

"Keeping connected to the business. My employer at the time would arrange workplace events for locations I could not attend due to practical considerations (eg no space to express breastmilk other than the toilet!) but would not make any amendments when this was drawn to their attention."

"As a partner, having partners understand wanting to return on a part-time basis long term (this was navigated and worked well)."

9.8.3 Balancing work with family commitments

One of the biggest challenges faced after returning from parental leave is juggling the needs of a young family with heavy work demands. Parents who return to work on a part-time basis often find themselves working longer hours than they are paid for and dealing with additional pressures of sick children.

"Juggling motherhood, small children and work = Challenge."

"Transitioning to working part-time and the challenges of managing a heavy workload when only working 3 days per week. Being one of only a few practitioners working part-time. Finding good quality childcare. Mummy guilt!"

"The initial stages with a young child in day care is difficult due to frequent illness and the need to leave work unexpectedly. Lack of sleep in kids' early years was challenging in terms of ability to do your best work. Competing demands are hard to juggle."

"...very difficult juggling a young family and working in the legal profession on a part time basis. I often work, unpaid, on my "days off"."

"Integrating parenting commitments (breastfeeding, part time work) with professional commitments."

"Finishing work on time to be home for a young child. Pressure to attend Court with the prospects of childcare arrangements falling through or having a sick child."

"Balancing requirements of my job with the needs of my family. Whilst my employer was very understanding of my position, my work role is a demanding one."

These challenges hold true for fathers who take parental leave too.

"I decided to take a year off to spend time with my son when he was born. This is because I worked long hours when my two oldest daughters were born, and didn't get to know them until they were past toddler age. When I told my firm I wanted to do this, I was told by management that they would need to lay off three junior lawyers who I supported through work I generated. I didn't want to do that, so I agreed to work a day and a half a week to generate work and provide some supervision. The day and half a week rapidly turned into three to four days a week. My wife would come home and ask why our house was a mess, and I would reply, "Well, because when he was asleep I was on the phone, and when he was awake I'd stick him in the pram and walk while on the phone." I cut the parental leave period off at seven months because it wasn't working."

Parents can find it difficult to access affordable childcare to match their needs, in particular, out of hours, flexible or on demand care.

"Making childcare arrangements."

"Childcare costs and reliability."

"Work hours - school hours - not matching & arranging childcare to fill gap."

"Some parents on returning to work after 12 months are not happy to leave their small baby in day care and so eventually stop work for a further period. This is completely understandable but it can cause staffing problems. It is usually better if a part time arrangement can be made."

Some lawyers are fortunate to have access to a private nanny to support them while travelling for work.

"Nothing too bad - I needed to express milk for my babies and take them with me when I travelled, hiring a local nanny to look after them between appointments."

9.8.4 Discrimination and being marginalised

There were numerous references to discrimination and being marginalised. Working mothers have been told they are a burden, that they are not serious about their careers. Some have found themselves, or witnessed colleagues who return to work after parental leave, being phased out or isolated in the workplace.

"Discrimination (the male partners considered that I was no longer serious about my career)."

"When I returned from parental leave, there was an expectation that I may be less committed to my role."

"I was seen as a 'mother' and referred to by my supervising partner quite openly in that way. I believe I was discriminated against and not given the same quality of work or opportunity as compared to those who were not primary care givers....I have been on the receiving end of the...supervising partner openly mocking others who have used return to work programs."

"I do not have children so I have not personally experienced any challenges. However, I have witnessed friends be "phased out" upon return from maternity leave, or prior to going on maternity leave. The "we won't fire you, but we will make sure to be as inflexible and uncooperative as possible until you quit."

"...a returning lawyer would be marginalised on return to work. For example, they would be put in an isolated office space or be lectured about needing 100% commitment to work on the first day back. Other lawyers also resent a returning lawyer and the flexible arrangements they may have negotiated."

"I've watched colleagues become 'invisible' when she announces that she is pregnant, resulting in fewer decent offers of case work. There can also be a lack of continued involvement in the profession readying her for her return to work."

“When recruiting there was specific conversations from management about recruiting candidates with children or of child rearing age brackets as they would just want time off soon.”

“Constant comments from employer that part time lawyers and mum lawyers are a burden on small business.”

“In large firms parental leave is illusory only, you will get marked down or shunned for leaving work for others to finish, and the others will ridicule your work to gain advantage and look more favourable.”

9.8.5 Re-establishing client base and files

When returning to work after parental leave, lawyers face the challenge of building up their practice again. There are concerns that their clients and files are not handed back to them when they return to work.

“Inadequate planning for transition of my matters and support.”

“Returning to work after parental leave and building up a practice again.”

“Building up a practice again, stigma of working mother.”

“Support to help rebuild my practice and an understanding that this would take time.”

“My career had died. I had to perform CPR. It took 6 months to bring it back to life.”

“Things “move on” when people are on parental leave, just as they would if someone took a leave of absence to go travelling or went on secondment. Matters change, clients change, others within the office will need to step up in the absence of the person on leave. So that person has quite a job ahead of them to catch up upon their return, regardless of the reason for the absence. This challenge is amplified if that person only returns part-time. Personally I think there is no magic solution to this - both parents should be encouraged to take periods of parental leave to share the burden.”

“Main challenge is having your practice and clients taken over by others and not having them back. There should be express commitment to a handover back.”

“My return to work after both children has been very different - after my first child, I slotted back into my team and had some of the same files as before, so it was almost as though I had never had time off. After my second child, my return was very different as there had been a change in partners and my entire team. I found myself being ignored when it came to the distribution of work.”

“Lack of structure for work allocation. Lack of mentoring to help get back into work.”

9.8.6 Career advancement is stalled

A common challenge for legal practitioners who return to work after parental leave, in particular those who return to a part-time role, is reduced opportunities for career progression. Many shared experiences about being given more transactional or less interesting and challenging matters that restricted and stalled their advancement.

“Re-establishing career progression and acknowledgement of seniority.”

"I observed myself and female colleagues receive less interesting and/or prestigious work in terms of career potential. It felt like the compromise we needed to make to keep working - and especially so given male colleagues weren't taking parental leave and weren't outwardly concerned about the impact having a family may have on their career as wider community gender norms didn't leave them with the same carer responsibilities - either for children or disabled/elderly family members."

"Before going on maternity leave I was at a point in my career where I was able to progress to the next "stage". However I only wanted to work part time on my return and found it difficult to make the progress to that next stage while maintaining a healthy family life."

"Unable to take substantive matters because I returned to work on a part-time basis."

"Colleagues who did not have children (especially young children) advanced much quicker and were given priority for more interesting matters or matters which were likely to be ongoing rather than transactional."

"Position was no longer available and moved into a role where legal progression is not encouraged. Despite not changing my remuneration for this role."

"The firm where I was working made it clear that they would accommodate my request to work three days per week following the birth of my child and parental leave, but I would not be able to progress within the firm while working part time hours."

"I was not considered for partnership because when I returned from parental leave I was working part-time. There was no consultation with me in relation to whether I would have returned to full-time work for the position. The position was instead offered to my colleague (of equal standing prior to me going on parental leave) who has children of similar ages, but who did not take any extended time off work to care for his family and who has a wife who is the primary care giver of their children."

"I was able to return to a permanent job but was put in area that was not preferred because it was viewed as more convenient for part time workers and was not popular with other lawyers in the organisation. Working part time I did not have the same opportunities to develop my skills and capabilities. However I was lucky to be able to choose my hours and to have the opportunity to juggle family and work."

10 Drivers for leaving the legal profession

Legal practitioners who have left the profession were asked, what were your main reasons for leaving the legal profession?

Although there were only 18 practitioners in the survey sample who had left the profession and provided a response to this question, they provided rich insights.

Reasons cited for leaving the legal profession mostly related to balancing work and family responsibilities, mental health impacts from stress, bullying and discrimination, access to more interesting, challenging work, and better pay and advancement.

10.1 Balancing work and family responsibilities

Legal practitioners who left the profession had difficulties balancing work and family responsibilities, or were unable to see how this would be possible given the long, demanding hours. The culture didn't support flexible working arrangements and there was difficulty accessing day care.

"You need to have kids before you're 30. I was on the cusp of a promotion. It was the right time for family, the wrong time for my career."

"You need to choose between law and having a family. It's not as pronounced in other industries."

"It was difficult having to work East Coast hours and attending trials. I needed flexible care for the kids. Day care hours didn't match my needs; they are often fixed."

"I had always intended on having children and did not see how I could manage family responsibilities with a career in law while also being happy and healthy."

"I need really flexible work arrangements as my partner travels regularly and I want to be present for my kids while they still need me. Work isn't my priority, and most places seeking talent want full time lawyers in the office and ready to drop everything for a particular job. Looking at it from an employer's point of view it would be better to have someone who can do full time rather than someone seeking flexible part time work."

"Moving to a rural location and being the primary carer for children (no before and after school care options)."

"I left the legal profession prior to becoming pregnant because I didn't believe that my husband and I would be able to both continue working in the legal profession in a small rural town and balance this with having children. I changed into the disability industry and a role which I have found much more flexible, accommodating and family friendly."

"No female role models available who had a successful career and a family. Few senior female lawyers in the firm at all."

10.2 Mental health impacts

For some, stress, bullying and discrimination impacted their health, wellbeing and confidence in their ability to do their work. There was a view that the 'rules' are underlying, they are not explicit. You have to pick them up. Some also felt that there is a stigma in asking for help, that practitioners who ask for help are regarded as being weak.

"There is equality in school, there is equality in university, but in the workplace it is shot down."

"I came to work and worked like a bloke. I didn't want to be seen as a trouble maker."

"Bullying. Exhaustion and fatigue. Destruction of my confidence and self-esteem."

"I came to a stage where I had been in the profession for a few years and suffered the effects of stress on my health and wellbeing. I decided to put my health first and leave the profession."

"I was bullied and treated terribly. My mental health is only recovering now, years later."

"Unwarranted discrimination based on educational institutions both secondary and tertiary. Gender discrimination promoted under the guise of equality, but only in relation to specific types of people who identify as female. Discrimination in favour of people who are more photogenic and fitting of certain cookie-cutter stereotypes. Discrimination based on postcode - where I live should not limit where I can be employed... Nepotism and cronyism being obvious and rampant.... Failure to encourage and support those who have developed mental illness during or as a result of practice to continue practice or transition to a career that can assist in supporting their needs. Instead it is stigmatised and treated as a barrier to continuing in the profession."

Some felt they were not well supported in their return to work or as a mature aged student entering the profession. This caused undue stress and loss of confidence.

"Changed practice area after a long break from the profession (10 years) and a further university degree. Worked part time for 3 months and was let go before the end of my probation period because the partner didn't think I was picking it up quickly enough! That's equivalent of 6 weeks work after 10 years out of the profession. It was just too stressful. Now I work in policy, the pay is poor but it's not stressful and the work- life balance is good."

"I graduated as a mature age student and worked at three jobs as a restricted practitioner during which I was completely unsupported in any type of professional development and was left to my own devices much of the time, so much so that I had to seek advice from Senior Counsel due to the instructions (or lack thereof) from my employer. By the time I secured a position with a stable and respected employer I had completely lost all confidence in my abilities and I suffered anxiety that ultimately made me feel I could not continue in the profession."

10.3 Seeking more interesting, challenging work

Some didn't enjoy the work they were doing or it lacked purpose. Some found that after they had children, they were demoted in their duties and the work was no longer interesting or challenging.

"More interesting and rewarding work elsewhere."

"Opportunity to improve system from within for benefit of all, rather than help individual clients navigate complex regulation."

"I didn't enjoy working in the corporate bubble. I didn't want to become a corporate drone with no purpose in life!"

10.4 Better pay and advancement

A driver for leaving was better pay, career development and advancement opportunities.

"Better pay available by taking a role in contract/commercial management."

"Higher paying entry-level role in government with the promise of work-life balance."

"Males are earning \$30k more than females for doing the same role. Men are seen to be more deserving as they are the sole providers for their family. They think women don't need the income if their husbands are earning a good income."

"I have been supported, both financially and practically, to undertake further education which I don't believe would have occurred in my previous role in law. I also have opportunities for promotion which I didn't have in law."

"No opportunity for promotion outside of minimum time frames."

10.5 Other drivers

Other reasons for leaving the profession were related to age or where they obtained their qualifications.

"Made redundant in senior role, too old for magistrates' court."

"Couldn't obtain employment as many employers saw being admitted in another State as a significant impediment."

11 Drivers for returning to the legal profession

Legal practitioners who left the profession to seek a career change, but later returned to the legal profession, were asked to share their main reasons for returning to the legal profession.

Although there were only 12 practitioners in the survey sample who had experienced a career change and returned to the legal profession, their comments provide valuable insights into the motivators for returning.

Reasons cited for returning to the legal profession mostly related to:

- Sense of purpose and contributing to society
- Job or work satisfaction
- Career development opportunities
- Financial drivers
- Getting access to flexible working arrangements

“The sense of purpose from working in legal practice was soon missed and I learned that the politics was the same in the non-legal role.”

“Job satisfaction - genuinely value a career in the law.”

“The challenge of solving important problems for clients in a stimulating environment with other like-minded people.”

“I enjoy using my legal knowledge and experience to assist others and provide solutions.”

“Returned to Perth, needed money, enjoy my work in the legal profession, feel can contribute to society.”

“In the end, I like advocacy, or at least the practical application of the law, so I came back to it, however it has not been easy, and sometimes I wish I had stayed as a trailing spouse or kept up with university teaching.”

“I made a career change to teaching but have come back to law, because I have found a new area of law that I am enjoying. Also I found a legal job that has part time hours which suits family life. I partly left law because I didn't [not] think true part time work would be possible in law.”

“I always intended to I just needed a break from the cyclical nature of the system and the lack of resources in the regional offices.”


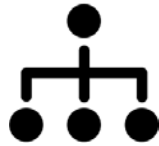
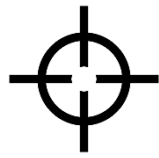


“Interesting work, further professional experience, manage own business rather than work for something else.”

“Long term goal to set up own practice.”

“Retirement and marriage were non-compatible.”

12 Recommendations

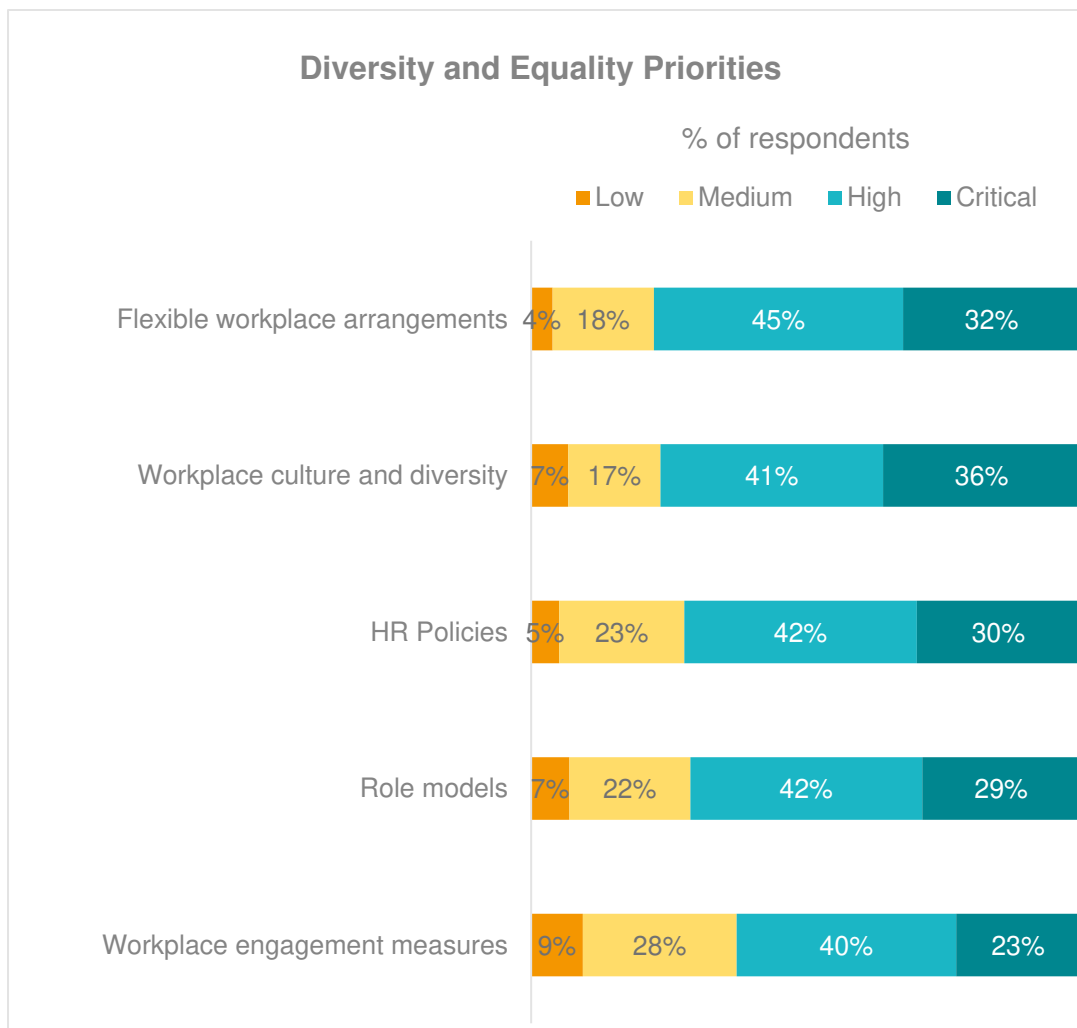
To strengthen engagement and retention in the legal profession, it is recommended that the profession addresses five critical success factors.

Critical Success Factors	
<p>Leadership</p>  <ul style="list-style-type: none"> • Advocate for improvements in workplace culture and diversity to address out-dated norms, values, attitudes and behaviours. • Modernise business models. • Develop and promote best practice HR policies that cover workplace culture, parental leave and flexible workplace arrangements. 	<p>Leader-Member Exchange (LMX)</p>  <ul style="list-style-type: none"> • Raise awareness, understanding and acceptance of flexible workplace arrangements, how FWP works and the benefits for organisations, employees and clients. • Encourage leaders to provide employees with regular and encouraging feedback so they feel appreciated, respected and supported, professionally and personally.
	<p>Accountability</p>  <ul style="list-style-type: none"> • Collect and report on workplace engagement measures to hold the legal profession and individual managers accountable for following best practice policies and practices. • Set fair and reasonable workloads and targets for legal practitioners, adjusted for part-time hours.
<p>Diversity and inclusion</p>  <ul style="list-style-type: none"> • Strive for zero discrimination so all legal professionals feel they are treated equally and fairly. • Identify and promote role models. • Provide improved CPD and mentor programs to support graduates, current and emerging leaders, and those seeking career advancement. 	<p>Health and wellbeing</p>  <ul style="list-style-type: none"> • Improve overall quality of life; aiming for a state of complete physical, mental and social wellbeing. This is a foundation stone for workplace engagement. • Encourage the adoption of flexible working practices to improve work-life balance.

12.1 Prompted recommendations to strengthen engagement

When given a list of options and asked where the Law Society of Western Australia should prioritise its efforts to help to strengthen the legal professions commitment to the Diversity and Equality Charter, respondents prioritised the following recommendations:

1. Raise awareness and understanding of flexible workplace arrangements, how FWP works and the benefits for organisations, employees and clients.
2. Advocate for improvements in workplace culture and diversity to address out-dated norms, values, attitudes and behaviours in the legal profession.
3. Develop and promote best practice HR policies that cover workplace culture, parental leave and flexible workplace arrangements.
4. Identify and promote flexible workplace role models.
5. Collect and report on workplace engagement measures to hold the legal profession accountable for following best practice HR policies.



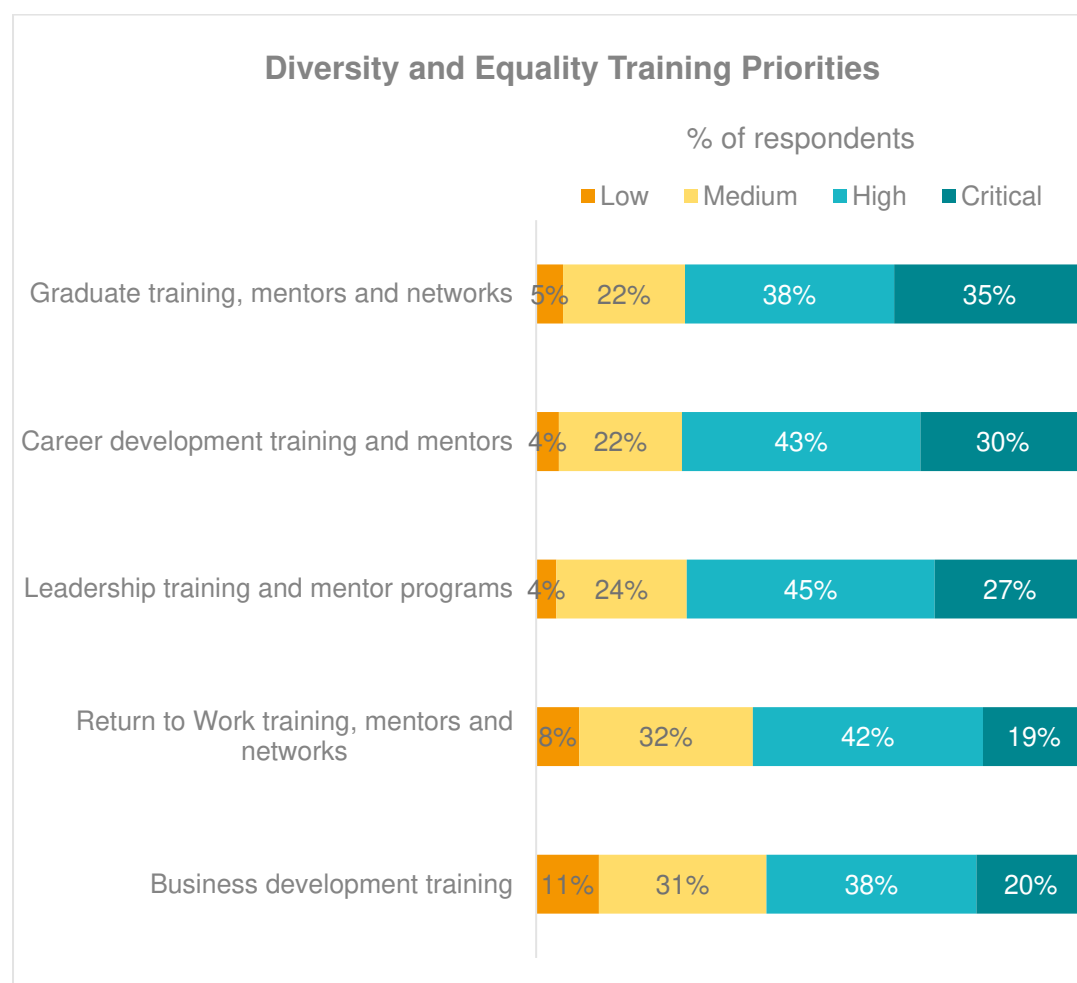
Base: all respondents (n = 425 to 434)

Legal practitioners would also like the Law Society of Western Australia to prioritise the following training and support programs:

- Graduate training, mentors and networks to assist legal practitioners with up to five years' experience to assimilate into the legal profession.
- Career development training and mentors to assist legal practitioners to seek promotions, apply for positions and negotiate salaries.
- Leadership training and mentor programs to develop and support current and emerging leaders in the legal profession.

There was also some support for:

- Return to Work training, mentor programs and network groups to support legal practitioners who are returning to work after taking extended leave (parental leave, sick leave, career break, etc).
- Business development training to provide legal practitioners with skills in growing networks, winning work and maintaining client relations.



Base: all respondents (n = 408 to 434)

12.2 Targeting recommendations to meet the needs of different cohorts

Priorities vary across the legal profession. The greatest, most relevant variances were observed by gender, years since admission and practice type. It is recommended that interventions are targeted to address priorities in different customer segments.

Top priorities among different cohorts			
Male Practitioners		Female Practitioners	
1. Graduate training, mentors and networks 2. Career development training and mentors 3. FWP		1. Workplace culture and diversity 2. FWP 3. HR Policies	
Admitted in last 5 years	Admitted 6-14 years	Admitted 15+ years	
1. Workplace culture and diversity 2. Graduate training, mentors and networks 3. Career development training and mentors	1. FWP 2. HR Policies 3. Workplace culture and diversity	1. Graduate training, mentors and networks 2. FWP 3. Leadership training and mentor programs	
Barristers	Corporate	Government	Community
1. Leadership training and mentor programs 2. Career development training and mentors 3. FWP	1. FWP 2. Role models 3. Workplace culture and diversity	1. FWP 2. Workplace culture and diversity 3. Graduate training, mentors and networks	1. Workplace culture and diversity 2. FWP 3. HR Policies
Sole practitioner	Small private	Medium private	Large private
1. Career development training and mentors 2. Graduate training, mentors and networks =3. Business development training =3. FWP	1. Graduate training, mentors and networks 2. HR Policies 3. Leadership training and mentor programs	1. Graduate training, mentors and networks 2. Career development training and mentors 3. Leadership training and mentor programs	1. Workplace culture and diversity 2. FWP 3. Career development training and mentors

12.3 Spontaneous recommendations to strengthen engagement, diversity and equality

When asked for spontaneous suggestions about the role the Law Society of Western Australia could play in helping to strengthen diversity and equality in the legal profession, the main suggestions related to leadership, leader-member exchange (LMX), diversity and inclusion, health and wellbeing, and accountability.

12.3.1 Leadership

Legal practitioners would like the Law Society of Western Australia to focus its efforts on advocacy; actively engaging with organisations, in particular big firms and attempting to lead from the top, to encourage the leaders in the profession to “walk the talk”. They would like the Law Society to:

- Advocate for improvements in workplace culture and diversity to address out-dated norms, values, attitudes and behaviours.
- Research, develop and advocate for modernised business models.
- Develop and encourage the adoption of best practice HR policies that cover workplace culture, parental leave and flexible working arrangements.

As many large firms already provide training, investing time and effort into advocacy to change culture is seen to be more helpful and better use of Law Society resources.

“...flexible work is not a new concept, and there is plenty of evidence and resources to draw from. Where the profession has not moved forward is with attitudes and the focus should be on culture and engagement to make meaningful change.”

“The profession needs a mind and cultural shift - more rules are not going to effect this.”

“Matters such as these may be addressed if there’s best practice education and leadership within the profession about parental/carer leave availability for all genders + ideas circulated around flexible work arrangements and how they may be implemented without impacting profitability and fulfilment of commitments to clients (including court based clients in different practice areas).”

“Advocate on behalf of legal professionals to effect real change. There are many systemic issues facing the profession - bullying, discrimination, lack of diversity at upper levels of the profession, lack of advocacy/trial opportunity for solicitors in firms or for those wishing to join the bar or newly at the bar, reduction in standards of quality work, appearance, professionalism. Those things ought be the focus, not putting on sporting events for junior solicitors.”

“My experience is that large corporate law firms still struggle to accommodate women who wish to work flexible or part time hours and while they may accommodate them staying at the firm, the reality is that those women will be sidelined and not progress, and not be given the interesting or challenging work that often leads to promotion. The Law Society can help shift this situation by working with such law firms to first recognise this still occurs and then fix it.”

Legal practitioners would like the Law Society to advocate for outdated business models, attitudes and behaviours to be challenged and changed.

“Education around different types of business models for new practices - and technological innovations possible for any practice would be very helpful if offered in different formats to accommodate learning needs of different age groups in the profession.”

“Law is woefully backward and it seems clear why women are disadvantaged and under-represented in senior roles in the current model.”

“Think bigger than just parental leave. Think about reasonable working conditions and working hours. Changing that mind set will improve parental situations and mental health not to mention making well rested and healthy lawyers who will be better at their jobs and fairer to each other.”

“Change the practice model of billable hours to value provided to client.”

“Advocate for large firms to investigate methods of measuring and rewarding performance which are not linked to billable hours and time-based productivity.”

“Change the culture of treating juniors simply as slaves to be used for cheap labour for clients. Revisit billing?”

“...addressing the Award which effectively prices law graduates out of the equation for many small law firms? With a minimum wage of \$51K+ PLUS super, overtime after 530pm, annual leave loading and an expectation to pay for PLT on top of all that (at a cost of \$8-9K plus), there's just no incentive to hire graduates. First year PAE lawyers cost the same (if not less) and don't come with training costs. The desire to protect graduates from exploitation by big firms will cost graduates jobs at small to medium firms.”

“Remove reporting lines and financial matters from within individual departments for all government lawyers so that they are employed and report to a specific government department. Employment decisions to be made by those with understanding of the complexities in each specific legal area and not by general HR professionals or non-legal executive directors. Education of non-legal executive of every government Department of the very real difference between work carried out by lawyers on behalf of government and the public as opposed to other employees. A way of integrating in balance sheets the costs to the public purse and the public interest when employment conditions of lawyers lead to burn out or fail to attract or keep talented practitioners.”

It would be helpful if the Society advocated for FWPs to be available for more working dads and practitioners who do not have children. While children are an important reason to approve flexible working arrangements, there are other valid and worthy reasons, such as volunteering work.

“Focus on increasing uptake of parental/care leave and flexible work arrangements by men / so the model isn't characterised as “just” an accommodation for women (which just serves to perpetuate gender stereotyping).”

“A shift away from sweatshop culture will also encourage more men to take parental leave, thereby reducing the adverse career impact for mothers.”

"It should not be forgotten that "flexibility" in the workplace is not always about flexibility around children. There are lots of practitioners who either choose not to have children, or cannot have children, and yet contribute enormously to society through NFP boards, volunteering, etc (and not just to the Law Society or other linked professional association). And quite often the experience gained in these volunteer role contributes to one's own maturity, skill set and life experience and makes one a better lawyer and leader. These kinds of contributions are rarely recognised at law firms or by the profession in general (other than likes on LinkedIn). Focussing on flexibility for parents in the workforce without acknowledging these other things is really quite alienating."

12.3.2 Leader-Member Exchange (LMX)

Once strong leadership, policies and practices are in place, the next challenge is around changing mindsets and encouraging compliance among partners and managers and developing positive relations between leaders and their members (direct reports). Legal practitioners would like the Society to provide assistance with:

- Raising awareness, understanding and acceptance of flexible workplace arrangements, how FWP works and the benefits for organisations, employees and clients.
- Advocating on the importance and value of providing employees with regular and encouraging feedback so they feel appreciated, respected and supported, professionally and personally.

"While I am aware that many firms have diversity and equality 'policies', I feel that more often than not policies are merely a tick box mechanism for HR and the marketing department. My experience is that partners vary rarely advocate diversity or equality and definitely not for junior lawyers."

"Culture and conduct of some senior professionals is what needs to change. The culture in most larger firms is very poor, with lawyers unwilling to speak out against partners, as it effectively means the lawyer has to leave, as the partner will make the workplace unbearable and seek to 'break' the lawyer if s/he speaks out. The exit rate from the industry is high due to the bullying and conduct of the most senior lawyers, many of whom are well respected in the wider legal industry (which is another reason why lawyers do not speak out)."

"I think the most important strategy is to educate and inform the employers. What I am currently seeing, especially amongst woman with young children in the legal industry, is a desire to have flexible working arrangements. However, they are coming up against huge resistance from employers who won't consider options such as part-time legal work, job sharing or working from home."

"The culture of some senior practitioners (partners of firms) and senior management being rude, disrespectful, bullying and harassing practitioners at all levels must stop otherwise staff will leave firms and the profession and there will continue to [be] serious health concerns. The primary concern of some firms is profitability of fee earners regardless of the high quality of the work undertaken and the loyalty of staff, and regardless of the fact they leave because of the way they are treated. Those senior practitioners enable HR and accounts managers to behave in a similar manner. The existence of bullying and harassment policies, training, and supposed support for mental and wellbeing events such as RU OK Day therefore become a joke as senior members of firms do not care for the mental health and work/life

balance of staff and are the very people causing and contributing to the stress and anxiety.”

“...clear guidelines and parameters that can then be discussed with the employee instead of the employee trying to come up with a workable solution but not having any starting point. Having clear policies will also let the employee know what the employer's attitude is towards flexible work and it will to an extent hold employers accountable and practice what they preach.”

Legal practitioners would like the Society to provide partners and managers with training in project management and how to use flexible resources.

“Lack of project management skills in the profession unconsciously discriminates against people working or wishing to work flexibly.”

“If the Law Society were able to run CPDs for partners/management on how to use part time lawyers/manage case loads with part time employees I feel this could assist. There seemed to be a willingness but a lack of know how.”

They would also like improved support for employees who are being impacted by their employer or manager.

“Show some kind of support to new lawyers who are having trouble with their employers rather than throwing them alone into the fair work system. Doing something about the Lawcare package that is supposed to be part of membership which in reality doesn't exist.”

12.3.3 Diversity and inclusion

Discrimination is a threat to engagement and retention in the legal profession. Legal professionals would like the Society to advocate for employers to:

- Strive for zero discrimination, treating all legal professionals equally and fairly.
- Identify and promote role models.
- Provide improved CPD and mentor programs to support graduates, current and emerging leaders, and those seeking career advancement.

“The legal profession is still one of the least diverse professions and work needs to happen at early stages (University/graduate roles) to make a lasting change.”

“The Law Society needs to be a leader in championing diversity and equality. There are moral, human rights, business and representation imperatives and I want to see my membership association standing stronger for diversity and inclusion, and alternative ways of working for both men and women, in the coming year.”

“I think in the changing face of society, the legal profession is very slow to adapt. In a State where multiculturalism is ever present, it is expected that the range of clients whom we represent will soon reflect the same. It therefore is crucial that the profession do the same but yet there is some prejudice or perhaps a lower glass ceiling for persons of different races and background within the legal profession.”

“I think more networking events with the Law Society and other such pillars within the profession actively seeking out and including speakers and attendees of diverse backgrounds. This will open up and break those prejudicial ideals within the profession further noting that such persons would normally refrain from engaging for

fear of being excluded. Inclusion should definitely be something the Law Society of Western Australia needs to promote more."

"It (the Law Society) should show sustained leadership in training and promoting discussion about how to bring about real change rather than perpetuating a cycle of privilege and bias. Diversity is not just gender. The Law Society's board and president change so frequently but the same people or same sorts of privileged classes of people are always there such as the partners and children of politicians, judges and QCs dating back generations. It is good that there is a body that embraces its tradition, but whatever name you give it, the elections look like a popularity contest or marketing for particular law firms."

The only thing we see from the Law Society is the events in Law Week and CPD which was so amazing in the past couple of years that I was shocked that it even happened that suddenly diversity was visible. The first time I've ever seen Asian and African and Aboriginal faces of real WA lawyers, in the CPD brochure, on the front page! There were more diverse speakers who were excellent, including younger lawyers who knew their stuff and not the usual suspects. This had never happened before. The topics were about real-world issues like talks from the Human Rights Commission on cultural bias and racial discrimination in our profession, mental health day talks, and the Workplace Gender Equality Agency with the managing partners. Then it stopped. Now they are back to the status quo. The organisation needs more ambition to change perceptions and combat what is lacking in the profession so we can smash ceilings together."

"Encourage practitioners to respect fellow practitioners regardless of their positions or age."

"Promote work place cultures that are inclusive. I did two years in a private law firm and it was obvious if you did not drink at the pub, love football and valued your time such that you did not want to work [from] free after hours to profit the already wealthy at the expense of your mental health and family - you were essentially outcast and did not fit in... These cultures are so alienating for many and privilege those who are already dominant. Keeps power in the law in white males hands."

"The Law Society could tackle more strongly bullying in the legal workplace."

"There needs to be accountability in relation to the way in which the profession treats women in general. We usually have to just accept the sexist behaviour and comments so that we don't appear 'too sensitive' or like a 'troublemaker'. Maybe mandatory CPDs on race and gender need to be introduced to force people to confront the issue."

"Run a practical workshop in liaison with all of the other main professional bodies to explain in real practical terms (not overmuch theory) what subconscious bias is, how it informs our decision making, how it manifests in the workplace and life, tools to recognise and address it, and an honest conversation about the difficulties of addressing it (and again, tools to address it) - only then will we start getting real progress in D&I."

"Consideration might be given to law graduates 55 years and older. From my recent experience that cohort represent around 5-7% of graduates. Based on current working trends that cohort has a potential 25 year work horizon and then perhaps further with volunteering. I may have missed promotion but I do not recall seeing any promotion by the Society to embrace the 55 plus cohort. This may be because the

pressure of the profession sees existing practitioners seeing 60/65 as the end of the game. I have a sense that the 55 year plus graduates have a wealth of broad business experience and they are approaching life with their new degree as a start of a new long term career."

"Specifying 'quotas' for its own committees and sub-committees. Encouraging complete diversity in all interest groups (e.g. men as Associate Members of WLWA)."

There is a need for more cultural awareness training and engagement:

"Unconscious bias, anti-discrimination and cultural awareness training for all members of the judiciary."

"Senior Aboriginal elders to sit as cultural advisors for judiciary in all criminal cases."

"Compulsory Aboriginal language unit and cultural awareness training for all uni law students."

"University scholarships for Aboriginal students especially from the country."

"Some more proactive programs for Aboriginal students/graduates/lawyers and CALD students/graduates/lawyers."

Further training and support are also requested to support legal practitioners to go through transitions.

"As with CPE incorporate a requirement for practitioners in firms or private practice, to nurture law graduates and recently admitted professionals to sustain the profession, similar to grants when employers take in apprentices. Especially in regional and remote areas to promote access to justice."

"Offer court advocacy training specifically to returning practitioners (either after a leave break or after a practice area change) wishing to return to that form of work."

"Promote transitions between types of practice: private to public, public to private, city to suburban, suburban to city."

Other practical suggestions include:

"Promote anonymising of CVs to prevent gender, age, educational institution, and other types of discrimination."

12.3.4 Health and wellbeing

As reported in Harvard Business Review, physical, mental, and emotional wellbeing is very much the business of employers given wellbeing greatly impacts performance, morale, and absenteeism²⁷. Healthy, engaged workers provide a distinct competitive advantage by arriving at their jobs ready to work and enthusiastically providing maximum effort. Legal practitioners would like the Law Society to advocate for employers to introduce measures to:

- Improve overall quality of life; aiming for a state of complete physical, mental and social wellbeing for legal professionals.

²⁷ <https://hbr.org/2016/11/employers-need-to-recognize-that-our-wellness-starts-at-work>

- Encourage the adoption of flexible working practices to improve work-life balance.

“Attention should continue to be focused on broader issues of work/life balance and mentally unsafe workplaces. While these problems affect all of us in one way or another, in my experience they pose a particular challenge for women and people from diverse backgrounds (who are in turn more likely to leave the law in response, as they do not feel empowered to effect change in a profession still ruled by old, white men).”

“Promoting reasonable work hours and meaningful work, especially for graduates.”

“The Law Society needs to act like a union. Junior lawyers are slaves being bullied. Discrimination is rife. It is time for the Law Society to protect its members!”

“Advocate for improvements in the culture in respect of mental health in the legal profession.”

“Mental health is a serious issue within the profession. Support from the Law Society and the LPB for solicitors suffering from mental health issues is sadly limited.”

“Address stigma of mental health - unconscious bias against those who are perceived to ‘lack’ the grit & fortitude of type A individuals.”

“Reduce the stigma of mental health through regular speaker events with high profile mental health advocates (i.e. the Attorney General).”

“Promote prevention through better working conditions as well as the existing mindfulness/yoga/healthy eating programs.”

“After decades in the profession I observe that the profession TODAY is nothing like it was in terms of collegiality and this in turn impacts on this issue.”

12.3.5 Accountability

Accountability is a critical success factor for successful engagement and retention of legal professionals. The legal profession may have the best policies and practices to encourage diversity and equality in the workplace, but if these policies and practices are not embraced by partners and managers, little will change. Legal professionals would like the Law Society of Western Australia to:

- Collect and report on workplace engagement measures to hold the legal profession and individual managers accountable for following best practice policies and practices.
- Advocate for fair and reasonable workloads and targets to be set for legal practitioners, adjusted for part-time or casual hours.

“Mechanisms for accountability - get behind that veneer of doing this well that the large law firms have. They talk the talk but underpinning it is a business model that is fundamentally inconsistent with flexibility and work/life balance. When you try to really do you are perceived as no longer committed (speaking from experience).”

“The Law Society need to get serious about enforcement of the laws, regulations & policies, etc. Otherwise, law firms will find ways to skirt around these and continue their practices, perpetuating the toxic culture.”

“Publish an annual report on how well the law firms/ legal profession are doing with their diversity - percentages on minorities, females, etc. in the different levels of the firm/organisation and overall. Set targets for law firms/organisations regarding diversity stats.”

“Law firms should be required to publish wages for women and men at each level of PAE and position. No exceptions.”

“Make firms accountable. Publish gender pay disparity. Make firms justify why they fired or made pregnant employees redundant.”

“I'd like to see firms who promote themselves as "Employers of Choice for Women" be held to account when they are not. I worked for a national firm who claimed to be an employer of choice for women, but when I wanted to return to work after having a child they refused to even engage on a flexible arrangement. After working at the firm for many years prior, it was very distressing and damaged my confidence for many years that they refused to support my re-entry into law. I was afraid to speak out when I was treated like this, as I didn't want my reputation damaged for fear of my future career.”

“Collect and report on workplace measures in respect of mental health of staff, mental health first aid training, burnout and mental health related claims on insurance policies (if possible).”

“We need to start a conversation about holding law firms accountable for overworking and burning out graduates.”

“Quotas for female employees in large law firms.”

Appendix A: Profile of Survey Respondents

Age and gender profile

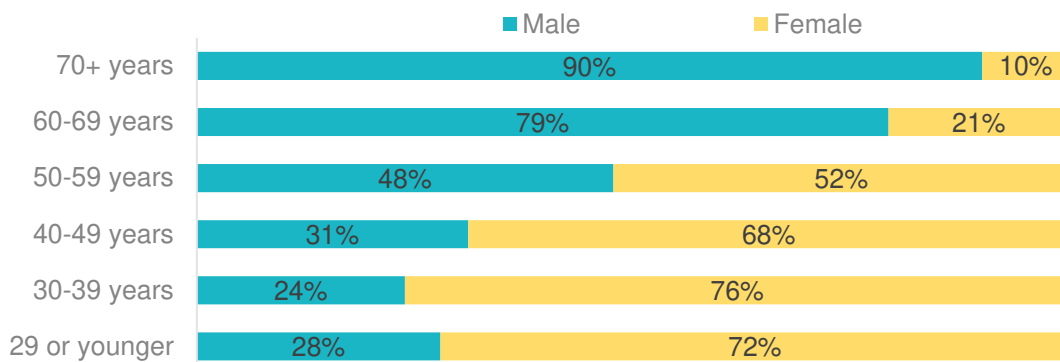
The survey attracted a cross section of legal practitioners. There were responses from legal practitioners in all age groups with a skew towards females in the younger age groups and a skew towards males in the older age groups. Overall, 62% of respondents were female and 38% were male.

What is your age? <i>Base: all respondents</i>	Count	%
24 or younger	14	3%
25-29	72	15%
30-34	75	15%
35-39	55	11%
40-44	55	11%
45-49	65	13%
50-54	52	11%
55-59	36	7%
60-64	39	8%
65-69	14	3%
70-74	8	2%
75+	2	0%
Rather not say	1	0%
Total	488	100%

Which gender do you identify with? <i>Base: all respondents</i>	Count	%
Male	185	38%
Female	302	62%
Rather not say	1	0%
Total	488	100%

While females are heavily represented in the younger age groups, the proportion of female practitioners in the research sample declines significantly after 50 years.

Representation of males and females
in the survey sample by age
% of respondents in each age group



Birthplace and Ancestry

Most respondents were born in Australia (69%), followed by the United Kingdom (10%). The most popular ancestry was Australian (48%), followed by English (29%), Irish (12%) and Scottish (11%).

In which country were you born? <i>Base: all respondents</i>	Count	%
Australia	339	69%
UK	48	10%
South Africa	21	4%
Malaysia	10	2%
New Zealand	10	2%
Canada	6	1%
Hong Kong	5	1%
Republic of Ireland	3	1%
India	2	0%
Sri Lanka	2	0%
USA	2	0%
Other	37	7%
Rather not say	3	1%
Total	488	100%

What is your ancestry? <i>Base: all respondents</i>	Count	%
Australia	235	48%
English	143	29%
Irish	57	12%
Scottish	54	11%
Chinese	27	6%
Italian	19	4%
Indian	16	3%
Aboriginal and/or Torres Strait Islander	4	1%
Greek	4	1%
Other	104	21%
Rather not say	7	1%
Total	488	100%

Current Practice Profile

85% of respondents have a current practising certificate. Many (44%) were admitted 15 years ago or prior and 26% were admitted within the past five years.

84% of respondents consider themselves to be actively working in the legal profession within Western Australia. This includes 1% who are currently on parental, carer's, sick or study leave. A further 1% indicated that they are taking extended leave from the profession, 1% are volunteering and 3% are seeking employment. 8% have left the legal profession in Western Australia.

Do you currently have a practising certificate? <i>Base: all respondents</i>	Count	%
Yes	414	85%
No	72	15%
Unsure	2	0%
Total	488	100%

How many years is it since you were first admitted as a legal practitioner in Australia? <i>Base: all respondents</i>	Count	%
1 year or less	31	6%
2-5 years	97	20%
6-10 years	82	17%
11-14 years	53	11%
15 or more years	215	44%
Have not been admitted	10	2%
Unsure	0	0%
Total	488	100%

Are you currently working in the legal profession within Western Australia? <i>Base: all respondents</i>	Count	%
Yes, I'm actively working in the legal profession	404	83%
Yes, but I'm currently on leave (parental, carer's, sick, study leave)	4	1%
No, I'm seeking employment in the legal profession	16	3%
No, I'm taking extended leave	7	1%
No, I've left the legal profession	19	4%
No, I've left Western Australia	12	2%
No, I've retired	10	2%
Volunteering	4	1%
Other	12	2%
Total	488	100%

Profile of current practitioners

A majority of respondents practice in private law firms. 8% are sole practitioners, 30% practice in small firms, 8% practice in medium firms and 22% practice in large firms. The next most common employer is government with 7% of respondents, followed by corporate legal with 6% of respondents and Legal Aid lawyers and barristers, each with 5% of respondents. 4% work in a Community Legal Centre or for Aboriginal Legal Services.

The most common roles among respondents are a partner or director in a private firm (19%), special counsel or consultant in a private firm (5%), senior solicitor or associate in a private firm (12%), solicitor in a private firm (16%), associate in a private firm (6%) and sole practitioners (8%). For 7% of respondents, their main role is in government, including Crown Solicitors, and 5% are solicitors in community organisations.

Respondents mostly work in Perth City (73%) or Perth suburbs (21%). 5% work in regional Western Australia.

Which sector and practice size are you currently employed / engaged in? <i>Base: Current practitioners</i>	Count	%
Court or tribunal role	4	1%
Barrister	20	5%
Crown prosecutor/ public Defender	6	1%
Private law firm: sole practitioner	31	8%
Private law firm: 2 to 15 practitioners	124	30%
Private law firm: 16 to 40 practitioners	32	8%
Private law firm: 41+ practitioners	91	22%
Corporate legal (in-house)	23	6%
Government legal	29	7%
Community Legal Centre/ Aboriginal Legal Services	15	4%
Legal Aid Lawyers	19	5%
Non-government organisation / not for profit	5	1%
Academia	1	0%
Other legal role	5	1%
Non-legal role	2	0%
None of these	1	0%
Total	408	100%

What is your main role? <i>Base: Current practitioners</i>	Count	%
Judge or Magistrate	3	1%
Judge's Associate	1	0%
Barrister - Senior Counsel	6	1%
Barrister - Junior Counsel	14	3%
Private - Partner / Director	78	19%
Private - Special Counsel / Consultant	22	5%
Private - Senior Solicitor/ Senior Associate	49	12%
Private - Associate	24	6%
Private - Solicitor	67	16%
Private - Law Graduate	4	1%
Private - Law Clerk	1	0%
Private - other legal role	2	0%
Corporate - General Counsel/ Head Legal Counsel	3	1%
Corporate - Senior Legal Counsel/ Senior Lawyer	9	2%
Corporate - Legal Counsel/ Lawyer	10	2%
Corporate - Other legal role	1	0%
Government - Legal (including Crown Solicitor)	29	7%
Community - Principal Solicitor/ Managing Solicitor	8	2%
Community - Senior Solicitor	7	2%
Community - Solicitor	21	5%
Community - other	3	1%
Crown Prosecutor/ Public Defender	6	1%
Private - sole practitioner	31	8%
No response	9	2%
Total	408	100%

Where is your workplace located? <i>Base: Current practitioners</i>	Count	%
Perth City	299	73%
Perth Suburban	85	21%
Regional WA – large town	14	3%
Regional WA – other	8	2%
Interstate / overseas	2	0%
Total	408	100%

Profile of non-current practitioners

Among respondents who are not currently practising, 34% practiced within the past 12 months, 33% practiced within the past two to five years, and 19% practiced over five years ago. 15% have never practiced in Western Australia.

Similar to current practitioners, most non-current practitioners were employed in a private law firm and most worked in Perth City (76%), followed by Perth suburbs (12%). Around 8% worked in regional Western Australia. 3% worked interstate or overseas.

When did you last work in the legal profession in Western Australia? <i>Base: Non-current practitioners</i>	Count	%
Within 1 year	27	34%
Within 2-5 years	26	33%
6+ years ago	15	19%
Never	12	15%
Total	80	100%

Which sector and practice size were you last employed / engaged in within the WA legal profession? <i>Base: Non-current practitioners</i>	Count	%
Court or tribunal role	4	6%
Barrister	1	1%
Crown prosecutor/ public Defender	3	4%
Private law firm: sole practitioner	3	4%
Private law firm: 2 to 15 practitioners	21	31%
Private law firm: 16 to 40 practitioners	5	7%
Private law firm: 41+ practitioners	10	15%
Corporate legal (in-house)	3	4%
Government legal	9	13%
Community Legal Centre/ Aboriginal Legal Services	2	3%
Legal Aid Lawyers	1	1%
Non-government organisation / not for profit	2	3%
Academia	2	3%
Other legal role	1	1%
Non-legal role	1	1%
Total	68	100%

Where was your workplace located when you last worked in the WA legal profession? <i>Base: Non-current practitioners</i>	Count	%
Perth City	52	76%
Perth Suburban	8	12%
Regional WA – large town	5	7%
Regional WA – other	1	1%
Interstate / overseas	2	3%
Total	68	100%

Profile of working parents

Around 44% of respondents have dependent children. Of these respondents, 42% say they are the primary carer, 39% share primary care with their partner and 17% are the non-primary carer.

Do you have any dependent children? <i>Base: all respondents</i>	Count	%
Yes	213	44%
No	268	55%
Rather not say	7	1%
Total	488	100%

Are you the primary carer in your family? <i>Base: respondents with dependent children</i>	Count	%
Yes	90	42%
No	37	17%
There is no primary carer – the role is shared	84	39%
Rather not say	2	1%
Total	213	100%

Among respondents who have children, 41% have children aged 5 years or younger, 40% have primary school aged children (6-11 years), 31% have high school aged children (12-17 years), and 23% have dependent children aged 18 years or older.

Age of dependent children <i>Base: respondents with dependent children</i>	Count	%
0-5 years	87	41%
6-11 years	86	40%
12-17 years	66	31%
18+ years	50	23%
No response	2	1%
Total	213	100%

Membership Profile

Around 66% of respondents are members with the Law Society of Western Australia. A further 13% are past members.

Around 14% of respondents are members with Women Lawyers of Western Australia. A further 13% are past members.

Membership with the Law Society of Western Australia <i>Base: all respondents</i>	Count	%
Current member	323	66%
Past member	65	13%
Non-member	55	11%
Unsure	4	1%
No response	41	8%
Total	488	100%

Membership with Women Lawyers of Western Australia <i>Base: all respondents</i>	Count	%
Current member	68	14%
Past member	65	13%
Non-member	299	61%
Unsure	15	3%
No response	41	8%
Total	488	100%

Appendix B: CULTYR® Engagement Scorecard

Active vs non-active practitioners			
CULTYR® Engagement Scorecard Workplace Index Scores	Active practitioner	Last practiced within 1 year	Last practiced within 2-5 years
There is strong leadership and direction	67	47	56
We have modern and effective policies, systems and processes	62	53	63
I have a good relationship with the person I report to	78	60	62
The work I do is interesting, engaging and meaningful	79	76	70
My workload and targets are fair and reasonable	66	50	51
I feel confident in my abilities to do the work that is required of me	80	67	65
I feel appreciated and respected	70	50	61
I have good access to training and development	73	58	62
I receive regular and encouraging feedback	60	38	45
People are treated fairly and equally	66	39	49
There is good support for people dealing with personal or professional issues	64	47	41
I feel a strong sense of belonging within the legal profession	60	52	45
I'm paid fairly for the work I do	65	56	61
I enjoy a good work-life balance	62	49	50
I have good opportunities for promotion or advancement	52	33	43
There is a culture of supporting flexible working arrangements	66	47	47
We have a good Parental Leave Policy	61	47	56
We have a good Return to Work support program for people returning from extended leave	54	41	44

Gender variances		
CULTYR® Engagement Scorecard Workplace Index Scores	Male	Female
There is strong leadership and direction	69	65
We have modern and effective policies, systems and processes	66	60
I have a good relationship with the person I report to	78	79
The work I do is interesting, engaging and meaningful	80	79

Gender variances		
CULTYR® Engagement Scorecard Workplace Index Scores	Male	Female
My workload and targets are fair and reasonable	71	63
I feel confident in my abilities to do the work that is required of me	83	79
I feel appreciated and respected	73	69
I have good access to training and development	76	72
I receive regular and encouraging feedback	61	59
People are treated fairly and equally	71	63
There is good support for people dealing with personal or professional issues	69	61
I feel a strong sense of belonging within the legal profession	63	58
I'm paid fairly for the work I do	69	63
I enjoy a good work-life balance	67	59
I have good opportunities for promotion or advancement	56	50
There is a culture of supporting flexible working arrangements	68	65
We have a good Parental Leave Policy	63	61
We have a good Return to Work support program for people returning from extended leave	60	51

Age variances			
CULTYR® Engagement Scorecard Workplace Index Scores	34 or younger	35-64 years	65+ years
There is strong leadership and direction	64	65	65
We have modern and effective policies, systems and processes	58	63	72
I have a good relationship with the person I report to	78	74	69
The work I do is interesting, engaging and meaningful	74	80	87
My workload and targets are fair and reasonable	60	64	76
I feel confident in my abilities to do the work that is required of me	71	81	93
I feel appreciated and respected	67	68	80
I have good access to training and development	69	72	82
I receive regular and encouraging feedback	59	56	63
People are treated fairly and equally	61	63	74
There is good support for people dealing with personal or professional issues	60	61	71
I feel a strong sense of belonging within the legal profession	55	58	79
I'm paid fairly for the work I do	60	66	75
I enjoy a good work-life balance	59	60	69

Age variances (continued)			
CULTYR® Engagement Scorecard Workplace Index Scores	34 or younger	35-64 years	65+ years
I have good opportunities for promotion or advancement	55	47	48
There is a culture of supporting flexible working arrangements	59	64	68
We have a good Parental Leave Policy	58	60	67
We have a good Return to Work support program for people returning from extended leave	48	54	62

Variance by duration of practice			
CULTYR® Engagement Scorecard Workplace Index Scores	Admitted in last 5 years	Admitted 6-14 years	Admitted 15+ years
There is strong leadership and direction	64	63	65
We have modern and effective policies, systems and processes	57	59	65
I have a good relationship with the person I report to	76	80	71
The work I do is interesting, engaging and meaningful	75	79	80
My workload and targets are fair and reasonable	62	60	66
I feel confident in my abilities to do the work that is required of me	71	78	84
I feel appreciated and respected	66	66	70
I have good access to training and development	68	69	74
I receive regular and encouraging feedback	60	56	56
People are treated fairly and equally	61	61	64
There is good support for people dealing with personal or professional issues	60	59	62
I feel a strong sense of belonging within the legal profession	54	57	61
I'm paid fairly for the work I do	54	64	71
I enjoy a good work-life balance	58	56	63
I have good opportunities for promotion or advancement	52	50	47
There is a culture of supporting flexible working arrangements	61	62	64
We have a good Parental Leave Policy	57	55	64
We have a good Return to Work support program for people returning from extended leave	44	51	56

Working full-time vs non-standard hours		
CULTYR® Engagement Scorecard Workplace Index Scores	Full-time employment	Alternative arrangement
There is strong leadership and direction	68	58
We have modern and effective policies, systems and processes	63	57
I have a good relationship with the person I report to	79	76
The work I do is interesting, engaging and meaningful	80	75
My workload and targets are fair and reasonable	66	63
I feel confident in my abilities to do the work that is required of me	81	76
I feel appreciated and respected	71	66
I have good access to training and development	74	66
I receive regular and encouraging feedback	60	56
People are treated fairly and equally	67	58
There is good support for people dealing with personal or professional issues	66	56
I feel a strong sense of belonging within the legal profession	60	58
I'm paid fairly for the work I do	66	60
I enjoy a good work-life balance	61	63
I have good opportunities for promotion or advancement	54	39
There is a culture of supporting flexible working arrangements	67	61
We have a good Parental Leave Policy	60	63
We have a good Return to Work support program for people returning from extended leave	56	48

Variance by type of practice									
CULTYR® Engagement Scorecard Workplace Index Scores	Barrister	Private firm (all)	Sole practitioner	Small private (2-15)	Medium private (16 -40)	Large private (41+)	Corporate legal	Government legal	Community/ Legal Aid
There is strong leadership and direction	56	67	74	69	54	70	63	62	71
We have modern and effective policies, systems and processes	49	66	71	66	58	67	50	47	63
I have a good relationship with the person I report to	65	78	69	79	82	77	88	74	82
The work I do is interesting, engaging and meaningful	83	77	86	80	80	69	82	79	88
My workload and targets are fair and reasonable	56	66	77	74	67	52	67	60	74

Variance by type of practice (continued)									
CULTYR® Engagement Scorecard Workplace Index Scores	Barrister	Private firm (all)	Sole practitioner	Small private (2-15)	Medium private (16 -40)	Large private (41+)	Corporate legal	Government legal	Community/ Legal Aid
I feel confident in my abilities to do the work that is required of me	81	79	85	79	78	77	82	78	84
I feel appreciated and respected	64	71	75	76	67	64	69	69	74
I have good access to training and development	80	73	81	72	73	72	66	71	78
I receive regular and encouraging feedback	46	58	68	59	56	56	64	64	74
People are treated fairly and equally	45	67	74	73	62	61	61	70	68
There is good support for people dealing with personal or professional issues	40	66	65	71	66	60	58	63	71
I feel a strong sense of belonging within the legal profession	63	60	58	60	63	59	55	56	70
I'm paid fairly for the work I do	66	63	65	64	62	62	66	72	66
I enjoy a good work-life balance	56	59	65	65	64	46	66	69	71
I have good opportunities for promotion or advancement	56	54	44	60	46	54	40	49	45
There is a culture of supporting flexible working arrangements	39	67	70	67	77	61	72	64	73
We have a good Parental Leave Policy	29	60	48	53	63	70	60	74	68
We have a good Return to Work support program for people returning from extended leave	29	54	44	51	67	55	56	59	64

Dependent children vs no dependents						
CULTYR® Engagement Scorecard Workplace Index Scores	Have dependent children		Age of children			
	No	Yes	0-5	6-11	12-17	18+
There is strong leadership and direction	64	64	66	66	62	68

Dependent children vs no dependents (continued)						
CULTYR® Engagement Scorecard Workplace Index Scores	Have dependent children		Age of children			
	No	Yes	0-5	6-11	12-17	18+
We have modern and effective policies, systems and processes	61	62	59	62	61	68
I have a good relationship with the person I report to	75	76	80	78	74	71
The work I do is interesting, engaging and meaningful	78	78	79	83	77	77
My workload and targets are fair and reasonable	63	63	64	66	60	62
I feel confident in my abilities to do the work that is required of me	78	79	76	80	82	84
I feel appreciated and respected	67	68	68	71	67	69
I have good access to training and development	70	72	73	73	72	74
I receive regular and encouraging feedback	57	57	58	60	52	53
People are treated fairly and equally	61	64	62	67	66	66
There is good support for people dealing with personal or professional issues	60	62	60	65	64	66
I feel a strong sense of belonging within the legal profession	59	57	55	60	60	59
I'm paid fairly for the work I do	63	66	63	69	68	71
I enjoy a good work-life balance	59	61	58	60	63	62
I have good opportunities for promotion or advancement	51	48	51	52	42	44
There is a culture of supporting flexible working arrangements	62	63	59	69	67	63
We have a good Parental Leave Policy	61	58	53	60	61	62
We have a good Return to Work support program for people returning from extended leave	53	51	43	51	57	63

Primary vs non-primary carers			
CULTYR® Engagement Scorecard Workplace Index Scores	Primary carer	Primary care is shared	Non-primary carer
There is strong leadership and direction	67	63	60
We have modern and effective policies, systems and processes	63	59	64
I have a good relationship with the person I report to	78	75	74
The work I do is interesting, engaging and meaningful	79	78	78
My workload and targets are fair and reasonable	61	66	60
I feel confident in my abilities to do the work that is required of me	75	83	81
I feel appreciated and respected	71	66	69
I have good access to training and development	72	72	72
I receive regular and encouraging feedback	60	53	56
People are treated fairly and equally	64	63	67
There is good support for people dealing with personal or professional issues	62	61	64
I feel a strong sense of belonging within the legal profession	57	57	60
I'm paid fairly for the work I do	65	67	66
I enjoy a good work-life balance	57	67	58
I have good opportunities for promotion or advancement	49	46	51
There is a culture of supporting flexible working arrangements	64	63	62
We have a good Parental Leave Policy	56	63	53
We have a good Return to Work support program for people returning from extended leave	46	57	50

Parental leave		
CULTYR® Engagement Scorecard Workplace Index Scores	Taken parental leave over past 5 years	Have not taken parental leave
There is strong leadership and direction	59	65
We have modern and effective policies, systems and processes	58	62
I have a good relationship with the person I report to	78	75
The work I do is interesting, engaging and meaningful	79	79
My workload and targets are fair and reasonable	60	64
I feel confident in my abilities to do the work that is required of me	75	79
I feel appreciated and respected	67	68

Parental leave (continued)		
CULTYR® Engagement Scorecard Workplace Index Scores	Taken parental leave over past 5 years	Have not taken parental leave
I have good access to training and development	69	72
I receive regular and encouraging feedback	56	58
People are treated fairly and equally	58	64
There is good support for people dealing with personal or professional issues	56	63
I feel a strong sense of belonging within the legal profession	57	58
I'm paid fairly for the work I do	62	64
I enjoy a good work-life balance	57	61
I have good opportunities for promotion or advancement	48	50
There is a culture of supporting flexible working arrangements	58	64
We have a good Parental Leave Policy	56	61
We have a good Return to Work support program for people returning from extended leave	44	55