



## Précis Paper

### Women Working in Law

An interesting discussion about the ongoing gender imbalance in law and steps that can be taken to encourage female-friendly workplaces.

#### **Discussion Includes**

- The gender imbalance in law
- Female-dominated law firms
- Developing women-friendly workplaces
- Flexibility in the workplace

## Précis Paper

### Women Working in Law

1. In this edition of BenchTV, Victoria Shute (Solicitor, Kelledy Jones Lawyers, Adelaide) and Alan Conolly (Senior Partner, AR Conolly and Company) discuss issues relating to women in law.

#### The Gender Imbalance in Law

2. Victoria is a solicitor at Kelledy Jones Lawyers which has nine lawyers, seven of which are lawyers. It is unusual to see a law firm where the gender imbalance is tilted towards women, as the legal profession remains heavily male-dominated, despite the fact that more women graduate from law than men.
3. Victoria explained that the gender make-up of the firm did not happen by design or intention, but was an organic process that occurred when the firm was founded, bringing across a number of solicitors who broke off from a larger Adelaide-based firm.
4. Recruitment at the firm depends on the area in which the hiring is occurring and the type of expertise that is being sought and would invariably involve at least one woman on the selection panel. The selection process for hiring decisions is of course on merit, regardless of gender.
5. Victoria considered that clients are generally indifferent to the fact that the firm is female-dominated, and at the end of the day, clients are interested in a good relationship and good work more than anything else.
6. On a broader level, women are still underrepresented as partners in law firms. Victoria reflected that this may occur because partnership is often judged on profit and earnings over the course of a lawyer's career, and when women work part-time and are not as profitable as lawyers who work full-time, this can be judged against them when seeking partnership. However, it depends on the size of the firm and the people making the management decisions, and ultimately the numbers will change over time.

#### Female-Friendly Workplace Policies and Flexible Arrangements

7. Victoria thought that there was probably a polarisation between larger firms, at the one end of the market, and smaller, boutique practices at the other end, which are flourishing. This is relevant to the discussion of women in the law because how a lawyer deals with family and other personal issues can be dependent upon how supportive their colleagues are and the

workplace environment is. This is possible within a large firm where the practice group is supportive, however it may be easier to achieve the appropriate support and balance within a smaller firm.

8. The ability to work offsite is important for women seeking to work flexibly. Victoria's firm has a cloud-based system, which allows lawyers to log in remotely. It is also important for colleagues to be prepared to work around absences from the office and working odd hours.
9. One argument made at times against flexibility is that those who enjoy flexible work practices may be leaning on those who do not. However Victoria did not necessarily agree with this sentiment. She considered that it came down to a degree of trust within the workplace, in the fact that even when someone is not physically at their desk, they will nonetheless be productive. There can be a fear of flexible arrangements because it involves more than seeing that someone is physically at their desk in order to be "at work", so a workplace needs to think beyond the traditional office set up. For solicitors, if the arrangement is not working properly, it would come through in their billable hours, and so the fear that flexible arrangements place additional burdens on those physically in the office is probably wrong in today's world, where technology can facilitate productive arrangements outside of the office. However workplaces would need to be prepared to have difficult conversations if the flexible arrangements are not working well.

#### Family Considerations

10. Victoria acknowledged that there can be power imbalances in relationships where one partner works and the other does not. This can arise because of financial realities, where it may not be financially viable for one partner (often the woman) to return to work because the cost of childcare outweighs the cost of the salary that would be received. This leads to couples doing a cost-benefit analysis of both partners working. This is not necessarily a deliberate or nasty assertion of power, but an unfortunate financial reality.

## **BIOGRAPHY**

### Victoria Shute

Solicitor, Kelledy Jones Lawyers, Adelaide

Victoria is a specialist practitioner with significant expertise in advising and representing councils and statutory bodies on planning, building and environmental issues. She is recognised within local government circles and the planning profession as a high-quality presenter and educator. She also works in the areas of liquor licensing, native title, natural resources law and summary procedural matters such as restraining orders.

### Alan Conolly

Senior Partner, AR Conolly and Company

Alan Conolly founded the law firm AR Conolly and Company in 1968 where he remains a partner in full-time practice. He has chaired companies in diverse industries including oil, IT, dance, agrochemicals and film. Life Member of the Law Society of New South Wales, publisher of Benchmark.

## **BIBLIOGRAPHY**

### Benchmark Presentation Link

[www.benchtv.com.au/cletv/Women-Working-in-Law](http://www.benchtv.com.au/cletv/Women-Working-in-Law)