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# Men and women are leaving the profession in equal numbers

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**MORE than a third of barristers who have joined the NSW bar since 1990 have left the profession.**

However, figures released by the NSW Bar Association this week show the percentage of men and women leaving over the past 22 years is relatively even \_ challenging assumptions that females leave at much higher rates than males.

The figures reveal female barristers are twice as likely as males to be appointed judges. Since 1990, 9.6 per cent of females who left the bar were appointed to the bench, compared with 4.7 per cent of males. However, men still join the bar at twice the rate of women.

Since 2001, women have made up just 32 per cent of those who undertook the bar practice course. In total, 295 women joined the bar during the period, compared with 634 men.

This is despite women making up a majority of law school graduates since at least 1997.

Beaton Research and Consulting director of professions Tristan Forrester said the proportion of women joining the bar was almost identical to the proportion of women being promoted to the partnerships of leading law firms in Australia and the US.

"Maybe part of what is going on is there is still unconscious gender biases very much at play in appointments and who gets encouraged to take up these senior roles," he said.

NSW Bar Council junior vice-president Jane Needham SC said she was encouraged by the even retention rates.

"There's always been a perception that there's been a higher level of attrition for women than men, and there is, but it's very slight," she said. "I think that's quite encouraging. We've been working over the years to make it easier for women to come to the bar and, importantly, to stay at the bar. While of course that work hasn't finished, I think the effort that the Bar Association has put into it has paid off."

However, Australian Women Lawyers president Kate Ashmor said it was difficult to make too much of the figures without comparing the level at which men and women left and their reasons. About a third of barristers did not say why they left.

The figures showed that 34 per cent of barristers who started at the NSW bar since 1990 had quit. A third of those moved interstate or overseas. About 17 per cent of women and 12 per cent of men left to practise as a solicitor. About 4 per cent of women left for family reasons, while 5 per cent of men had died.

Ms Ashmor said she believed the turnover rates were a concern. "Any business that has a 34 per cent turnover rate is in trouble," she said.

"Seniority is also important. We know that senior counsel need to have about 15 years on average of experience. So we're losing a large pool of people, both men and women, who can go on to become the leaders at the bar and also the main pool of judges."

However, Mr Forrester said the annual attrition rate for barristers was about 5 per cent, which was slightly higher than the 3 per cent annual attrition rate for law firm partners.

"Any attrition of people who are highly skilled and highly qualified is a concern," he said.

"But the 2011 turnover doesn't look so high that you'd start ringing alarm bells."