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WELLINGTON DISTRICT LAW SOCIETY

FULL REPORT

WOMEN IN THE PROFESSION

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September 1983

WELLINGTON
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WOMEN IN THE PROFESSION

I. INTRODUCTION

1-01 Formation

The Committee comprising the Working Party was set up by resolution passed at the Annual General Meeting of the Wellington District Law Society on 17th March 1982.

1.02 Membership

The Committee consisted of the following members:

- I. M. (Mike) Antunovic
- H. A. (Helen) Cull
- J. A. L. (John) Gibson
- L. M. (Linda) Howes
- G. D. (Graeme) MacKay
- S. M. (Sandra) Moran
- C. G. (Chris) Pottinger (Convenor)

Subsequently

- K. T. (Keith) Matthews

was seconded to the Committee in early 1983.

1.03 Terms of Reference

The Committee was referred to the Auckland District Law Society Report of the Working Party on Women in the Legal Profession dated 4th December 1981 ("the Auckland Report") for its terms of reference. It decided to adopt all the terms of reference, namely:

- (i) The essential facts relating to women practitioners such as numbers, status and age.
- (ii) The role of women in the profession as compared to that of men.
- (iii) Whether there is evidence of prejudice or discrimination against women practitioners and, if it exists, the reason for such discrimination.
- (iv) Whether there is evidence that the public are prejudiced against women practitioners.
- (v) Overseas trends.

(vi) If there is evidence that the position of women in the profession is less favourable than that of men, recommendations to rectify the situation.

but in fact no enquiry or comment has been made on (v) Overseas Trends. The Committee received immediate and ready co-operation from the members who had compiled the Auckland Report. In particular copies of the questionnaires used for the Auckland Report were made available. The Committee is indebted to the Auckland District Law Society for the information and assistance given.

1.04 Shortcomings of Auckland Report

After considering the Auckland Report and questionnaire used the Committee took the view that the conclusions reached in the Auckland Report, particularly in respect of discrimination, were possibly open to question as they were based on admissions in the year 1975/76 in the case of men and the years 1974/76 in the case of women. The overall sample from which conclusions were drawn represented only 26% of the total numbers concerned. In addition there were certain aspects of the questionnaire which the Committee felt needed amplification.

1.05 Scope of Sample

In order to obtain the widest possible sample it was decided to include the following:

A. Women admitted in Wellington in the years 1972, 1974, 1976 1978.

B. Men admitted in Wellington in 1972, 1974, 1976 and 1978.

The Committee felt that a comparison of the experience of each group should provide useful information and should have more validity than if the enquiries had been limited to one or two years only.

In addition it was decided to include two further groups in the sample:

C. Women admitted in the decade 1970-80 holding a practising certificate in Wellington.

D. Women holding a practising certificate in Wellington but not included in Groups B and C.

1.06 Questionnaire

A number of the first meetings of the Committee were devoted to revising the form of questionnaire to be sent to those coming within the groups chosen. A sample of the questionnaire used appears as an appendix to the Full Report. It should be noted that both men and women were asked to complete the main questionnaire covering academic and work experience, availability of flexible or part time work, salaries, perceptions of discrimination, and attitude to law society functions. Only women completed the latter part of the questionnaire relating specifically to actual or perceived discrimination.

After the questionnaire had been settled, we asked Jenny Neale, an experienced researcher, to check the questionnaire and as a result of her comments some useful changes were made.

1.07 Response to Questionnaire

The members to whom the questionnaire was sent, the responses both in numbers and percentage, are as follows:

	Number of Questionnaires Sent	Valid Responses	% Response
Group A			
Women admitted 1972-74, 1976-78	45	22	48.8%
Group B			
Men admitted 1972-74 1976-78	193	111	57.5%

	Number of Questionnaires	Valid Responses	% Response
Group C			
Women practising in Wellington admitted 1970-80	84	59	70.2%
Group D			
Other Women practising in Wellington	17	14	76.5%

This was considered a good response by the Committee. The reason for the comparatively low response in Group A appears due to the fact that a number of women admitted in the years indicated had moved from Wellington and were no longer members of the Wellington District Law Society. It nevertheless proved possible in some cases to obtain responses from women included in the Group who had either given up law or were living or travelling overseas.

1.08

Analysis of Responses

It was recognised at an early stage that the Committee would have neither the time nor the expertise to analyse the responses to the questionnaires. With the approval of this Council the material was coded and processed by Databank using the SAS programme.

The processed data was then considered and analysed by Alison Gray and Jenny Neale of Urban Research Associates. This analysis forms the main part of the report. It is in full or summary form.

1.09

Full and Summary Report

The Committee has concluded that for simplicity sake it should produce two reports as follows:

A. The Full Report comprising -

Introduction

Survey of Male and Female Lawyers

Comments of those surveyed on various matters

Conclusions and Recommendations

Appendices - Tables and Questionnaire

and

B. Summary Report comprising -

Introduction


Summary

Conclusions and Recommendations

1.10 Acknowledgements

The Committee acknowledges the assistance of all those who participated in the survey by completing questionnaires. Particular thanks are due to Jenny Neale for advice on the questionnaire and instructions for coding, Julie O'Brien, Sharon Curry, Iona Sideris, Megan Richardson and Jillian Moss for assistance in coding, Databank for processing the coded data, Alison Gray and Jenny Neale for preparing the Full Report and the Summary and Mrs. Judith Keesing and Mrs. Joy Goodright for typing assistance on many occasions.

For the Committee


C. G. Pottinger
Convenor

September 1983

Wellington District Law Society

Survey of Male and Female Lawyers

I Introduction

This survey was initiated by the Wellington District Law Society in mid- 1982. A total of 339 questionnaires were sent to lawyers in the region:

(a) To all male lawyers admitted to the bar in the Wellington District Law Society area in the years 1972,1974,1976 and 1978 (193);

(b) To all female lawyers admitted in the Wellington region between 1970 and 1980 (129);and

(c) To all other female lawyers holding a licence to practise in the Wellington region as at February 1982 (17).

There were 205 completed questionnaires,111 from men and 94 from women giving an overall response rate of 60.5%.The response rate was 57.5% for men and 64.5% for women. The distribution of respondents in terms of year of admission was as follows:

Table 1.1 Survey Respondents by Year of Admission

	Female	Male	Total
Before 1970	9	-	9
1970 - 1974	8	51	59
1975 - 1979	44	60	104
1980 +	33	-	33
Total	94	111	205

In most of the analysis which follows and in the tables which make up Appendix I of the report,the women have been classified together to make a group comparable in size to that of the men. However the wider range in years of admittance for women needs to be borne in mind.

II Personal

2.1 Age

The women in the survey tended to be younger than the men which is not surprising given that most entered the profession in 1975 or later. Over half the women (55%) were under 30 compared with only a quarter of the men (26%). (Table 2.1)

2.2 When Admitted

Three quarters of the women (77%) were admitted to the bar in 1975 or later. Only half the men (54%) came into that category. In fact,one third of the women were admitted in 1980 or later. (Table 2.2)

2.3 Experience

As might be expected from these figures,the men had more experience than the women,particularly as employed solicitors and partners.The differences as unqualified clerks were less.

On average the men in the survey had spent 1.7 years as an unqualified clerk, the women 1.3. The most usual time for both sexes to spend was one year. Approximately one quarter of each sex had spent no time at all as an unqualified clerk. The women who were admitted to the bar in the same years as the men were less likely to have spent time as clerks - only 68% had done so, compared with 77% of the men, and very few had spent more than one year. (Table 2.3)

The men had spent an average of 4.2 years as employed solicitors, the women 3.1. Almost half the women (48%) had had only one or two years' experience in this field compared with one fifth of the men (21%).

At the other end of the scale, one in three men had at least five years' experience but only one in four women had that much. (Table 2.4)

These differences were reduced for the comparable groups, with men having only a slight edge of experience over the women - 18% of these women had only 1 or 2 years experience (men 21%) and 32% had 5 years or more (men 37%).

The differences in years as a partner or sole practitioner were more striking. Three quarters of the women (76%) had no experience as a partner or sole practitioner. This was true for only 4 out of 10 men (42%). Almost a quarter of the men (23%) had been in sole practice or partnerships for at least 5 years; only 14% of women had done so. (Table 2.5)

These differences remained constant for the matching groups.

III Academic

3.1 First Qualification

Generally the women in the survey passed their examinations with higher marks than the men and were slightly more likely to have obtained a further qualification.

Nearly half the women (48%) were in the top 25% of their class (with or without Honours) compared with just under a third of the men (30%). A further 30% of both sexes made the next quartile leaving 15% of the women and 31% of men with passes in the lower half of their class (after excluding the "don't knows"). Several older respondents commented that an Honours degree in law was not available when they did their training and this may have affected the results.

(Table 3.1)

3.2 Second Qualification

The second qualification was usually another bachelors degree with B.As predominating. A third of the women held these and about one fifth of the men. Eight men and four women had Masters degrees in law and one woman had a doctorate. "Other" qualifications included combined degrees and Diplomas in Teaching, Accounting, Librarianship, and Dairy Technology as well as a Certificate in Social Studies. Sixteen respondents had these types of qualifications. (Table 3.2)

IV Employment

4.1 Present Type of Employment

There were 121 employees, 63 partners, 13 sole practitioners and barristers and 8 non-employed lawyers in the survey.

Eight out of ten women were employees, but only 4 out of ten men. In contrast, over half the men (53%) were partners, but only 4% of the women. The remainder were sole practitioners (7 women, 6 men) or not working (8 women). (Table 4.0).

Although most respondents were in their present type of employment by choice, this was less true of women than men. Three out of ten women (and 1 out of ten men) mentioned reasons like family commitments (29 women, 3 men) and lack of partnership prospects (9 women, 2 men). (Table 4.1)

4.2 Employees

There were 75 female and 46 male employees of whom half in each case were in law firms. Government departments were the next most common employer taking about one third of both men and women. The remainder were distributed among statutory corporations and private companies (about 6% in each case with a slight male preference). There were 2 at university, both women, and 2 in "other" situations. (Table 4.2)

4.3 Non Law Firm Employees

The majority of the 58 respondents employed other than by a law firm were in that situation by choice. Only seven, 6 women and 1 man, were not. They made comments like: "Inability to obtain a job in a law firm before and after admission made later employment in private practice rather difficult."

"Couldn't get a job in a law firm and paid more in government."

Nine women had chosen their present situation because they thought they had no partnership prospects, two men had done so.

Two women had family commitments which made their present employment most suitable. (Tables 4.3 and 4.3.1)

4.4 Law Firm Employees

4.4.1 Twelve of the 63 law firm employees had been approached to become partners. Seven of the 12 were men.

4.4.2. Five men and two women had taken the initiative in inquiring about a partnership themselves.

4.4.3 Fiftyseven law firm employees rated their prospects of partnership. Seventeen (30%) considered them good or excellent including 9 men and 8 women.

Fifteen (26%) were pessimistic, putting their chances at poor or non-existent including 10 women and 5 men. As an interesting comment, not one woman considered her chances excellent (2 men did) and not one man rated his as non-existent (4 women did).

Two women felt their partnership prospects were affected by their family commitments.

Sixteen men and women (28%) thought it too soon to tell.

All the women who rated their partnership prospects less than "good" considered their sex would have an influence on their chances.

4.4.4 There was a "women only" question in a subsequent section which asked whether women had ever been told they had no prospects of a partnership on account of their sex. Fifteen women had had this experience and made comments like:

"Told too many women coming up in the firm, therefore numbers would be unbalanced - i.e. more than one female partner."

"Told partnership not available or not to be assumed. Being a woman and family commitments work against partnerships, which if I were a male with the same qualifications and experience would be readily available."

"Who needs a part time partner?" (Tables 4.4.1 - 4.4.4)

4.5 Sole Practitioners and Barristers

Only one of the 13 sole practitioners, a man, said that lack of partnership

prospects had prompted his decision to work this way. Two women liked working alone because the flexible hours suited their family commitments, while others liked the independence from legal hierarchies and a better opportunity to work in police courts.

Nine of the 13, five women and four men, felt they had better opportunities as a sole practitioner than in a law firm.

4.5.2 In a subsequent question 14 women said they had elected to become or were considering becoming sole practitioners because they were women and 28 thought women would have better opportunities solo than in a law firm.

"Remuneration and areas of work would not be determined by the partners."

"Free to get on with the job, not having to waste emotional energy and time in justifying personal position."

There were 40 women who did not think women would be better off alone. The drawbacks they mentioned included:

"Suspect potential clients would be prejudiced also."

"What is gained in peace of mind, self-determination and independence you lose in work variety, support and income and chance of elevation to the bench."

4.6 Partners

There were 63 partners in the survey - 59 men and 4 women. Only 8 worked in partnerships which included a woman and no partnerships had more than one female partner.

The most usual size for a practice was 2-4 partners (over half the total), with a further quarter having 11 - 25 partners. (Table 4.6)

Most current partners had been offered their position (50 out of 63, including

3 out of the 4 women). Only 14 had made an approach to their firm, including 2 of the women. (Some respondents both approached

and were approached.) (Tables 4.6.1 - 4.6.2)

The women's relative newness to the profession was reflected in the fact that 3 out of the 4 female partners had fewer than five years' of practice since admission. In contrast, half the men had had 5 - 9 years' experience and one in 6 had had 10 - 14 years. (Table 4.6.3)

4.7 Non-Employed Lawyers

The eight non-employed lawyers were all women and seven of them cited "personal circumstances" as the reason they were not working. Six were responsible for young children, one had been working in an administrative capacity in a public company and one had left work because of harassment. She found it difficult to explain her situation and to get understanding, and worried what to say to a potential employer when she decided to return to work.

V Obtaining a Job

5.1 First Job Applications

Just one half of the respondents (53%) had made only one application before obtaining their first job after graduation, but this was more common among men than women (61% - 42%).

Women were twice as likely as men to have made 4 or more applications. One third had done so compared with 15% of the men. (Table 5.1)

Job applications reflected economic change over the decade. Up to 1975, three quarters of the applicants were able to get a job with their first application. In the second half of the 1970s this dropped to 44% and in the 1980s to 39%. (Table 5.1.2)

5.2 Difficulties

There were two questions relating to difficulties in obtaining employment, one directed at men and women and one at women only.

The first question was a general one asking respondents to describe any difficulties they had. Seven different kinds of problem emerged, the most common being discrimination against women, mentioned by 19 respondents. Typical comments were:

"Refused to employ a woman, particularly a married one."

"Age - I was 26, marital status and law firms' expectations that I would leave shortly after commencing work to begin family. Lack of experience as unqualified clerk."

"Told several times I was second on the list but never succeeded in being first. Employers seemed to lose interest when they learnt I had no family connections in the law. I was also asked at interviews about personal relationships and whether I intended marrying in the near future."

Sixteen respondents mentioned the oversupply of graduates:- Too many applicants, too few jobs - and 9 referred to lack of experience. Five stressed the importance of connections and five

felt their grades were not good enough in the face of stiff competition.

There was some criticism of the lack of information about vacancies in the private sector and one woman felt there was an unsatisfactory screening procedure before even being granted an interview.

There were other difficulties too. As one man said: "It was lack of confidence, lack of contacts in the profession and lack of parental backing (i.e. finance to buy suits etc to suit the professional image)." He started work in a government department. (Table 5.2.1)

5.2.2. The second question was directed specifically at women and asked whether they felt any difficulties they experienced in obtaining employment related to their sex. This elicited a wider range of comments about the process of obtaining a job.

Thirtythree women thought their sex did have some influence on the employment process and again family commitments and predetermined policies were most frequently mentioned.

"Employers seemed overconcerned about the likelihood of my having a family". Eleven women made comments of this type.

Three women already had children and wanted to return to work:

"Break to have a family etc makes me a less interesting commodity."

"Difficult to get part time work or work with more flexible hours."

"One firm said they had two women lawyers and didn't want any more. This would be unlikely to be said to males if two males were already employed."

Three women referred to such policies.

"I said I wanted to be a criminal lawyer. The solicitor said I would never make it because I had to look like a criminal and I was just too pretty!" (Table 5.2.2)

5.3 Employment Assistance

Respondents were asked whether they received any help from within the profession when obtaining their first position. The majority (67%) did not, but women were less likely than men, the proportions being 82% to 64%.

Friends were by far the most common avenue of support, having helped out one in every five respondents (one in 4 males and one in 8 females).

Family alone helped only one in 20 respondents, again more men than women, and family and friends combined helped one in 50. Only one respondent, a woman, said a spouse had helped her. (Table 5.3.1)

5.3.2 There was less help forthcoming for subsequent positions. Almost 20% of respondents did not answer this question, presumably because they were still in the same employment as when they began.

A further 62% received no support when changing jobs (68% of

men and 56% of women), while friends helped one in 7 people (14%). At this stage there was almost no difference between men and women, suggesting that it is at the initial entry stage that women are disadvantaged. (Table 5.3.2)

5.3.3 Only 10 of the 63 partners said they received any help from within the profession when obtaining their partnership. One woman and five men were helped by friends; one woman by a spouse; one man by other family members and two men by both family and friends. (Table 5.3.3)

5.4 Flexible Employment Opportunities

There were four questions relating to flexible employment opportunities. Not all respondents answered them the same way. For example, they were not applicable to sole practitioners, and those working in government departments referred to the statutory provisions of the public service. Some lawyers did not answer the questions if they had no family commitments themselves and others answered only the categories in which they were working (i.e. partner or employed solicitor). Nevertheless, some distinct and consistent trends emerged with women appearing to see more flexibility in their work situation than men, and all considering secretaries and clerks to have the most flexibility and partners the least.

Several respondents noted that questions of flexibility had not yet arisen or that there was no fixed policy in their firms, other than for secretarial staff. In general they relied on their employers' good will:

"It is possible a female solicitor could arrange part time employment. There is no specific provision for it, the need has never arisen, but I believe it would be favourably considered." (Female in statutory corporation)

"Think firm would be fairly good if any of female staff solicitors had commitments." (Female, law firm)

"I have no idea about these arrangements except for secretaries. I am confident that valued people would be accommodated in times of personal difficulties in a generous and flexible manner without reference to sex. I certainly hope that is the case." (Male, law firm)

5.4.1.

The provision of flexible employment opportunities is perhaps best described for each category of worker in turn. First secretaries and clerks, who were generally considered to have the most advantages. A third of the respondents (37% males, 30% females) thought that this group had access to part time work; one in five (22% male, 12% female) thought they could work flexible hours; almost 30% of both men and women said school holiday leave was available and a smaller proportion (14%) said secretaries and clerks could take parental leave (19% male, 6% female)

The second group was employed solicitors. Only 8% of the total thought part time work was available for this group (17%

female, 2% male); almost one in five thought they could work flexible hours (31% female, 11% male); 7% thought school holiday leave was available (14% female, 3% male) and 16% thought employed solicitors could take parental leave (32% male, 9% female).

Partners were seen as the least advantaged group. Only 4% thought they could have part time work; 13% said flexible hours were available; 7% said the same about school holiday or parental leave. A higher proportion of women than men thought partners could take parental leave but otherwise differences were slight. (Tables 5.4.1 - 5.4.3)

5.5 Continuity of Employment

Just over half the respondents (53%) had been out of law office employment for more than three months since admission. A higher proportion of women had done so than men (61% - 45%).

The most common reason for women was employment in another law related job (19%) followed by study or holiday leave (12%), family commitments (11%) or a combination of reasons (13%).

The order was quite different for men. Almost a quarter of them (24%) had had study or holiday leave, 7% had been in a non law-related job and 10% had been away for more than one reason. Only one man had had time out for family commitments and only 3 had been in other law-related jobs. (Table 5.5)

5.6 Salary

Altogether 126 lawyers answered the salary question. Partners and sole practitioners were excluded, while 16 others declined to answer.

Exactly half the total earned under \$20,000 per annum, but women contributed disproportionately to this figure. Two thirds of them were in the "under \$20,000" bracket compared with only a quarter of the men. For those admitted to the bar in comparable years there was still a noticeable difference, with 40% of the women earning under \$20,000, but only 28% of the men.

Just under a third of the total (30%) were in the \$20,000 - 29,000 per annum category and this was the most common category for men, covering 37%, compared with 26% of women. In the matching years, 60% of the women were in this group but only 38% of the men.

The next category (\$30,000 - 39,000) included 15% of respondents, of whom 6 were women (8%) and 13 men (27%). The last group, \$40,000 or more, contained 5 men (10%) and no women. (Table 5.6)

Over 90% of women earned under \$30,000 a year compared with 63% of men, and some of this difference can be attributed to their relative youth and inexperience, although it is clear that even those admitted to the bar in the same year as the men tended to be less well paid. Women in law firms appeared to be particularly badly off. Thirtysix out of 42 of them (86%) earned under \$20,000 per year. This contrasted with 41% of women working other than in law firms.

5.6.3 It was difficult to compare men and women employees not in law firms because numbers were so small but there was still a trend for women to be in lower salary brackets than men. (Tables 5.6.1 - 5.6.3)

5.6.4. Women were asked how they thought their salaries compared with similarly qualified or experienced male colleagues. Of the 66 who replied, 52 thought they were being paid the same, 4 said 'more' and 10, 'less'.

VI Areas of Law

6.1 Other Choices

The questionnaire asked respondents whether they thought they were better suited to practice in an area of law other than that in which they were currently practising. The majority said "no" (87%), but men were more likely to say "no" than women (93% - 80%). (Table 6.1)

6.2 Area of Choice

Of the seven men who thought they were better suited to a different area, five would have preferred commercial and two conveyancing. The fourteen women had different preferences. Six would have preferred general practice, 3 matrimonial common law, 3 civil common law, 1 commercial and 1 conveyancing. (Table 6.2)

6.3 Why Not in Area

The most common reason given for not practising in the preferred area was lack of opportunity. Nine out of the 22 (2 men and 7 women) gave this answer. Two women mentioned family commitments, 3 men gave other reasons and 9 gave no reason at all. Typical comments regarding lack of opportunity referred to early specialisation, and the size and structure of practices.

"Partners appear to prefer to delegate general conveyancing work, despite specific requests that they delegate some commercial work to the staff solicitors." (Female)

"I can't get the experience - firms specialise and don't want to train new people from university. I believe females are used as "menials" to do boring support work." (Female)

"Smaller firm, more limited commercial practice." (Male)

Other comments referred to family commitments:

"This position I have evolved slowly and offers advantages in

hours and school holidays that would be difficult to match in another position." (Female)

Pay: "Lack of prospects in private practice. Am at the stage where I would have to take a drop in salary to work in private practice and would be conversely quite expensive to employ (highest award rate) but relatively little experience suited to private practice." (Female in government department)

Economic climate: "Am moving into common law at my request but no commercial - not enough to go round I'm told."

6.4 Present Area of Practice

The three most common areas of work were general practice (25% of total), commercial law (22%) and conveyancing (20%). While together they made up two thirds of the overall total, they accounted for three quarters (75%) of the men's practice but just over half of the women's (56%). The other half of the women were working in the matrimonial area (15%), civil law (8%) or "other" work (22%). The remaining quarter of the men were to be found in the civil law area (13%), in matrimonial law (5%), criminal law (3%) or "other" activities (5%).

"Other" activities for both groups included law drafting and opinions in government departments, local body and tribunal work, tax consulting and the administration of estates and trusts. (Table 6.4)

6.5 Areas of Difficulty for Women

The majority of respondents (68%) thought there were no areas of law which were inherently more difficult for women to practise in than men. However, considerably more men than women thought so - 74% compared with 59%.

Almost all those who did feel that there were difficulties said they were in the area of commercial law (15% men, 34% women). No other area was mentioned by more than 3% of the overall total, although 5 men thought women would have difficulty practising criminal law. (Table 6.5.1)

6.5.2 Reasons for Difficulties

Both men and women thought clients' attitudes were the main reason for women having difficulty practising in certain areas. Twentyseven of the 28 men mentioned this as did 28 of the 34 women. Some included comments such as:

"The majority of commercial clients are old men often with more rigid attitudes." (Female)

Employers' attitudes were not one of the precoded choices in the questionnaire but were seen as a source of difficulty by 9 women and 4 men. They commented:

"Firm's attitude, lack of provision of opportunity with good

supervision, and a wholesale inadequacy in our education system to inform people generally and women especially of our commercial community and its needs, activities and importance." (Male)
 "Attitude of some senior members of the profession. Less willing to give women a chance to prove themselves." (Female)

Sixteen women and 7 men mentioned "hours" as an inhibiting factor for women and 4 women and 1 man mentioned "pressure". Hours and pressure were often related:

"Depends upon woman's family situation and personal view of her career in many cases." (Female)

"Difficulties in common law but not for women 'simplicitas' - problems relate to consequent commitments." (Female)

"Pressure arising from other expectations people have of them - like running the house and family." (Female)

But sometimes other factors were mentioned:

"I consider it takes a particularly aggressive woman to succeed in adversary roles, as in daily court appearances." (Male)

"Lack of experience and confidence in business world, lack of acceptance by clients/colleagues." (Female) (Table 6.5.2)

VII Law Society Functions

7.1 Attendance

Threequarters of the lawyers in the survey attended Law Society functions. Men were more likely to do so than women (79% to 64%).

More men than women went for enjoyment (32% -15%) and more women for professional reasons (22% -15%), although some men and women went for several reasons (women 27%, men 32%).

One woman commented that she went because "women should be visible as members of the profession. Means of getting to know other lawyers."

Another: "Seminars particularly useful in keeping up to date with changes."

Those who did not go had a variety of reasons. Both men and women felt some groups were not welcome:

"Non-private practice solicitors not welcome - looked on as not having made the grade. Don't know lots of people." (Female)

"Don't feel comfortable. See my career developing in terms of government administration rather than the legal profession." (Male) There were 6 similar comments.

Three women referred to family commitments and three men said they preferred to have their social life elsewhere. Others were put off by their perception of what the functions were like:

"Likelihood of not knowing anyone there and reputation they have for excessive consumption of alcohol." (Female)

Overweening pomposity and self-indulgent arrogance of too many senior practitioners tends to take the edge off the enjoyment of these functions." (Male) (Table 7.1)

7.2 Comfort

Men felt more comfortable at Law Society functions than women. It was the 'maleness' of the occasions that deterred most women:

"Don't like the 'night out for the boys' attitude which prevails at some functions and is reflected in jokes made in speeches etc. However, generally Law Society functions are a good opportunity to meet with colleagues and meet others with whom you have no contact in the course of the day's business." (Female)

"Many functions seem designed for men (still notices saying 'practitioners and their wives'). Harder for a woman on her own to walk into a drinking type function - easy and acceptable for a man." (Table 7.2)

VIII Interaction

8.1 Clients Same Sex

Not one male respondent had ever had an adverse reaction from a male client, whereas one in three women had had some difficulty with female clients. In all but two cases this was a rare occurrence. (Table 8.1)

8.2 Clients Opposite Sex

Almost two thirds of the women had experienced problems with male clients, although again it was usually a rare (or shortlived) occurrence. Sixteen men (16%) reported occasional problems with female clients. (Table 8.2)

8.3 Clients Generally

In the latter part of the questionnaire women were specifically asked whether they had ever received any adverse reaction because they were women. Seven out of ten felt they had, although only one in 20 said this happened quite often. (Table 8.3)

For the men adverse reaction from clients of the opposite sex was usually associated with matrimonial cases. The following comments illustrate the situation:

"Some domestic interviews have their moments of embarrassment for the client."

"Very rarely in the matrimonial field one feels a client of the opposite sex might be more comfortable with a solicitor of that sex."

The main difficulty for women was being taken seriously:

"Mistaken for secretary or assistant to partner."

"Male inability to accept age of female and advice given."

"Generally older people who wished to see a 'proper lawyer'."

"Unwillingness to accept that I would have done the appropriate background work and knew what I was doing."

"Clients not wanting female solicitor, in particular some Pacific Islanders who have a 'loss of face' if women act for them. Some matrimonial clients also."

A woman academic had a special problem:
 "Students who believe (or whose fathers believe) law is a 'man's life', sometimes have difficulty being taught by a woman, especially in mainly analytical material."

8.4 Colleagues Same Sex

Two men (2%) and 15 women (21%) had had adverse reactions from colleagues of the same sex. Only one of each sex said this was a frequent occurrence. One man felt the adverse reaction was due as much to his age as his sex and the women did not specify the nature of the problems they had faced. (Table 8.4)

8.5 Colleagues Opposite Sex

Seven out of every 10 women who answered this question had experienced difficulties with male colleagues, but only one out of 10 men had had similar problems with female colleagues. Furthermore, almost a quarter of the women (23%) said they often had such difficulties while problems were rare for all the men. (Table 8.5)

8.6 Colleagues Generally

A subsequent question for women only was answered by all but 6 women. Again a majority had experienced some degree of adverse reaction (60%), and almost one in five (18%) did so often. (Table 8.6)

The men commented as follows:

"Feminist colleagues have elitist attitudes to practitioners in private practice."

"Some women colleagues when acting for women clients can become somewhat 'sexist' if the male client of a male practitioner adopts a negative attitude to settlement - non-payment of maintenance etc."

Women's comments tended to be more personal and covered three main areas. The first was the type of work they were expected to do:

"Patronising attitudes, expecting you to do things they wouldn't ask males of similar age and experience to do e.g. make tea, buy lunches etc".

"Jealousy, also treat women differently at the office and expect them to answer telephone calls, do dishes, have morning tea with the 'girls' etc."

"Assumption that women don't know anything about technical matters."

"Inference that certain jobs more suited to men."

The second area was personal:

"Older practitioners will sometimes adopt a 'little girl' attitude and refuse to take women seriously:

"In 18 months experience have frequently experienced patronising, offensive and chauvinistic reactions from male employees and colleagues."

"Sarcastic, sex-related remarks."

"Occasional comments such as "be a good girl" and "Oh,clever girl" when one could not have been literally described as a girl for quarter of a century. I have never heard an admitted solicitor (male) however young and inexperienced, called 'boy'."

The third area was social:

"Male colleagues tend to leave to own devices - not being one of the boys can be very lonely."

"Not being invited to Law Society functions. Snide comments, not treated as a professional."

"Difficult to join in on profession's socialising."

There were also comments which revealed general prejudice that had an adverse effect for particular women's careers:

"Executive head doesn't believe a married woman has a place in management or the workplace - inability to relate to women in a professional capacity."

"Asked Chief Solicitor to explain why male solicitors employed and qualified for less time than me had been given appeal work ahead of me - one response was he had to take into account the fact that I was a married woman and my husband might be transferred at any time."

8.7 Secretarial and Support Staff

Women respondents were asked whether they had ever had an adverse reaction from secretarial and support staff. Almost half (48%) had done so and one in five did so frequently.

By far the most common complaint was that typists preferred to work for men and did not give women's work high priority:

"Typists routinely file work to the bottom of the pile - may also be because women don't create a fuss about it."

"Occasionally secretaries will show displeasure at being asked to do something by a woman solicitor. Most are used to the typical 'flirting' relationship with male boss."

"Some secretarial staff certainly don't consider me part of the legal staff - the solicitors and partners are referred to as 'the men' without any thought or malice."

IX Discrimination

9.1 Areas of Discrimination

Almost all respondents thought there was some discrimination against women in the law profession - 91% of women and 76% of men.

Partnership was the most commonly mentioned area - 46 women, 32 men).

Males said:

"Partnerships are overlooked on the maternity need grounds."

"Insofar as discrimination against women is culturally based, it manifests itself everywhere including the profession but it becomes more obvious in the area of partnerships, senior legal appointments and appointments to the judiciary."

"Admission to partnerships - there is a need for women to

'prove' themselves to a much greater extent than male peers."

Women's comments were similar:

"job opportunities at senior staff solicitor/partner level."

"Partnership prospects, jobs, also judiciary, tribunals and statutory committees."

Allocation of work was the next most commonly mentioned area (21 women, 7 men).

Typical comments were:

"Initial employment, typcasting in work, 'grooming' for partnership." (Male)

"Women not given front-line work (e.g. substantive High Court hearings) in some firms." (Female)

"Not being regarded as an equal and consequently being shunted into particular areas of law e.g. conveyancing. Not being considered as having a career- rather filling in time." (Female)

"Availability of different types of work - probably more lucrative areas excluded for women." (Female)

Getting and retaining jobs was mentioned by 25 respondents (22 men and 3 women):

"Unsure of continued service due to family commitments, hence problems for initial employment and partnership prospects." (Male)

"Job prospects, especially in smaller centre." (Male)

"Difficulty in initially obtaining a position." (Female)

"In some instances not viewed on ability, when interviewing treated differently to men." (Female)

"Have to be best applicant by far to get the job." (Male)

Ten men and three women mentioned clients' attitudes, actual or presumed:

No discrimination in profession, problems with client acceptance in some areas." (Male)

"Where there is discrimination it is because practitioners are overly sensitive to how they think clients will react." (Male)

"Feeling on part of employers (rightly or wrongly) that clients will be unable to establish a rapport or will feel uncomfortable with a woman practitioner." (Male)

Women were much more concerned than men with personal discrimination - insulting interviews, belittling remarks, patronising attitudes and exclusion from social occasions. At least 24 of them mentioned this type of discrimination, whereas only two men did.

"From partners - lack of training, belittling derogatory talk, sexual innuendo, even 'kindness' is often patronising."

"Men not asked whether they plan to marry and have kids, nor whether their voice is loud enough to be heard in court."

"Sexist attitudes - rude comments about women, male-oriented circulars from the Law Society; being called "X's little helper", "the girl" etc, making a MAN convenor of committee on women in the profession."

"Very difficult for women to penetrate the 'old boys' network' such as exists (particularly among older practitioners)

at such occasions as the Devil's Own Tournaments."

The lack of provision of flexible hours and/or part time work concerned 5 women and poor salaries were mentioned by 8.

9.2 Possible Action

Women were more likely than men to want some action taken -87% had positive suggestions compared with 57% of men.

Respondents wanted education; more women employed in the law; more support for them within firms and in relation to clients; better hours and working conditions; more women on the Law Society executive and the bench and general improvements in attitude.

Suggestions they made included:

"Ensure equal opportunity at the very least on paper as a basis for changing prejudices and attitudes." (Male)

"Basically will wane as society's views soften in general but more complaints under Human Rights Act by any practitioner, perhaps to Law Society where appropriate. Blacklist of practitioners who discriminate perhaps." (Male)

"Encourage more women onto Council, committees etc. Lead by example." (Male)

"Society's rules/ethics could be looked at for insertion of appropriate provision whereby a duty existed to respect and enhance the women's issue. This of course would be seen as discrimination per se." (Male)

"Investigation into job sharing, part time employment, flexible hours." (Female)

"Strongly suspect degree course and professionals (especially at V.U.W) should be less academic and more practical. This may not appear to relate to sexual discrimination but I note that several women who perform very well at university abandon private practice because they have not and do not receive sufficient practical grooming." (Female)

"Employers should take female employees seriously, take a real interest in their progress and make it plain to clients that female employees have their full support and that they have confidence in their abilities." (Female)

"Do more studies like this one, publish results, hold seminars, assist perhaps in forming support groups - women themselves should organise this." (Female)

"Set up Law Ombudsman to investigate complaints." (Female)

"Law Society should provide toilet and changing facilities at the High Court and make sure speakers and seminars not sexist (e.g. don't address audience as gentlemen and make jokes about rape etc.)" (Female)

"Have more social events, not cocktail parties - relaxed gatherings will lead to more understanding and friendships extend to possible partnerships. Lot can be done re companionship. Women accepted but still odd person out as is spouse." (Female)

One woman made an extensive comment which summed up several aspects of the situation:

"Institute job sharing, glide time, domestic leave, paternity leave, creches, affirmative action programmes.

Full opportunity as assistant in substantive court work; respect rather than resent Human Rights Commission Act; if you wouldn't do/say it to Polynesian practitioner, don't do it to women. Practise using 's/he' and 'her' when discussing membership of Society. Examine own attitudes to women - where do you really think they belong? If you would feel more comfortable if they were not in your profession, then it's time you found yourself a new job."

X Harassment

10.1 The final section of the questionnaire asked women about sexual harassment.

A quarter of them (23%) had experienced harassment in some form or other, the most common being belittling or embarrassing talk or conduct with sexual overtones. Fifteen women reported this kind of experience. Comments about patronising remarks have been recorded elsewhere and were repeated in this section. (Table 10.1)

10.2 Only one woman said the harassment was associated with her employment by way of threat or inducement. (Table 10.2)

10.3 A majority of women (54%) had experienced derogatory or belittling talk directed at them personally and a high proportion of it came from colleagues (40%). One in five (20%) referred to employers and 17% said clients contributed their share. (Table 10.3)

10.4 An even higher proportion (70%) had been subject to belittling talk or derogatory remarks directed at women in general. Again colleagues were the main culprits being mentioned by 62% of women; employers by 42% and clients by 26%.

XI Conclusion

It is clear from the survey that the entry of women into the profession on any scale is a very recent phenomenon and one to which members and their clients have not yet adjusted.

The process of entry begins in the university and it was suggested that women might do better if more attention were paid to the commercial aspects of legal practice and to practical matters associated with being in a legal firm.

Although women qualified with comparable or better degrees than their male counterparts, they had more difficulty getting jobs as prejudice against women is exacerbated by difficult economic circumstances. Both men and women stressed the importance of connections in gaining employment and would like to see more open advertising and selection procedures.

While both men and women marry and have children, it is still assumed that women will take responsibility for family matters. As yet there is little provision for this dual role by the profession through flexible employment opportunities. Nor does there appear to be much encouragement for male lawyers to take a greater share in family responsibilities other than through the provision of income. Work and home are seen as separate rather than interrelated domains.

Women's salaries reflected their more recent entry into the profession and their lower status, with law firms showing up less well than the public service or similar organisations where equal pay provisions have been in force for some time. In fact women in the public service saw themselves as having better opportunities generally than those in law firms.

Even at this early stage of women's involvement there are signs of a division of labour within the profession, with women being less evident than men in the general practice, commercial law or conveyancing areas of legal practice. Commercial law seems to be a particularly difficult area with resistance coming from clients as well as practitioners.

Many women (and men) tried to keep up with legal developments by attending Law Society seminars and other functions, but there was a clear message that those not employed in law firms are not so well catered for by the Law Society. Several women found the male traditions and focus of functions distasteful and this appears to be one area which could repay attention.

Finally it was clear that the problems women face in the profession reflect wider social attitudes which are slow to change. Partners, other practitioners and support staff are

unaccustomed to having women colleagues and persist in attitudes and behaviour that are unacceptable and inappropriate. While the continuing presence of women in the profession will bring about change eventually, much can be done to expedite the process and to alleviate the present situation. The Law Society, male practitioners and women themselves will all need to play an active part in any programmes aimed at redressing the present imbalance.

7th July 1983

These are comments made by men about discrimination.

An employee aged 28:

"In my own work environment positive discrimination tends, if anything, to favour women, at least as far as initial appointments are concerned. Out of a staff of 17, 8 are female. The lawyer in charge of the office is also a woman. As regards promotion within the office, the sex of the subject seems to be immaterial."

A 34 year old employee:

"Discrimination is not apparent in Government legal circles. Several senior positions are held by women except in the Crown Law Office. This may be in part because the employing authority pursues a stated policy of eliminating discrimination on the grounds of sex and, in part, because the Crown Law Office appoints staff with Common Law experience, and these tend to be men. In my experience discrimination tends to decrease naturally with the effluxion of time as more and more top quality female graduates emerge from the University Law Schools and this tendency should continue. A little more patience on all sides should see any problem disappear in due course."

A 29 year old employee:

"I can imagine that prejudice towards women still exists because it is the viewing of women as women not people and it exists in society at large. I feel that the 'old boy' network is still alive and well and does prejudice people's employment prospects on a 'who you know' basis rather than how competent you are. Given the number of solicitors whose parents were in the profession, and the middle class socio-economic grouping, and given the nature of society as it is, I feel that this is inevitable."

A 33 year old employee:

"Perhaps in an effort to be taken seriously, women practitioners tend to be rather earnest in approach, although there are plenty of exceptions to that."

A 28 year old employee:

"I think that any discrimination against women in the profession is decreasing and is based more on a general difficulty in taking women seriously as people by the society at large. Any over-rules to avoid discrimination will only cause resentment and lead to attempts at avoidance. As long as there is an awareness that others are discriminating against women, the problem should disappear within ten years or so with the usual turnover within the profession."

A 28 year old employee:

"Women who act as solicitors and do not act and react as women in the law and as such special cases to be considered are, in my experience of working in a firm where six women have worked (four remaining now), received by colleagues in a far better way than those who do not act and react."

A 32 year old employee:

"Generally I think the profession is very much inclined to adhere to a status quo in dealing with matters of prejudice. From employment interviews I have been to it is obvious that practitioners prefer people who will fit into the mould of the profession generally. Conservative humanistic philosophy prejudice exists not only in the sphere of women in the profession but also on grounds of race and religion. These are not areas which are easy to change. Perhaps as practitioners become more atuned to the diversity of opinion and backgrounds of its clientele, attitudes to the types of people it employs will also change."

A 32 year old employee:

"The most, I believe, the Law Society or any firm could achieve is to provide an environment in which everyone has equal opportunity, i.e. facilities, etc. I don't favour positive discrimination. Has the Society considered a cross discipline comparison? From my acquaintance with an accountant I am inclined to the view that there is a far greater problem."

A 34 year old employee:

"There are difficulties for women who wish to practise law. These difficulties arise from the nature of women and from community attitudes. Women who practise law are exceptional in terms of ability and in their aspirations compared to other women. It is up to these women to make the commitment necessary if they wish to do the job."

A 36 year old employee:

"It seems to me that the established members of the profession should be encouraged to become more outward looking, to accept as equals women and persons of other races in particular who are worthy of such acceptance, and to give greater assistance and understanding to younger members. I have knowledge there are notable exceptions to my general observation."

A 33 year old partner:

"This practice has had three unfortunate experiences in the employment of women who for the main have not displayed the same quality as has been experienced with the male staff solicitor counterparts. At interview all women came across as wanting to have a career and future in the law. Their actual practice of law did not reflect this. It has taken some effort to convince my partner that maybe it is the fourth time lucky. We are employing a female undergraduate on a part-time basis from January next year."

A 39 year old partner:

"My firm would like to employ a woman solicitor. We have a feeling that the make-up of the firm should reflect a big increase in women practitioners. We haven't been able to attract any women to the firm. My impression is that they, being in the main single, are reluctant to commit themselves to a country practice. I have interviewed a number of women for jobs over the last few years and that always seems to be the crux question."

A 39 year old partner:

"Although my firm has no female partners and makes no special arrangements for family reasons because no such situation has arisen, I have no doubt that a female partner would be acceptable on the same basis as any male of comparable ability and experience. We have employed several female solicitors in past years and generally they have been of a good standard."

A 34 year old partner:

"Where discrimination exists it may superficially appear to be because of the practitioner's sex but is more likely to be attributed to that person's background, environment and experience."

A 35 year old partner:

"I believe that there is discrimination against women practitioners by some clients, normally older farmer or commercial clients. I don't see this as particularly important and consider that it should not lead to discrimination within the profession. However, I think it is perceived to be important by some older male lawyers and is thus used as an excuse for discriminatory conduct by them such as avoiding the employment or admission to partnership of women lawyers."

A 37 year old partner:

"Women have as much opportunity as men and are just as capable, so why the hassle?"

A 30 year old partner:

"More discrimination amongst older members who did not attain the academic work experience of working with women. By working and studying with women younger practitioners know, or should know, that there is no reason why women should be discriminated against."

A 33 year old partner:

"In my brief experience I get the impression that many women leave their legal jobs too soon for various reasons including, no doubt, frustration at their rate of advancement. If more stuck at it, the partnership would eventually be forced to make a decision one way or the other, and it would be very difficult not to admit a competent woman as a partner, but often this difficult decision is avoided by the departure of the female employee."

A 32 year old partner:

"We have a female partner who is a definite asset. Many female clients prefer her because of her sensitivity to some matters. Many men, not all, relate to her extremely well. She faces up as well with the male clients as we do and with females. With her involvement and inclusion we are better balanced and able to deal with people's problems. She has also developed a strong field of her own."

A 31 year old partner:

"Due to the number of women doing law there has to be numbers of women working their way up the scale within firms exactly as with men."

However, some accommodation is needed to overcome the prevailing social concept that women are the child bearers and minders of the world. If there is not greater acceptance, then there will be greater numbers of women as sole practitioners."

A 33 year old partner:

I employ a woman practitioner. I see no evidence that the general public in her field of Court work is prejudiced towards or against a woman."

A 33 year old partner making a general comment, not one about discrimination within the work force:

"I believe our academic years at university were largely a waste of time as there was little practical orientation. The gulf between practice and university is too severe because we are not being properly prepared for the practical realities regardless of our sex. If we were doctor graduates, we would kill off patients in the first few years of practice. Also, isn't it about time that the Law Society stopped fiddling with the question of interest on trust accounts from the banks and actually got a result to help us, legal aid etc. Now that the CBA and Bank of New South Wales have merged to the Westpac, why not a Law Society trading bank, say with Fletcher Challenge who apparently are interested in starting a trading bank, to achieve something worthwhile with this large bulk of money."

These are comments made by women about their work, interest and discrimination and general comments on being a lawyer.

A 31 year old partner:

"Generally I've found personally that the people I work with closely develop a respect for you and your opinion in time, even if they may have been a bit wary at first. I cannot speak for those who worked in the same firm but were on a different floor and therefore had very little day-to-day contact with them. Initial feelings of aggression from a few secretarial staff was encountered in my first job but can be explained by my inexperience in office procedure etc. Once that was sorted out things improved dramatically. I have never had problems with secretarial and office support staff since."

A 45 year old partner:

"I consider myself one of the lucky few who, because of my age, had had no dependent children and can therefore devote as much time to my work as and when required. I do not say that younger men are always free to do so, but as society expects women to bear the brunt of day-to-day family responsibilities, it is younger women who suffer unfairly in a sense that they are given no credit for being good family women who put their family first, an accolade for men but somehow not for women. I am also fortunate in the firm I work for and in which I am now a partner. I do the work I prefer and there has never been any expectation that this may or may not be women's work."

A 52 year old sole practitioner:

"Women miss out on companionship within the profession and generally as a result tend to stand alone. They do not fit into the present situation. They may do in future generations, and this I feel would affect an opportunity for partnerships etc. Women tend to be known by other members, i.e. males, of the profession on a purely working basis. Over the years I have felt it necessary to have established and proved myself, for example stating almost year of admission before being accepted as an equal when talking to some out-of-town solicitors. Thus I have now included year of admission in the Law Register. The attitude appears to be that woman solicitors are probably new, particularly if on their own or young. Young Auckland area solicitors particularly react in this way."

A 66 year old sole practitioner:

"There have been immense changes for the better since I qualified and I think they will continue. Most of the young men and women have an enlightened attitude in Wellington anyway. I wonder about the Wairarapa. Old prejudices will pass with their holders but if there are grievances it could be useful to have an outlet as suggested, a legal ombudsman, as it would provide material for research and increase knowledge also. I find it most encouraging that there are now women active in many fields, some as partners, and in various fields of law. The change from 20 years ago is extraordinary and will surely continue. I am of course against discrimination but I am also against women being seen as a separate sub group of the profession."

A 31 year old sole practitioner:

"Derogatory talk of women can be a good thing provided there is a person present to take issue with that talk and to make the speaker justify vague generalised statements. Similarly, if discrimination is felt or observed by a young woman, she should gently bring it out into the open to talk it through. I have observed two instances of what some described as discrimination against women. I regarded each as a clash between insensible personalities. Flexibility and caring for others are female graces which I use unscrupulously to get what I want from other people, male or female."

A 52 year old barrister:

"My experience has been that it was much easier to overcome the limited amount of discrimination I encountered on account of my sex than:

- (a) To overcome self doubts arising from the conditions to which women of my generation were subject about the capacity to undertake substantial responsibility, and
- (b) As a single women pursuing a legal career, overcoming the adverse social reaction of a community in which the majority of women of my age were married and not working, and
- (c) As a married woman, sharing the same legal specialisation as my husband, identifying and maintaining in the eyes of the outside world my own independent career commitment and capacity to work at my profession, necessarily involving participation in other activities.

These difficulties are not of course peculiar to women engaged in the legal profession but they are perhaps intensified by the popular identification of the legal profession with the male sex. I am glad to see the Law Society undertaking this enquiry. I am sure that there are instances of real discrimination which the Society should try to see overcome, but I look forward to the day when, professionally at least, men and women are just people and such enquiries are not necessary."

A 33 year old barrister:

"Many practitioners, both young and old, display paternalistic attitudes towards women. Women are called upon to justify or explain their personal circumstances to their employers. For example, what are their child care arrangements? Can they cope? Are they neglecting their husband and/or children? Such attitudes place considerable emotional pressures on women with family commitments which no male would be subjected to. A woman practitioner should, like her male colleague, be

judged upon the professional ability. How she manages her family commitment is her business."

A 27 year old not employed lawyer:

"The main impression I was left with at the end of my time in practice was of the effort made in general by male practitioners and the male public to accept female practitioners. I experienced considerably less of any adverse reaction that I expected and would give full credit to the bulk of the Wellington legal fraternity and male public for their attitude."

A 25 year old woman not employed:

"Steps should be taken to accommodate women who have left the profession for family reasons and who wish to return some years later. These women should not be disregarded but should be seen as making a valuable contribution to society and the profession. At present I receive all the Law Society literature. This is due to the fact that I worked for five months of this year. However, when the current practising certificate expires, I will receive no literature and will be well and truly cut off from news and happenings within the law profession."

A 32 year old not employed:

Even though I was a competent student, I was very lacking in skills for the law office. This has not helped me in my struggle to deal with the sex discrimination I have encountered. I feel the degree structure should be altered. A three year degree based on the core subjects - if you want graduates to be mature perhaps law should be a post graduate course - coupled with a period of pupillage perhaps, I would rather pay or receive no salary in return for some practical training of an all-round nature preferably. I often feel in a 'no win' situation. If you complain, you are labelled a hysterical, neurotic women's libber, all said contemptuously. If we don't complain, how will the message ever get through. It is difficult to explain my present unemployment - I left because of harassment - and get understanding. Also, what do I say to future potential employers?"

A 26 year old employee:

"In the Government I feel we are a lot better off in terms of blatant acts of discrimination because employers would not be able to get away with it. In some areas affirmative action operates informally but I can't abide

being in the presence of male private practitioners. I have found very few who are not arrogant, patronising and sexist. I think discrimination is worse from male practitioners. I haven't any experience with clients but I find that the public treat me well on the whole once they know my job. Of course they have to be told. My equivalent male colleague never has to explain that he is legally qualified. My colleagues, both male and female, are quite good but only regard females as two types - ambitious career women who are aggressive butch and unpleasant, or nice women who don't want to get anywhere. They struggle to accommodate me who has been promoted rapidly and obviously could do well in the Government but cooks, sews and is friendly and pleasant. Being nice in a female means that people take you less seriously.

With regard to the Law Society: The Law Society must take a leading role in promoting the contribution of women, educate its members that women are to be equal, to be taken seriously etc., make changes to its structure, type of functions etc. so that women don't have to be like men with briefs to get anywhere. I don't want to get ahead by doing all the bad things, I don't condone all the bad things men do, for example old boys network, but by doing the good things, for example getting together to discuss things of common interest.

With regard to employers: The Government is doing O.K. in this area. Changes that need to be made are often of a local nature. The P.S.A. has been very good - maternity leave, sexual harassment, involvement of women in the Union, etc.

Colleagues: Clients and other members of the public are going to take their cue from how colleagues refer to, or treat, women lawyers. Male lawyers will have to clean up their act rapidly. They should be taught by the Society and employers how to behave in an acceptable non sexist way. I have learnt not to be sexist about men, so they can do the same - There is plenty of overseas literature on this - run courses for men, make no sexism the norm."

This is also said by a 31 year old employee:

"I would like to point out that six months maternity leave, which applies to all working women, is all most women solicitors, staff or partners, would expect, and could, if problems with other partners or equal treatment, be taken in lieu of sabbaticals.

General Comments:

1. Staff solicitors should be employed on contracts of two years.

They should be informed then whether:

- (a) A partnership is offered
- (b) A partnership will be offered in the future
- (c) A further one or two year contract with no partnership possibility, or
- (d) No further employment

Staff solicitors should not have to go on a guessing game re partnerships or have to go and actually ask.

2. Most clients actually prefer women solicitor when they have had dealings with them as often they are more approachable and they are more conscientious or efficient. Partnerships must be offered on merit. It must not get to the stage where women are offered partnerships because they are women - a type of reverse discrimination. Some women's lib women lack a sense of humour. Teasing and very mild flirtation is inevitable and should be enjoyed and participated in and taken in good spirit and friendship. Women must legally be treated the same as men. As previously mentioned, partnerships must be offered on the basis of merit, not sex.

A 31 year old employee:

"From discussions with female colleagues in other firms, I have received the impression that my own experience of little or no discrimination is relatively rare. I consider that I am very fortunate in being employed by this firm and have no complaints concerning members' attitudes towards women. Partners have gone out of their way to encourage women solicitors. I am currently being paid more than any of my male colleagues with the same amount of legal experience, although I started off on the same salary. I attribute this to, (a) hard work, and (b) my age".

A 26 year old employee:

"Most women face the problem that at some stage of their career they will need time off for childbirth and child rearing. To have to decide between a career or children is daunting. Men usually don't have to face this choice. Many women try to continue with their career but find that they are starting back at the bottom once again. If there could be greater flexibility in working conditions, it would help women greatly,

particularly part-time work would make a big difference. Women could then stay with their law firm, they would be keeping abreast with the latest developments while fulfilling their family commitments. It is this possibility of women leaving to have children that provides an excuse for discrimination. It is therefore important to find a solution. Some of the most belittling and derogatory comments I have heard about women have actually been made by women. This problem of discrimination against women in the legal profession has to be seen in the wider context. Attitudes change slowly. However, it does seem that the legal profession may be dragging its heels."

A 25 year old employee:

"I would like to say that although unfortunately I have experienced some adverse reactions this year which I found rather hurtful, on the other hand I have received tremendous help and support from the male practitioners for which they get very little recognition. I would reiterate that any discrimination that I have encountered has come from partners in the mid-to-late thirty age group."

A 26 year old employee:

"Employment: The only reason why I did not have difficulties in obtaining employment after graduation was because my employers wanted a woman law clerk - thought would be more suitable for making the tea, answering phones etc.

Employment Assistance: Lack of assistance from the family within the profession was largely from choice. If I had got more desperate re employment, I would have sought such assistance more actively. I note that there is virtually no sexual discrimination suffered by Public Service women solicitors. My preference for the Public Service relates not only to the work but also to the pay and hours of work."

A 27 year old employee:

"It is quite clear that being a female does affect you in the profession, particularly in the areas of initial employment and partnership prospects. I do not think there is a large anti women feeling in the profession, but it is certainly there, although over the past five years it has improved. Attitudes to women will vary from firm to firm, but in my employment I have, I think, been accepted largely as any other employee would be."

A 25 year old employee:

"It is a bit difficult to generalise as experiences differ from firm to firm depending on personalities involved, so the answers I have given may be correct for one firm I worked for but not for both. Also, the assumption is made that women would want to become partners in the firms they work for. I think a lot of women find it difficult to fit in traditional type partnerships, partly because of discrimination but also for other reasons, like the orientation to making as much money as possible; that is, they have different motivations for doing law."

A 31 year old employee:

"I do not believe that women should be militant in seeking equality. In the long run I think that women who do their job well and still manage to be themselves will do more to advance the acceptance of women in the profession."

A 31 year old employee:

"I have never experienced any serious discrimination because I am female per se but certainly have met hostile attitudes towards a working mother of a young child. This is the area where change is needed. More encouragement of part-time workers and job sharing because there is no reason why part-time legal work cannot be done successfully. It is a matter of organisation. Many Common Law practitioners are away from the office for days at a time and often are away at short notice. Part-time workers know their hours in advance and can plan accordingly."

A 36 year old employee:

1. The partnership questions tend to relate to the belief that one is in partnership for gain only. The importance of who the partners are may well be more important to a female than a male.
2. The inherent suggestion also is that to be in partnership is the ultimate. Having been in a partnership and now being employed, I would not necessarily see partnership as being a great goal.
3. Young solicitors, male, are often the most discriminating and there are also the legal wives who reinforce this behaviour. This is probably something the women in the profession could assist with."

A 27 year old employee:

"I am employed in the legal division of a statutory corporation and whilst there are no partnership prospects, I believe that my own career prospects within the service are good and can expect to progress. If the purpose of the questionnaire is to ascertain the role of women in the profession, it is my view that the Society should recognise the work, problems, etc. of women practising law in Government departments, statutory corporations and other organisations."

A 26 year old employee:

"I have not really experienced any difficulties with my present employment that are related to my sex. I have not been in practice sufficiently long for partnership to be considered. I have not had to make flexible arrangements because I do not as yet have children. I understand that other women in my present firm have had difficulties because they were not permitted to work part time, thus giving them time off for their children. Other women have been employed by my present firm on the understanding there was no prospect of a partnership. As far as I know, none of the male staff solicitors have been employed in my present firm on this understanding, nor have I. Now the problem permeates society, not just the profession. Until societal attitudes change there will be discrimination. Professional people will, I think, be at the forefront of such attitude changes because they are educated and should be the first to realise that it is irrational to discriminate against equals in a professional capacity. In general terms women are seen in the child rearing role in society. This role should not be seen as inconsistent with a career. In short everyone should be encouraged to adopt more flexible, tolerant approaches to parenting. Society is conditioned as to the roles of both sexes. Such role playing is no longer appropriate in modern society. It is parenting that is important and as it is something that involves most people, both male and female at some time during their lives, then it is or should be appropriate for some recognition of this role in the career structures envisaged by employers and employees alike."

A 28 year old employee:

"Although I presently feel well treated by my employers, I know this is because I spent a long time deciding where I would work. I was fortunate to have this opportunity. Nevertheless it meant that I did not

enter practice for several years after admission since I felt that I would encounter significant and unfair handicaps in many firms in Wellington."

A 31 year old employee:

"The Vocational Guidance Council statistics on the success of women students and their law degrees must demonstrate their ability to handle pure legal work. It is only in recent years that these very able people have become more visible as lawyers when they enter the profession. For the latter hurrah but there seems to be much further to go. I do not believe, as was suggested from high places earlier this year, that any women who has not got on in the profession only has herself to blame. Many people find that struggling to justify themselves all the time becomes too exhausting. We did a law degree because it seemed interesting. We completed it because we were good at it and found it interesting, stimulating and exciting; in which case why should it be made difficult to practise it?"

A 28 year old employee:

"Women are very often not addressed or talked about in the same professional way male lawyers are, for example they are called 'love', 'sweetheart' etc. and are spoken to in a patronising way. This makes a women feel that she is not being accepted as a professional but she has to prove more than a man that she is a professional. She feels that she is always on the back foot."

A 25 year old employee:

"It seems that sometimes women do not invest the years necessary to achieve status within the profession, but if they are prepared to do this and are of some ability, no barriers to promotion should be placed before them on account of their sex. It is said that women have families and leave. Let it be remembered that men go overseas, leave for better employment prospects and so on. Comments by colleagues and employers have reduced following an explanation of my feelings on sexist behaviour and comments. However some, very few, seem to think that if you can't absorb this sort of treatment, you are a raving liberalationist. The majority of my colleagues and employers are very good, however, and it is only a few which let their side down."

A 26 year old employee:

"I feel very strongly that women themselves let themselves down sadly. They do not push themselves forward enough often. Man does not have to do this because it is simply easier for him to get ahead. He probably has more backing from colleagues, family, friends, and doesn't have to worry about client attitudes, Judge attitudes and prospective employers' attitudes. There is nothing in reality which prevents women becoming partners, setting up their own firms, doing jury trials, becoming Judges. It is hard for them but there is nothing stopping them. Weight of numbers will change attitudes in the long term but women must have a bit of determination."

A 29 year old employee:

"Although there have been some improvements in the hiring of women lawyers, there are still a large number of areas which require improvement. For example, the reluctance of firms to take on women partners, the lack of available maternity leave, the belittling comments about women in general, and the fact that often the clerical staff in most offices have not been told that a woman solicitor is joining the firm, with consequent hostile comments and problems arising. Some women have had and are still having major employment problems in all those areas and this must not be forgotten or overlooked but improved and recognised as a problem."

A 29 year old employee:

"In my first job where I started as a law clerk I found for quite some time that secretarial staff was not adjusting to having a female law clerk or solicitor on the staff. Because you are new to perhaps both the particular job and work force, it is very hard to know what is expected of you in such circumstances, for example if you refuse to go on a secretarial tea making roster. I think employers in such instances should be smoothing the way by, for example, advising secretarial staff in advance that a female clerk's/solicitor's job is the same as that of a male so that minor frictions don't occur to begin with."

A 23 year old employee:

"I have never worked in private practice, therefore my comments on private practice reflect my unsuccessful attempts to obtain that sort of employment. As a law student, I never felt discriminated against in any way and it came as a shock to me to find that discrimination against

women is apparently alive and well in private practice. I was disappointed to hear interviewers say things like 'we were impressed with you and found you suitable but there was a male'. To be questioned on hypothetical marriage plans is ludicrous and bears no relation to the job. I felt put on the spot when asked this type of question. If I tell the interviewer that my personal life is none of his business, will he reject my application for being unco-operative and bitchy, or respect me for my views? I felt that if I had family in the profession things would have been easier. I observed that in all the vacancies I applied for, a male was appointed, never a female. I feel I should add that I did not suffer these experiences at the hands of Wellington lawyers, but my comments are still valid. I applied for jobs in a number of different towns in New Zealand and my experiences were quite similar everywhere. The attitude of Government employers was refreshingly different from my experiences with private law firms, no questions about marriage plans or personal relationships. I believe that because there are already a number of female lawyers in Government, your clients are usually willing to accept that they can trust your opinion and discuss highly technical and complex issues with you. A young male lawyer is the norm in both private firms and Government but a young female lawyer causes a reaction. People seem to need to be convinced that I am not a secretary or clerk and that I do have experience in what I am doing, but only once, on my first meeting usually, is there this reaction. The Public Service offers excellent prospects for women in my opinion, no discrimination in promotion prospects, and generous maternity leave. If private firms could follow Government's attitude in the employment of women, I believe women could achieve a great deal towards true equality."

A 28 year old employee:

"The most important area to consider in terms of encouraging more women to actively participate in the work and life of the profession is in the socialisation of members. After participating in the Wellington District Law Society's marae weekend at Otaki, I am certain that there is a sufficient goodwill within the profession to break down such discrimination as may be felt by other practitioners, provided more of this type of workshop, educational and social weekends and functions are held - a very encouraging experience - saw plenty of fathers interacting with their children. The way in which the profession is viewed by the community and by women presents the greatest difficulty in encouraging

more women to complete studies in law and to practice. Many women genuinely wish to and do advise and assist under privileged people but do not see becoming qualified in law as being of much value. Becoming a lawyer takes too long and is status thing. I think many able women short-cut the process to qualify in social awareness fields. They know what is needed and they get out and do it without spending years behind a desk. I don't think the answer is to shorten the course but instead to get across the idea that a law qualification is a good general and in depth education for life and service."

A 28 year old employee:

"I have never received any such belittling remarks from any Judge or Tribunal I appeared before, although they do make these sort of remarks on social occasions. Usually these derogatory and belittling remarks are made in a joking tone, whoever makes them, which creates the perfect double bind for any woman who objects to it. If she states her objection she is a feminist man-hating lesbian. If she doesn't she is acquiescing in the denigration of herself and other women. Another factor is that the awareness and liberalism of many practitioners, young and old, is only skin deep, but when you really touch a nerve, the Doctor Jekyll disappears, and the Mr. Hyde comes snarling out of the shadow."

A 30 year old employee:

"I believe change can only occur a period of time with a gradual change in the attitudes of society, including men and women, towards women's potential and role in society. I do not consider any particular action is going to achieve this result immediately."

A 38 year old employee:

"Affirmative action should be started in the universities. Many lecturers refer in derogatory terms to their female students, although academically women now have better records than many men. Also, many law students come from very conservative families and show contempt for women in minority groups within the university. Many older men practitioners consider women should not be practising and make comments regarding the women's movements which show their total lack of understanding of the aspirations women may have. Any progress of women is seen as undermining their own power base, or is seen as being initiated by extremists etc."

A 32 year old employee:

"My comments relate to my experiences during 18 months in a New Zealand law firm. I left after suffering the humiliation of being paid less than the less well-qualified academically male colleagues with work experience. It was also made clear to me that the work I would be given would be the rats and mice and that partnership prospects were non-existent. I have not encountered any such discrimination in subsequent employment in a Government department and in countries outside New Zealand."

A 28 year old employee:

"Generally there are no problems with discrimination and I mention with some hesitation one occasion at which I have felt some disappointment as to the way I was treated by some of the male members of the profession at the Devil's Own Golf Tournament where the women entrants felt less than welcome. It may be said that this complaint really does not relate to professional equality at all, that no rule as to equality of opportunity can compel men or women to welcome, on a social occasion, those whose society they do not wish to encourage for good reason or not, and if that is the rule that is going to be observed, it is regrettable that at a tournament held for members of the profession the women members should be excluded or at least made to feel by the majority that they should have been."

A 29 year old employee:

"My own position at present is a compromise in that two years ago I was made an associate of the firm as it was contemplated by me that I would have a child. I have since had a child and now work my own hours looking after a selected number of clients. I believe discrimination against women in the profession to be less than it was when I was admitted."

A 23 year old employee:

"I have encountered minor sexual discrimination in the course of my employment in being told to organise a committee lunch in the absence of members of secretarial staff who usually do, and having the fees from my work credited to principal or a male law clerk in the first year of my employment as the Accountant insisted that I wasn't going to stay with the firm long enough to be loaded on Databank, in being expected to take

over from the mail clerk in her absence, in being asked by colleagues to deliver letters even when insisting I have no need to leave the office for another errand, in being asked to make tea for the client of a principal. No male solicitors or clerks of the same age or experience have been asked to do these things. On the other hand, I have met an increasing number of women who prefer to deal with a woman solicitor."

A 46 year old employee:

"Some partners regard women employees as support staff.

- (a) Woman with very good academic qualifications do not experience much difficulty in obtaining employment but I suspect, with no overt proof, that women with average records experience more difficulty than their average male counterparts.
- (c) There is an 'if you can't stand the heat stay out of the kitchen' attitude apparent when the need of women with family responsibilities for flexible or limited hours is discussed. This admittedly is a difficult problem to resolve. Clients must know when their solicitors will be available. Court sittings in Common Law and settlements in Conveyancing for example take no cognisance of part-time hours. Some firms are making flexible hours and part-time work available. It remains to be seen whether this is satisfactory to the firm, to the woman, and above all to the client.
- (d) Particularly as far as young women are concerned, there is a tendency throughout the entire community to see that they must not only be good but look good. If they do, they on occasion appear to be at an advantage. Young men are expected only to be well groomed. It sometimes seem more difficult than one would expect for male practitioners to judge their fellow female practitioners in the course of their professional practice on purely professional criteria. I have personally experienced no overt discrimination of which I am aware purely because I am a women. Any problems which I have encountered have been consequent not upon my sex but on the difficulties of coping with full-time practice and full-time family and home commitments. The responsibility for control of family and home has traditionally lain with women in this country. In view of the number of disintegrating marriages, however, this problem of dual commitment will affect more of the male members of the profession than has been the case in the past. Custody is being given more often to fathers. It is in the interest, not only of

women, but of the profession at large, that a flexible approach to working hours be implemented more widely than at present.

- (f) All members of the profession with daughters should prepare the way for the future by encouraging them in independent thought and should encourage in them as well as in their sons, that controlled aggression which will stand them in good stead in a possible legal future."

CONCLUSIONS AND RECOMMENDATIONS

The detailed responses to a fifteen page questionnaire from 111 men and 94 women practitioners in the Wellington District were coded, fed through a computer and analysed by two experienced sociologists. Statistics produced with such care may not be ignored.

Of the practitioners covered, only a sprinkling were over forty or qualified for more than twelve years; so we are talking of the opinions of those who will be the backbone of the legal profession over the next twenty years and of trends which will continue. It may be assumed that increasing numbers of women will be successfully engaged in all classes of legal practice and in particular will be holding partnerships in private law firms and making their name at all levels of litigation. Already, on average, they regularly qualify with better grades than men.

This recent development has perhaps caught some a little off balance. Yet, as this study confirms, such changes in the structure of the profession appear to be here to stay and a growing number of us now accept them as normal.

There is still, however, a distinct measure of prejudice against women practitioners in some sectors. Male practitioners, female typing and clerical staff and clients, each to some degree, have difficulty in according due respect to women barristers and solicitors. It is still assumed by many husbands of professional women that their wives will automatically look after the household in addition to carrying on an exacting practice.

Since publication in December 1981 of the report of the Auckland District Law Society's Working Party on Women in the Legal Profession, several of its recommendations have been implemented. The Committee notes the following:

1. The N.Z. Law Society Code of Ethics now includes an appropriate rule dealing with discrimination against women.
2. At least two Law Societies have established continuing committees to research discrimination against women in the profession.

3. The number of women in private practice in legal firms, as well as practising law in Government and industry, has increased and will continue to increase.
4. There is a growing awareness not only concerning the problems faced by women in the law but also the need for individual members of the legal profession to take positive action to mitigate those problems.

RECOMMENDATIONS

The recommendations of the Committee, addressed to each and every lawyer in the Wellington District Law Society, are:

- A. That positive moves be made against discrimination and to anticipate and to forestall prejudice rather than to react to its presence when found, and in particular, that each office and partnership address itself to:
 - the elimination of discrimination against women as lawyers, whether in partnership or in employment, and
 - the elimination of harassment in any form in respect of women in the legal profession.
- B. That the public, clients and all secretarial staff be made aware that women and men are of equal value as lawyers.
- C. That there should be equal pay for equal work and the same resources and support should be accorded to women as to men in the legal profession.
- D. That the presentation of the image of the legal profession through public relations, institutional advertising and other inter professional communications should be on the basis that its members include both men and women.
- E. That women should not be seen as a separate group within the profession but should be recognised as an indispensable and inseparable part of the profession as a whole.

Appendix One

List of Tables

Table 2.1 Age at Time of Survey

	Female		Male		Total	
Under 30	52	55.3	29	26.1	81	39.7
30-34	22	23.4	63	56.7	85	41.7
35-39	10	10.6	17	15.3	27	13.2
40+	9	9.7	2	1.8	11	6.4
Total	93	100.0	111	100.0	204	100.0

Table 2.2 Year of Admission

	Female		Male		Total	
Before 1970	9	9.6	-	-	9	9.6
1970 - 1974	8	8.5	51	45.9	59	28.8
1975 - 1979	44	46.8	60	54.1	104	50.7
1980+	33	35.1	-	-	33	16.1
Total	94	100.0	111	100.0	205	100.0

Table 2.3 Years Experience as Unqualified Clerk

	Female		Male		Total	
None	23	24.7	25	23.1	48	23.9
One	39	41.9	36	33.3	75	37.3
Two, three	26	28.0	33	30.5	59	29.4
Four +	5	5.4	14	13.1	19	9.4
Total	93	100.0	108	100.0	201	100.0

Not answered:4

Table 2.4 Years Experience as Employed Solicitor

	Female		Male		Total	
None	4	4.3	-	-	4	2.0
One	20	21.7	5	4.5	25	12.4
Two	24	26.1	18	16.4	42	20.8
Three	12	13.0	28	25.5	40	19.8
Four	10	10.9	18	16.4	28	13.9
Five +	22	23.9	41	37.1	63	31.2
Total	92	100.0	110	100.0	202	100.0

Not answered:3

Table 2.5 Years as Partner or Sole Practitioner

	Female		Male		Total	
Nil	71	75.5	46	42.2	117	57.6
One,two	7	7.4	15	13.8	22	10.8
Three,four	3	3.2	23	21.1	26	12.8
Five +	13	13.8	25	22.9	38	18.7
Total	94	100.0	109	100.9	203	100.0

Not answered:2

Table 3.1 Pass Level for LLB

	Female		Male		Total	
Top 25% + hons.	23	25.8	25	23.1	48	24.4
Top 25% - hons.	20	22.5	7	6.5	27	13.7
Next 25% + hons.	3	3.4	-	-	3	1.5
Next 25% - hons.	25	28.1	34	31.5	59	29.9
Next 50%	13	14.6	33	30.6	46	23.4
Other	5	5.6	9	8.4	14	7.1
Total	89	100.0	108	100.0	197	100.0

Not answered:8

Table 3.2 Further Qualifications

	Female		Male		Total	
None	52	55.9	73	67.6	125	62.2
Other Bachelors	29	31.2	18	16.7	47	23.4
Masters	4	4.3	8	7.4	12	6.0
Doctorate	1	1.1	-	-	1	0.5
Other	7	7.5	9	8.3	16	7.9
Total	93	100.0	108	100.0	201	100.0

Not answered:4

Table 4.0 Types of Employment

	Female		Male		Total	
Employee	75	79.8	46	41.4	121	59.0
Partner	4	4.3	59	53.2	63	30.7
Sole Practitioner or Barrister	7	7.4	6	5.4	13	6.3
Non-employed lawyer	8	8.5	-	-	8	3.9
Total	94	100.0	111	100.0	205	100.0

Table 4.1 Reason for Present Type of Employment

	Female		Male		Total	
Preference	63	68.5	99	91.7	162	81.0
No partnership prospect	9	9.8	2	1.8	11	5.5
Family commitments	14	15.2	3	2.8	17	8.5
No reason, none given	6	6.5	4	3.6	10	5.0
Total	92	100.0	108	100.0	200	100.0

Not answered:5

Table 4.2 Employer - Employees Only

	Female		Male		Total	
Law firm	41	54.7	22	47.8	63	52.1
Government Dept.	24	32.0	14	30.4	38	31.4
Statutory Corporation	3	4.0	5	10.9	8	6.6
Private Corp. or company	4	5.2	4	8.7	8	6.6
University	2	2.7	-	-	2	1.6
Other	1	1.3	1	2.2	2	1.7
Total	75	100.0	46	100.0	121	100.0

Table 4.3 Chose Employment - Non-Law Firm Employees Only

	Female	Male	Total
No	6	1	7
Yes	28	23	51
Total	34	24	58

Table 4.3.1 Reason Not in Law Firm

	Female	Male	Total
Preference	17	19	36
No partnership prospect	9	2	11
Family commitments	2	-	2
Other	-	2	2
Not stated	6	1	7
Total	34	24	58

Table 4.4.1 Partnership Approaches - Law Firm Employees Only
(a) Approach by Present Partners

	Female	Male	Total
Approached	5	7	12
Not approached	32	10	42
Not stated	4	5	9
Total	41	22	63

Table 4.4.2

(b) Approach To Present Partners

	Female	Male	Total
Approach made	2	5	7
No approach made	34	6	40
Not stated	5	11	16
Total	41	22	63

Table 4.4.3 Prospects For Partnership -Law Firm Employees Only

	Female	Male	Total
Excellent	-	2	2
Good	8	7	15
So-so or fair	8	1	9
Poor	6	5	11
Non-existent	4	-	4
Too soon to say	11	5	16
Not stated	4	2	6
Total	41	22	63

Table 4.4.4 Told No Prospects of Partnership Because Woman

	Female
No	53
Yes	15
Total	68

Not answered:26

Table 4.6 Size of Practices - Partners Only

	Female	Male	Total
Two - four partners	2	35	37
Five - six partners	1	5	6
Seven - ten partners	-	4	4
Eleven-19 partners	1	9	10
Twenty -25 partners	-	6	6
Total	4	59	63

Table 4.6.1 Approaches re Partnership - Partners Only

(a) Approached by Existing Partners

	Female	Male	Total
Approached	3	47	50
Not approached	1	6	7
Not stated	-	6	6
Total	4	59	63

Table 4.6.2

(b) Approach to Existing Partners

	Female	Male	Total
Made approach	2	12	14
No approach made	2	7	9
Not stated	-	40	40
Total	4	59	63

Table 4.6.3 Years' Practice Since Admission - Partners Only

	Female	Male	Total
Under 5	3	12	15
5 - 9	1	30	31
10 - 14	-	10	10
Not stated	-	7	7
Total	4	59	63

Table 5.1 Job Applications Before First Employment - All Respondents

	Female		Male		Total	
None	6	6.7	2	1.9	8	4.1
One	38	42.2	64	61.5	102	52.6
Two	11	12.2	14	13.5	25	12.9
Three	4	4.4	7	6.7	11	5.7
Four to seven	18	20.0	12	11.5	30	15.5
Eight +	13	14.4	5	4.8	18	9.3
Total	90	100.0	104	100.0	194	100.0

Not answered:11

Table 5.1.1 Job Applications By Year of Admission

	Before 1970	1970 -74	1975-79	1980 +	Total
None	-	1	3	4	8
One	7	38	44	13	102
Two	-	7	13	5	25
Three	-	1	9	1	11
Four - seven	2	3	22	3	30
Eight +	-	2	9	7	18
Total	9	52	100	33	194

Not answered:11

Table 5.2.1 Types of Difficulty Encountered

	Female	Male	Total
Discrimination	19	1*	20
Too many applicants	10	6	16
Lack of experience	3	6	9
Lack of connections	4	1	5
Qualifications mediocre	3	2	5
Not enough information	4	2	6
Moving cities,towns	4	-	4
Total	47	18	65

*Discrimination on grounds of appearance

Table 5.2.2 Employment Difficulties Related to Being a Woman

None	15
Yes, assumed limited wkg life	18
Yes, others	11
Yes, unspecified	4
Don't know	5
Not applicable (no difficulty)	35
Total	88

Not answered:6

Table 5.3.1 Assistance With Finding First Job

	Female		Male		Total	
None	76	81.7	71	64.0	137	67.1
Family	4	4.3	8	7.2	12	5.9
Friends	12	12.9	28	25.2	40	19.6
Family + friends	1	1.1	4	3.6	5	2.4
Total	93	100.0	111	100.0	204	100.0

Not answered:1

Table 5.3.2 Assistance With Subsequent Jobs

	Female		Male		Total	
None	53	56.4	75	67.6	128	62.4
Family	5	5.3	5	4.5	10	4.9
Friends	12	12.8	17	15.3	29	14.1
Family + friends	1	1.1	-	-	1	0.5
Not stated	23	24.5	14	12.6	37	18.0
Total	94	100.0	111	100.0	205	100.0

Table 5.3.3 Assistance With Obtaining Partnership

	Female	Male	Total
None	2	51	53
Friends	1	5	6
Family	1	1	2
Family + friends	-	2	2
Total	4	59	63

Table 5.4.1 Provision of Part time Work

	Female		Male		Total	
None	17	31.5	41	47.1	58	41.1
Partners only	3	5.5	3	5.7	6	4.2
Employed solicitors	9	16.7	2	2.3	11	7.8
Secretaries, clerks	16	29.6	32	36.8	48	34.0
Various groups	9	16.7	9	10.3	18	12.8
Total	54	100.0	87	100.0	141	100.0

Table 5.4.2 Availability of Flexible Hours

	Female		Male		Total	
None	6	10.3	26	28.6	32	21.5
Partners only	10	17.2	10	11.0	20	13.4
Employed solicitors	18	31.0	10	11.0	28	18.8
Secretaries, clerks	10	12.2	20	22.0	30	20.1
Various groups	14	24.2	25	27.4	39	26.2
Total	58	100.0	91	100.0	149	100.0

Table 5.4.3 School Holiday Leave or Work at Home

	Female		Male		Total	
None	17	34.0	35	39.8	52	37.7
Partners only	3	6.0	7	7.9	10	7.2
Employed solicitors	7	14.0	3	3.4	10	7.2
Secretaries, clerks	15	30.0	25	28.4	40	29.0
Various groups	8	16.0	18	20.5	26	18.8
Total	50	100.0	88	100.0	138	100.0

Table 5.4.4 Parental Leave

	Female		Male		Total	
None	16	33.3	47	55.9	63	47.8
Partners only	5	10.6	4	1.8	9	6.8
Employed solicitors	15	31.9	6	9.1	21	15.9
Secretaries, clerks	3	6.3	16	19.0	19	14.4
Various groups	9	18.8	11	13.6	20	15.2
Total	48	100.0	84	100.0	132	100.0

Table 5.5 Non-Law Office Employment, 3 Months+ Since Admission

	Female		Male		Total	
None	35	38.5	60	55.0	95	47.5
Family commitments	10	11.0	1	0.9	11	5.5
Law-related job	17	18.7	3	2.8	20	10.0
Non-Law-related job	6	6.6	8	7.3	14	7.0
Holiday, study leave	11	12.1	26	23.8	37	18.5
Various	12	13.2	11	10.1	23	11.5
Total	91	100.0	109	100.0	200	100.0

Not answered:5

Table 5.6 Salary Levels

	Female		Male		Total	
Under \$20,000	51	66.2	13	26.5	64	50.8
\$20,000-29,000	20	26.0	18	36.7	38	30.1
\$30,000-39,000	6	7.8	13	26.5	19	15.1
\$40,000 +	-	-	5	10.2	5	4.0
Total	77	100.0	49	100.0	126	100.0

Table 5.6.1 Salaries - Law Firm Employees

	Female		Male		Total	
Under\$20,000	36	85.7	12	41.4	48	67.6
\$20,000 - 29,000	5	11.9	8	27.6	13	18.3
\$30,000 - 39,000	1	2.4	5	17.2	6	8.5
\$40,000 +	-	-	4	13.8	4	5.6
Total	42	100.0	29	100.0	71	100.0

Table 5.6.2 Salaries - Legal, Non-Law Firm

	Female	Male	Total
Under \$20,000	14	1	15
\$20,000 - 29,000	13	9	22
\$30,000 - 39,000	5	7	12
\$40,000 +	-	1	1
Total	32	18	50

Table 5.6.3 Salaries -Non-legal,Non-Law Firm

	Female	Male	Total
Under \$20,000	1	-	1
\$20,000 - 29,000	2	1	3
\$30,000 - 39,000	-	1	1
Total	3	2	5

Table 6.1 Better Suited to Different Practice Area

	Female		Male		Total	
Don't know	3	3.6	1	1.6	4	2.1
No	66	79.5	102	92.7	168	87.0
Yes	14	16.9	7	6.4	21	10.9
Total	83	100.0	110	100.0	193	100.0

Not answered:12

Table 6.2 Preferred Area of Practice

	Female	Male	Total
General Practice	6	-	6
Commercial Law	1	5	6
Conveyancing	1	2	3
Common law-matrimonial	3	-	3
Common law -civil	3	-	3
Total	14	7	21

Table 6.3 Why Not in Preferred Area

	Female	Male	Total
Lack of opportunity	7	2	9
Family commitments	1	-	1
Other	-	3	3
None given	6	2	8
Total	14	7	21

Table 6.4 Current Area of Practice

	Female		Male		Total	
General practice	17	20.5	31	28.2	48	24.9
Commercial law	14	16.9	28	25.5	42	21.7
Conveyancing	15	18.1	23	20.9	38	19.7
Common law-matrimonial	12	14.5	5	4.5	17	8.8
Common law -civil	7	8.4	14	12.7	21	10.9
Criminal law	-	-	3	2.7	3	1.6
Other	18	21.7	6	5.5	24	12.4
Total	83	100.0	110	100.0	193	100.0

Not answered:12

Table 6.5.1 Areas of Difficulty for Women

	Female		Male		Total	
No problems	48	58.5	81	74.3	129	67.5
General practice	1	1.2	1	0.9	2	1.0
Commercial	28	34.1	16	14.7	44	23.0
Conveyancing	-	-	1	0.9	1	0.5
Matrimonial law	1	1.2	1	0.9	2	1.0
Civil law	2	2.4	3	2.8	5	2.6
Criminal law	-	-	5	4.6	5	2.6
Other	2	2.4	1	0.9	3	1.6
Total	82	100.0	109	100.0	191	100.0

Not answered:14

Table 6.5.2 Reasons for Difficulty

	Female	Male	Total
Hours	2	-	2
Pressure	1	-	1
Client attitudes	17	21	38
Client attitudes+hours	11	6	17
Pressure + hours	3	1	4
Total	34	28	62

Table 7.1 Attendance at Law Society Function

	Female		Male		Total	
Yes,enjoyment	14	14.9	36	32.4	50	24.4
Yes,professional reason	21	22.3	17	15.3	38	18.5
Yes,other or various	25	26.6	35	31.5	60	29.3
Sub-total,yes	60	63.8	88	79.3	148	72.2
No	34	36.2	23	20.7	57	27.8
Total	94	100.0	111	100.0	205	100.0

Table 7.2 Comfort at Law Society Functions

	Female		Male		Total	
Yes,fellowship	26		38		64	
Yes,age	3		3		6	
Yes,legal experience	-		5		5	
Yes,sex	1		1		2	
Yes,various	6		18		24	
Yes,unsepcified	18		19		27	
Sub-total,yes	44		84		128	
No,fellowship	4		3		7	
No,age	1		1		2	
No,sex	3		-		3	
No,various	17		2		19	
No,unspecified	6		10		16	
Sub-total,no	31		16		47	
Total	75		60		175	

Table 8.1 Adverse Reaction,Client Same Sex

	Female		Male		Total	
Never	46	66.7	100	100.0	146	86.4
Rarely	21	30.4	-	-	21	12.4
Quite often	2	2.9	-	-	2	1.2
Total	69	100.0	100	100.0	169	100.0

Not answered,not applicabile:36

Table 8.2 Adverse Reaction, Client Opposite Sex

	Female		Male		Total	
Never	29	36.2	86	84.3	115	63.2
Rarely	47	58.8	16	15.7	63	34.6
Quite often	4	5.0	-	-	4	2.6
Total	80	100.0	102	100.0	182	100.0

Not answered, not applicable: 23

Table 8.3 Adverse Reaction From Clients Generally - Women Only

Never	18	22.5
Rarely	53	66.3
Quite often	4	5.0
Unaware	5	5.7
Total	80	100.0

Not answered: 14

Table 8.4 Adverse Reaction From Colleagues, Same Sex

	Female		Male		Total	
Never	55	78.6	87	97.7	142	89.3
Rarely	14	20.0	1	1.1	15	9.4
Quite often	1	1.4	1	1.1	2	1.3
Total	70	100.0	89	100.0	159	100.0

Not answered: 46

Table 8.5 Adverse Reaction from Colleagues, Opposite Sex

	Female		Male		Total	
Never	23	29.9	81	90.0	104	62.3
Rarely	36	46.7	9	10.0	45	26.9
Quite often	18	23.4	-	-	18	10.8
Total	77	100.0	90	100.0	167	100.0

Not answered: 38

Table 8.6 Adverse Reaction from Colleagues Generally - women only

Never	31	35.2
Rarely	37	42.0
Quite often	16	18.2
Unaware	4	4.6
Total	88	100.0
Not answered:6		

Table 8.7 Adverse Reaction from Secretarial and Support Staff
Women only

Never	38	44.7
Rarely	25	29.4
Quite often	16	18.8
Unaware	6	7.1
Total	85	100.0
Not answered:9		

Table 9.1 Discrimination Against Women

	Female	Male	Total
No	8 9.3	20 24.4	28 16.7
Yes	78 90.7	62 75.6	140 83.3
Total	86 100.0	82 100.0	168 100.0
Not answered:37			

Table 9.2 Any Action Possible

	Female	Male	Total
None	11 13.3	34 43.0	45 27.8
Some	72 86.7	45 57.0	117 72.2
Total	83 100.0	79 100.0	162 100.0
Not answered:43			

Table 10.1 Experiences of Sexual Harassment from Employers, Colleagues

	Women Only	
None	70	76.9
Belittling, embarrassing remarks	15	16.5
Sexual advances	3	3.3
Combination	3	3.3
Total	91	100.0

Not answered: 3

Table 10.2 Threat to Employment

None	29	76.3
Yes	1	2.6
Not known	8	21.1
Total	38	100.0

Table 10.3 Belittling Talk Personal to Respondent

None	40	46.5
From employers only	5	5.8
From clients only	7	8.1
From colleagues only	19	22.1
From employers + coll.	7	8.1
From clients + coll.	3	3.5
From all three	5	5.8
Total	86	100.0

Not answered: 8

Table 10.4 Belittling Talk re Women in General

None	27	30.0
From employers only	4	4.4
From colleagues only	18	20.0
From clients only	3	3.3
From employers, coll.	18	20.0
From clients, coll.	5	5.6
All three	15	16.7
Total	90	100.0

Not answered: 4

QUESTIONNAIRE

ANSWER EVERY QUESTION THAT IS APPLICABLE AND WHERE NOT APPLICABLE, ENTER N/A.
WHERE REQUESTED TO PROVIDE DETAILS, PLEASE DO SO BRIEFLY

1. PERSONAL

- (a) How old are you?
- (b) When were you admitted?
- (c) What number of years legal experience have you as -
- (i) Unqualified Clerk
- (ii) Employed Solicitor
- (iii) Partner/Sole Practitioner
-

2. ACADEMIC

- (a) Within which level of your LLB graduation class were you?
- (i) Top 25%
- (ii) Next 25%
- (iii) Next 50%
- (b) Did you obtain your LLB Degree with Honours? Yes No

(c) Do you have any further academic qualifications in addition to your LLB degree?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

If yes, please specify briefly.....

.....

3. EMPLOYMENT (answer both parts to this question)

(a) Why are you in your present type of employment?

(i) Preference

(ii) Lack of partnership prospects

(iii) Family commitments

(iv) Other, specify briefly.....

.....

(b) Are you

(i) Employee - if so proceed to question 4

(ii) Sole Practitioner - if so proceed to question 5

(iii) Barrister - if so proceed to question 5

(iv) Partner - if so proceed to question 6

(v) Not employed - proceed to question 7

ANSWER THE APPROPRIATE QUESTION IN ACCORDANCE WITH THE BOX THAT YOU HAVE TICKED IN 3(b)

4. EMPLOYEE ONLY

(a) Are you employed by -

(i) Law Firm

(ii) Government Department

(iii) Local Authority

(iv) Statutory Corporation

(v) Private Corporation or Company or Industry

(vi) University/Academic Institution

Other, specify briefly.....

(b) If you are employed by other than a law firm, was this by choice?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

Why did you choose such employment?

(i) Preference

(ii) Lack of prospects in the profession

(iii) Family commitments

(iv) Other, please specify briefly.....
.....

(c) If employed by a law firm -

(i) Have you been approached to become a partner?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

(ii) Have you approached your firm to become a partner?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

(iii) What are your prospects for becoming a partner?.....

GO TO QUESTION 8

5. SOLE PRACTITIONER/BARRISTER ONLY

(a) Are you a sole practitioner or Barrister:

(i) by preference, or

(ii) because of lack of partnership prospects, or

(iii) other, specify briefly
.....

(b) Do you consider you have better opportunities as a sole practitioner or Barrister than you would in a Law Firm?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

Please specify briefly.....

GO TO QUESTION 8

6. PARTNER ONLY

(a) (i) How many partners are in your firm?

(ii) Are there any women partners?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

(iii) If so, specify number

(b) (i) Were you approached to become a partner? Yes No

OR

(ii) Did you approach your firm to become a partner? Yes No

(c) How many years practice since admission?

GO TO QUESTION 8

7. NOT EMPLOYED ONLY

If you are not employed is this because of -

(a) Lack of available employment

(b) Family commitments

(c) Personal circumstances

(d) Other, specify briefly.....

GO TO QUESTION 8

QUESTIONS 8 - 19

TO BE ANSWERED BY EVERYONE

8. EMPLOYMENT

(a) How many job applications did you make before obtaining your first employment following graduation?

(b) What sort of difficulties did you have in obtaining employment? specify briefly.....

9. EMPLOYMENT ASSISTANCE

(a) Did you have any help from within the profession from any of the following when obtaining your first employment?

(i) Family (other than spouse)

Yes	No

(ii) Friend (personal, family, business)

Yes	No

(iii) Spouse

Yes	No

(b) Did you have any help from within the profession from any of the following when obtaining any subsequent employment?

(i) Family (other than spouse)

Yes	No

(ii) Friend (personal, family or business)

Yes	No

(iii) Spouse

Yes	No

(c) If a partner, did you have any help from within the profession from any of the following when obtaining your partnership?

(i) Family (other than spouse)

Yes	No

(ii) Friend (personal, family or business)

Yes	No

(iii) Spouse

Yes	No

(iv) Not applicable

--

10. FLEXIBLE EMPLOYMENT OPPORTUNITIES

Has the firm with which you are now working made provision for family commitments by way of -

	<u>(a) For Partners</u>	<u>(b) For Employed Solicitors</u>	<u>(c) For Secretaries/ Clerks</u>
(i) Part-time work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(ii) Flexible hours	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iii) School holiday leave (or work at home)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iv) Maternity/paternity leave	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(v) Other, specify briefly.....			

11. CONTINUITY OF EMPLOYMENT

(a) Have you been out of law office employment for more than 3 months since admission?	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>
(b) If yes, has it been for -		
(i) Family commitment		<input type="checkbox"/>
(ii) Another job (law related)		<input type="checkbox"/>
(iii) Another job (non-law related)		<input type="checkbox"/>
(iv) Holiday or study leave		<input type="checkbox"/>
(v) Unemployed		<input type="checkbox"/>

(vi) Other please specify briefly.....
.....

12. If currently employed, what is your present salary per annum -

- (a) Law firm \$
- (b) Legal capacity other than in Law firm \$
- (c) Non-legal other than in Law firm \$

13. AREA OF LAW

(a) Do you believe you are better suited to practice in an area of law other than that in which you are currently practising? Yes No

(b) If yes, in what area do you believe you are better suited to practice?

.....

(c) Why are you not practising in that area?

.....

(d) In what area(s) are you, in fact, principally engaged?

(i) Broad general practice

(ii) Commercial

(iii) Conveyancing

(iv) Common law - matrimonial

(v) - civil

(vi) - criminal

(vii) Other, specify briefly.....
.....

(e) Do you consider that there is any area of law which is inherently more difficult for a woman to practise in? Yes No

(f) If yes, please specify areas.....
.....

(g) If yes, is the reason for this -

(i) Hours

(ii) Pressure

(iii) Client attitude

(iv) Other, specify briefly.....

14. INTERACTION

(a) Have you experienced any adverse reaction from a client or colleague in your employment on account of your sex?

	Client Coll. same sex	Client Coll. opposite sex
(i) Never	<input type="checkbox"/>	<input type="checkbox"/>
(ii) Rarely	<input type="checkbox"/>	<input type="checkbox"/>
(iii) Relatively often	<input type="checkbox"/>	<input type="checkbox"/>

(b) If you have experienced adverse reaction please specify briefly
.....

15. DISCRIMINATION

If you consider there is discrimination against women in the profession, please specify briefly in what areas you perceive such discrimination.....
.....

16. Do you think that there is any action in the Law Society or your employers or your colleagues could take to eliminate or reduce discrimination against women in the profession?.....
.....

LAW SOCIETY FUNCTIONS

17. (a) Do you attend Law Society functions

Yes	No

(b) Why is this?

(i) Enjoyment

--

(ii) Your age

--

(iii) Professional Reasons

--

(iv) Other, specify briefly.....

18. (a) Do you feel comfortable at Law Society functions? Yes No
- (b) Why is this?
- (i) Fellowship
- (ii) Your age
- (iii) Legal experience
- (iv) Your sex
- Other, specify briefly.....

GENERAL

19. Thank you for your time and interest in completing out this questionnaire. If you wish to add any comment, please do so briefly.

WOMEN PLEASE PROCEED TO ATTACHED "WOMEN ONLY" QUESTIONNAIRE

WOMEN ONLY

PARTNERSHIP PROSPECTS

20. Have you been told that there are no prospects for you as a partner because you are a woman? Yes No

21. If you elected to become a sole practitioner or barrister indicate whether the fact that you are a woman played any part in your decision Yes No
N/A

22. (a) Do you consider as a woman you have better opportunities as a sole practitioner or Barrister than you would in a Law Firm? Yes No

(b) Please specify briefly.....

23. If you consider that you lack partnership prospects, do you consider that such lack of prospects is because you are a woman? Yes No

EMPLOYMENT OPPORTUNITIES

24. (a) If you had difficulties in obtaining employment, do you consider that such difficulties related to the fact that you are a woman? Yes No

(b) If so, please specify briefly.....
.....

REMUNERATION

25.

(a) Do you believe you are being paid more, the same or less than similarly qualified and experienced males in your firms?

More Less Same

(b) If less -

(i) How do you know?

(ii) By how much less are you being paid?.....

.....

ADVERSE REACTION

26.

(a) Have you experienced any adverse reaction from clients, partners, solicitors, or secretarial or other support staff because you are a woman -

From
Sec./
support
staff From
Coll. From
Clients

(i) Never

(ii) Rarely

(iii) Relatively often

(iv) Not aware

(b) Specify the adverse reaction and from whom

.....

HARASSMENT

27. In the course of your employment or practice -

(a) Have you ever experienced sexual harassment from employers or colleagues? Yes No

(b) If yes, was it in the form of -

(i) Belittling or embarrassing talk or conduct with sexual overtones? Yes No

(ii) Sexual advances from a person in authority who took advantage of their position to do so? Yes No

(iii) Other, please specify briefly.....
.....

(c) If any of these have occurred, was there any direct or indirect inducement or threat made concerning your employment? Yes No

(d) Have you ever experienced derogatory or belittling talk or conduct which you considered to be directed at you as a woman? Yes No

(e) If yes, from whom -

(i) From employers

(ii) From colleagues

(iii) From clients

28. (a) Have you in the course of practice encountered derogatory or belittling talk or conduct which you considered to be directed at women general?
- (b) If yes, from whom -
- (i) From employers
 - (ii) From colleagues
 - (iii) From clients
-

GENERAL

29. In respect of this section, do you have any further comment to make?
-