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*Patron, The Honourable Chief Justice Susan M Kiefel  
AC*

**SUBMISSION TO THE DEPARTMENT OF PRIME MINISTER AND CABINET'S  
OFFICE FOR WOMEN ON THE NATIONAL STRATEGY TO ACHIEVE GENDER  
EQUALITY**

<b>Submitted by</b>	Australian Women Lawyers
<b>Submitted electronically</b>	via <a href="https://www.pmc.gov.au/office-women/national-strategy-achieve-gender-equality">https://www.pmc.gov.au/office-women/national-strategy-achieve-gender-equality</a>
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Australian Women Lawyers (AWL) is a justice and equity champion advancing women in the legal profession and beyond. AWL's objects include achieving justice and equity for women; furthering understanding and support for the legal rights of women; identifying, highlighting and eradicating discrimination against women inherent in the legal system and generally; and advancing equality for women in the legal profession.

AWL makes this submission further to these objects and in its role as the peak body for Australian women lawyers.

AWL's priorities for achieving gender equality are:

- acknowledgement that gender inequality is a driving force of violence against women;

Australian Women Lawyers represents:



- The eradication of discrimination against women inherent in the legal system and in the community generally;
- The achievement of justice and equity for all women, including equality in access to justice for all women, particularly taking into account the profound challenges affecting indigenous women;
- equality of opportunity for women in rural and regional Australia, including in access to legal services;
- reduction and elimination of the gender pay gap in the legal profession and beyond.

AWL considers it is an integral part of a gender equal Australia that the legal profession and legal institutions embody principles of gender equality and are representative of the community they serve. At the moment, this is not the case.

Substantial change is needed. In part, this can be achieved by prioritising gender equality in the appointment of judicial and other statutory officers, as well as in the appointment of senior members of the legal profession to legal leadership roles. Governments also have the power to adjust court dates and times to be more family friendly, in turn supporting women in practice to juggle children and careers.

Necessarily, to achieve these changes takes time, and requires cultural change to ensure equality of opportunity for both men and women throughout their legal careers in order to enable the retention of women in the profession and the promotion of women to leadership roles.

Our view is that equality within the profession is the best way to ensure the legal sector reflects the community it serves, and in turn, will reduce and eliminate unconscious bias against women - both for women practitioners, and for those women who engage with the law - and in doing so, best ensure equality in access to justice for women.

We consider the biggest hindrance to achieving these changes are the hierarchical nature of the profession, as well as the gendered power structures that still influence the culture of the profession.

In the last few years (and particularly following COVID) the legal profession has made progress in adapting to flexible work and allowing for caring responsibilities which has been of benefit for many women in the legal profession. However, gendered norms and power imbalances inherent in the profession continue to cause limitations on women progressing in their careers. For example, our anecdotal view is that many women can now access flexible work, but there is a cultural view that flexible work is only for women and they can be, once working flexibly, sidelined in progressing their careers while men may benefit from remaining full time in their roles.

Further, we think that the hierarchical nature of the legal profession means that 'flexible work' is often not supported for women who want to be promoted to senior positions, for example it is extremely uncommon for women to be 'part time' partners in a law firm, or to job-share a senior role. In our view, gendered stereotypes about women's role as

carers are holding women in the legal profession back from being taken seriously in their careers where they want to both work flexibly to care for children, and be promoted to take on further responsibility, and this is a huge issue stopping the legal profession from achieving gender equal leadership and equality in representation.

With regards to care, we support initiatives to promote shared caring responsibilities so both parents are able to share caring responsibilities and return to paid employment following the birth of a child. A recent example is the proposed Government paid parental leave scheme that allows parents to share paid parental care between the parents, which challenges the notion that primary caring responsibilities is only a woman's role.

With regards to gender disadvantage, the notion of greater sharing of parental responsibility between parents may address the stereotypical notion of women being primary carers, which has the impact of exacerbating gendered disadvantage over a lifetime, for example the ability of men to earn more over their lifetime as a result of less time spent away from paid employment undertaking caring responsibilities. This can result in women being unable to progress in their careers at the same rate as their male counterparts, which is a further issue driving gender inequality.