

2004 Profile of the Solicitors of NSW



Prepared for: The Law Society of New South Wales

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Snapshot of Solicitors in 2004

On 1 October 2004 there were:

- 18,934 solicitors holding current NSW Practising Certificates
- 7,566 female solicitors (40.0%)
- 11,368 male solicitors (60.0%)
- 13,398 solicitors working in private practice (70.8%)
- 1,987 solicitors working in government (10.5%)
- 2,655 solicitors working in corporations (14.0%)
- 10,216 solicitors practising in the Sydney CBD (54.0%)
- 5,358 solicitors practising in the suburbs of Sydney (28.3%)
- 2,580 solicitors practising in country areas of New South Wales (13.6%)
- 4,068 private law firms
- 141 government employers
- 998 corporate employers
- 32.0% of solicitors (4,467) in private practice were working in firms with 21 or more partners
- 20.1% of solicitors (2,801) in private practice were working in firms with between 2 and 4 partners
- 35.5% of solicitors (4,957) in private practice were working in sole practitioner firms
- sole practitioner firms constituted 82.9% of all firms
- firms of 21 or more partners constituted 0.6% of firms
- 49.0% of solicitors were less than 40 years of age
- 15.1% of solicitors had been admitted for less than 1 year
- 37.6% of solicitors had been admitted for less than six years.

In the twelve months since October 2003

- the profession had grown by 4.7%
- the number of female solicitors had increased by 8.4%
- the number of male solicitors had increased by 2.3%
- 2,863 solicitors were issued with a Practising Certificate for the first time; 42.1% of these were male and 57.9% female



1 Introduction

1.1 The role of the Law Society

The Law Society of New South Wales is the professional association representing the solicitors of New South Wales. The Law Society has two primary responsibilities: it acts as the licensing and regulatory authority by maintaining professional standards of conduct and investigating complaints against its members; it also represents the interests of practising solicitors.

The role of the Society is summarised by the objectives set out in the Memorandum and Articles of Association, which include:

- to consider, originate and promote reform and improvements in the law;
- to remedy defects in the administration of justice;
- to make improvements in administration of legal practice;
- to represent generally the views of the profession;
- to preserve its integrity and status;
- to suppress dishonourable conduct or practices; and
- to consider and deal with all matters affecting the professional interests of members of the Society.

The Law Society is governed by an elected Council of 21 members. The Council provides policy directions for the Law Society. It is assisted by a network of committees made up of volunteers from the profession and the public.

Further information about the Law Society can be found on the Law Society's web page at www.lawsociety.com.au.

1.2 Objectives


The purpose of this report is two-fold:

- (a) to collect and analyse information about the demographic profile of the practising profession in 2004; and
- (b) to identify and monitor any trends in this profile by comparing this year's data with information from previous years.

1.3 Methodology

The information contained in this report is obtained from two sources. The first is the annual census data drawn from the Law Society's membership database on 1 October (or nearest working day) each year. The data used in this report was drawn from the database on Friday 1 October 2004. This data relates only to those solicitors who held a current Practising Certificate on that day. As the membership data fluctuates throughout the year, the Law Society uses October data to measure the profession for the reporting year, since October is the most stable month. While the Law Society has retained the records of solicitors for many years, this report relies on information collected and stored in the membership database since 1988. From this period forward, the coding of information has been reliable and consistent.

There may be many people in NSW who are working in law-related fields (some of whom hold law qualifications and may have been admitted to practise) who do not need to hold a Practising



Certificate. Information about people working in these occupations is not collected or reported by the Law Society.

The information contained in this report does not include solicitors practising under the national practising scheme.

The second source of information for this report is the annual Practising Certificate surveys that the Law Society has conducted since 1993/94. Each year, as part of the Practising Certificate renewal process, solicitors are invited to complete a voluntary survey. In addition to collecting a range of demographic data, the survey also gathers information about dominant areas of practice, income, hours of work and other issues relevant to the professional lives of solicitors. Response rates to the survey have generally been around half of all practising solicitors in NSW. Some of the results of these surveys are described in this report. The Practising Certificate survey (and the data collected from the survey) is anonymous. The Law Society does not and cannot link the information collected through the surveys to individual solicitors or the organisations for whom they work. Separate volumes of the Practising Certificate survey reports are available to members of the Law Society on request.

Monthly updates on the Law Society's membership statistics are published on the Law Society web site at www.lawsociety.com.au.

1.4 Further information

For further information about this report and other statistical information held by the Law Society contact:

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2 Gender and growth

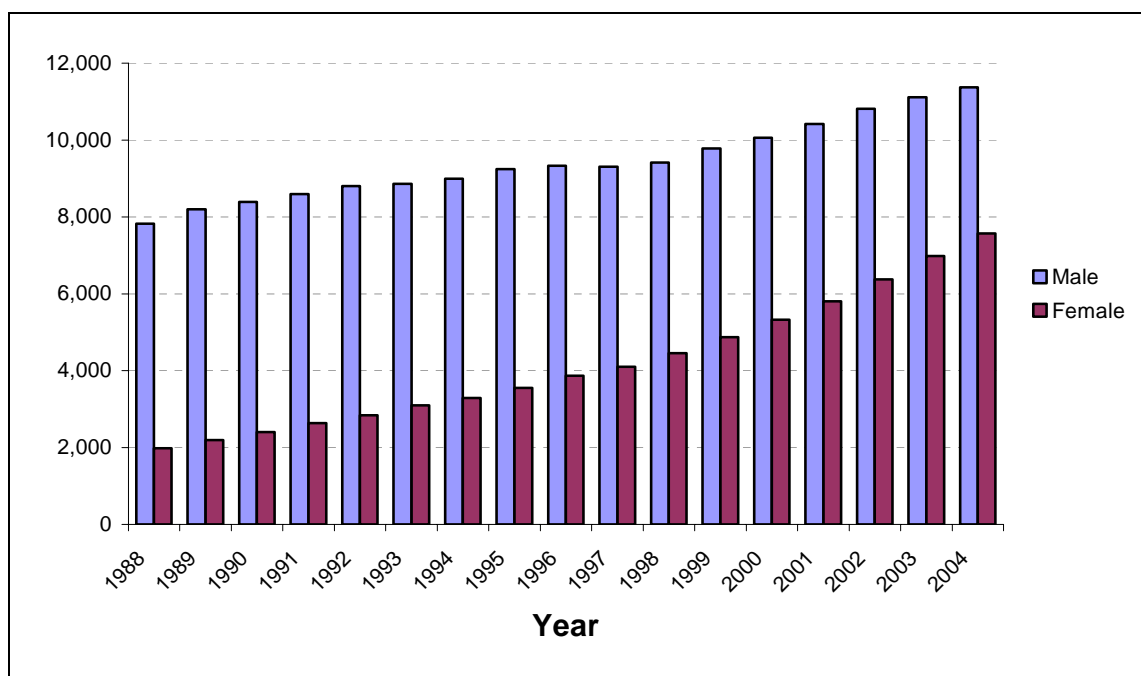
On 1 October 2004, there were 18,934 solicitors with current New South Wales Practising Certificates. Of these, 7,566 (40.0%) were female and 11,368 (60.0%) were male. Figures from 1988 to 2004 for the number of solicitors in NSW by gender are given in Table 1.

Figure 1 compares the number of male and female solicitors since 1988, while Figure 2 compares the annual growth rate over the same period.

Since 1988, the profession has grown by 93%, with an average annual growth rate of 4.2%. The number of female solicitors rose by 282% over that time (from 1,979 to 7,566), while male numbers grew by only 45.2% (from 7,829 to 11,368). The overall growth rate between 2003 and 2004 was 4.7%, with the number of female solicitors increasing by 8.4% and males by 2.3%. This compares to an *average* annual growth rate of 8.8% for females and 2.4% for males. Although men continue to outnumber women in the NSW legal profession, a recent study by Urbis Keys Young found that, based on current trends, women can be expected to outnumber men by 2015.¹

Indeed, female solicitors in the *government sector* already outnumber their male counterparts; 54.9% of government practitioners were women in 2004. It has been suggested that government positions are more attractive than the private sector for many women, due to paid maternity leave, more flexible working hours and the like. There were also more female than male solicitors in the *corporate sector* in 2004, with 51% of these practitioners being female. Chapters 10 and 11 of this report provide more detail on solicitors practicing in government and in the corporate sector.

Figure 1: The Profession 1988-2004



¹ However, the same study (*The Solicitors of New South Wales in 2015*) found that historically female lawyers have tended to leave the legal profession between the ages of 35 and 45, although in recent years many of these women appear to have *re-entered* the workforce after childbearing age.

Figure 2: Annual growth rates, 1988-2004

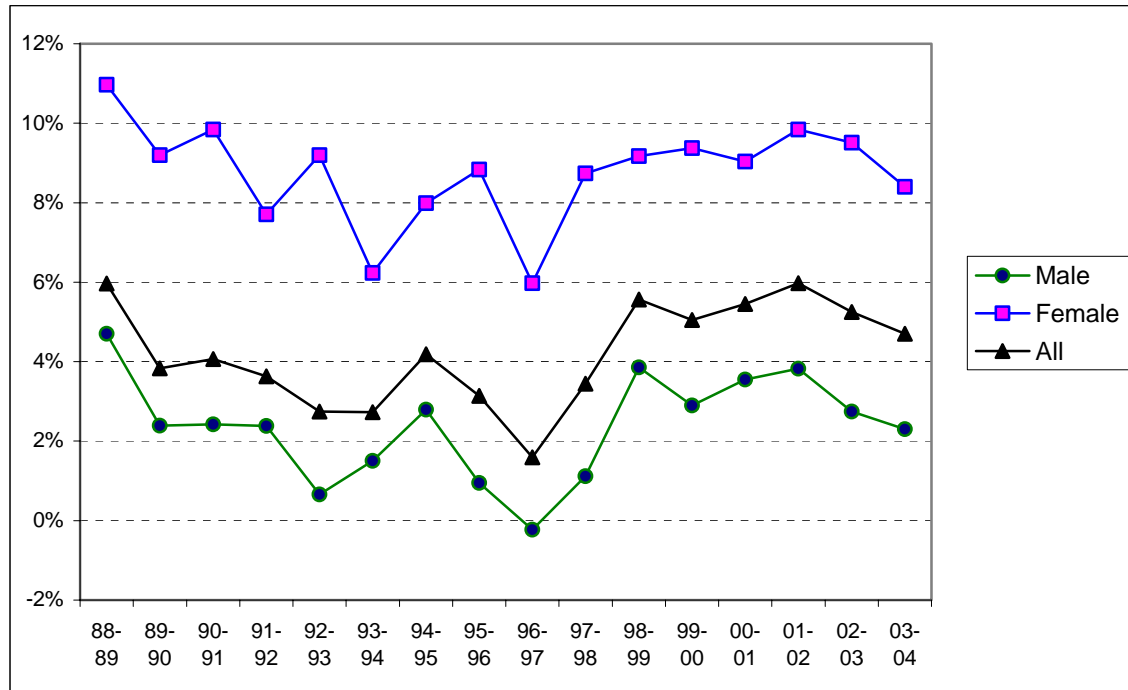


Table 1: Gender and growth, 1988-2004

Year	Male		Female		Total
	n	%	n	%	n
1988	7,829	79.8	1,979	20.2	9,808
1989	8,197	78.9	2,196	21.1	10,393
1990	8,393	77.8	2,398	22.2	10,791
1991	8,596	76.5	2,634	23.5	11,230
1992	8,801	75.6	2,837	24.4	11,638
1993	8,859	74.1	3,098	25.9	11,957
1994	8,992	73.2	3,291	26.8	12,283
1995	9,243	72.2	3,554	27.8	12,797
1996	9,331	70.7	3,868	29.3	13,199
1997	9,310	69.4	4,099	30.6	13,409
1998	9,414	67.9	4,457	32.1	13,871
1999	9,777	66.8	4,866	33.2	14,643
2000	10,060	65.4	5,322	34.6	15,382
2001	10,417	64.2	5,803	35.8	16,220
2002	10,815	62.9	6,374	37.1	17,189
2003	11,112	61.4	6,980	38.6	18,092
2004	11,368	60.0	7,566	40.0	18,934

3 Age

The approximate average age of NSW solicitors in 2004 was 40.8 years, compared with 40.7 in 2003. Female solicitors tended to be younger than males, with an approximate average age of 36 years, compared to the male average of 44 years.

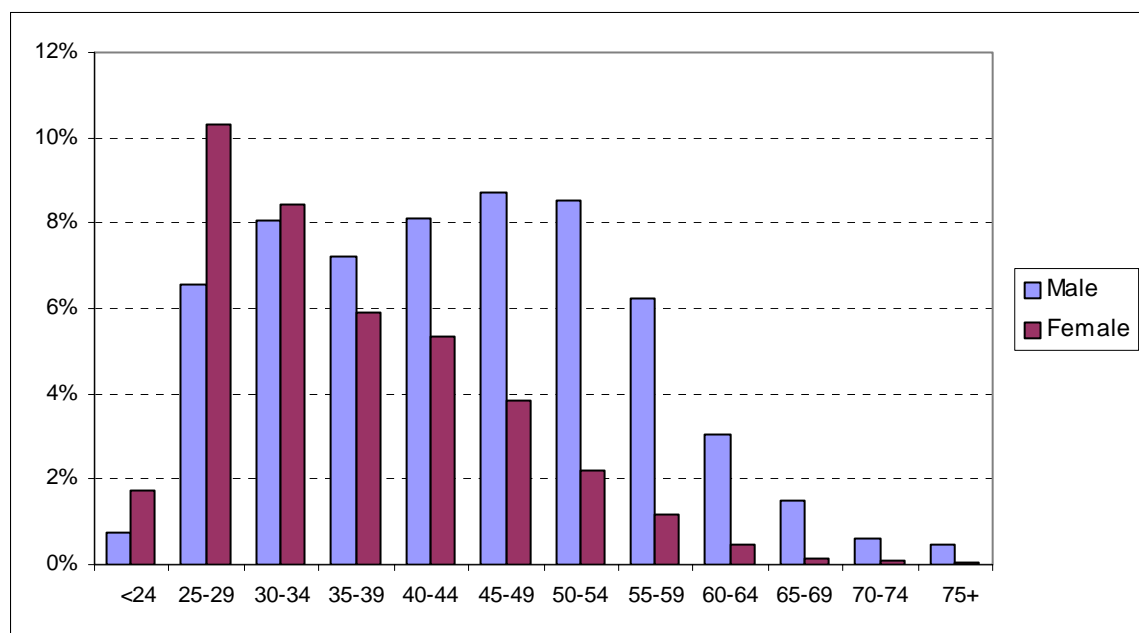
The profession is divided more or less evenly between those under 40 years (49.0%) and those aged 40 or more (50.5%). In 2004 the most common age group for female solicitors was 25-29 years, while for males it was 45-49. One third of all solicitors (33.4%) were aged between 25 and 35 years.

Figure 3 illustrates the age profile of male and female solicitors in NSW.

Table 2: Age profile of solicitors in 2004

Age	Male		Female		Total	
	n	%	n	%	n	%
29 or less	1,387	12.2	2,279	30.1	3,666	19.4
30-39	2,898	25.5	2,712	35.8	5,610	29.6
40-49	3,187	28.0	1,739	23.0	4,926	26.0
50-59	2,791	24.6	642	8.5	3,433	18.1
60 and over	1,063	9.4	141	1.9	1,204	6.4
No answer	42	0.4	53	0.7	95	0.5
Total	11,368	100	7,566	100	18,934	100

Figure 3: Age profile of solicitors in 2004





4 Years since admission

In the year ending 1 October 2004, 2,863 solicitors were issued with a Practising Certificate for the first time. Of these, 42.1% were male and 57.9% were female.

Years since admission measures the number of years since solicitors were admitted in NSW as at the date on which the data were extracted from the membership database (1 October 2004). It does not take account of any breaks in practice when a solicitor may not have renewed a Practising Certificate, nor solicitors not practising for a period but continuing to hold a Practising Certificate (for example during an extended overseas visit or parental leave).

On 1 October 2004, more than a third of the profession (37.6%) had been admitted for less than five years. Around a quarter (25.5%) had been admitted between six and 14 years ago, while another third (36.9%) had been admitted for more than 15 years.

Years since admission figures reflect the changing age profile of the profession. More female solicitors than male have been admitted in the last ten years (5,311 female compared to 4,799 male), whereas males make up the majority of those admitted for 11 or more years. These findings are summarised in Table 3.

Table 3: Years since admission in 2004

	Male		Female		Total	
	n	%	n	%	n	%
<1 year	1,204	10.6	1,659	21.9	2,863	15.1
1-5 years	2,043	18.0	2,215	29.3	4,258	22.5
6-10 years	1,552	13.7	1,437	19.0	2,989	15.8
11-14 years	1,057	9.3	778	10.3	1,835	9.7
15+ years	5,512	48.5	1,477	19.5	6,989	36.9
Total	11,368	100	7,566	100	18,934	100





5 Country of birth

The majority of solicitors in New South Wales were born in that State (64.1%). Around three-quarters (76.5%) were born in Australia, the same proportion as in 2003.

Of those solicitors born overseas, most came from either Asia (31.8%) or the UK and Ireland (22.0%). The fastest growing countries of birth were in Asia (up from 29.7% in 2003) and Africa (up from 8.7% in 2003 to 8.9% in 2004). Table 4 and Figure 4 show the countries of birth for solicitors born overseas.²

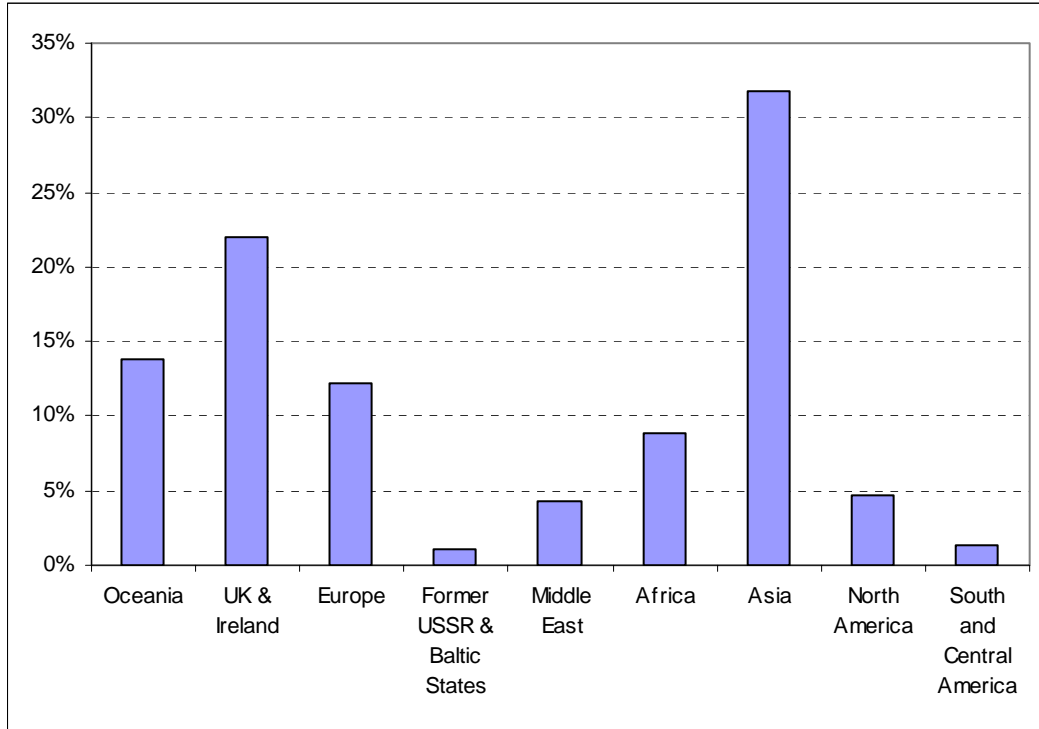
Table 4: Country of birth 2001-2004 (as % of total born overseas)

Region	2001	2002	2003	2004
Oceania	14.6	14.5	14.1	13.8
Middle East	3.9	3.8	4.2	4.2
North America	4.5	4.5	4.6	4.7
South & Central America	1.3	1.6	1.5	1.3
Africa	8.5	8.6	8.7	8.9
Former USSR & Baltic States	0.8	0.8	1.0	1.0
Europe	14.8	14.4	13.0	12.2
Asia	26.8	28.3	29.7	31.8
UK & Ireland	24.7	23.6	23.3	22.0
Total	100	100	100	100

² Countries have been classified according to the Australian Bureau of Statistics *Standard Classification of Countries for Social Statistics* (Catalogue reference 1269.0)



Figure 4: Overseas-born solicitors in 2004

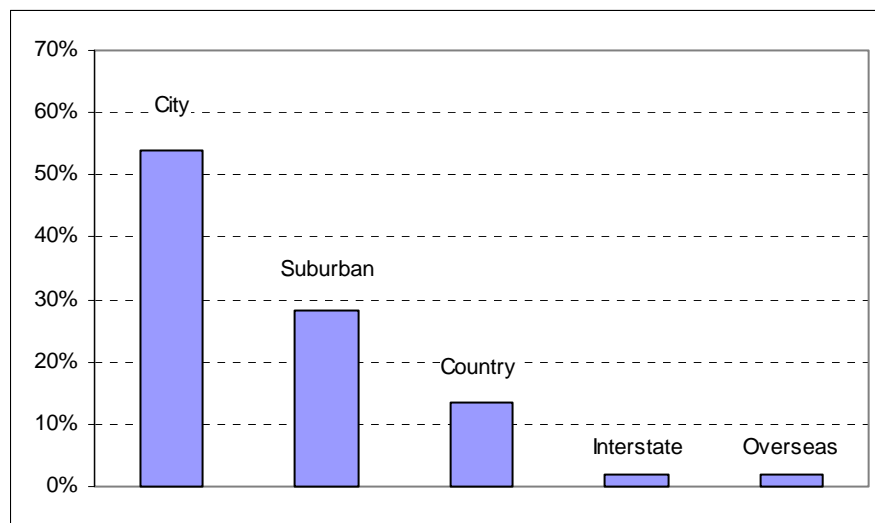


6 Location

6.1 Location of solicitors' workplaces

As of October 2004 around half the profession (54.0%) practised in the Sydney CBD, a figure slightly down on the previous year (55.1%). Figure 5 depicts percentages of solicitors by location.

Figure 5: Geographical profile



Since 1988, the proportion of all solicitors practising in the Sydney CBD has increased by 8.2%. By comparison, the proportion of solicitors practising in Sydney's suburbs has remained relatively stable (between 25.3% and 28.3%), while solicitors in country NSW have been in decline in percentage terms, down from 16.7% to 13.6% of all solicitors in NSW. Overall, however, the absolute numbers of solicitors in each category have increased, reflecting the overall growth in the profession. Table 5 details these changes.

Table 5: Location of solicitors 1988-2004 (number and %)

NUMBER	City	Suburban	Country	Interstate	Overseas	Unknown	TOTAL
Year							
1988	4,862	2,583	1,631	628	45	4	9,753
1989	5,277	2,632	1,704	729	49	2	10,393
1990	5,480	2,772	1,718	760	57	4	10,791
1991	5,691	2,879	1,827	761	70	2	11,230
1992	5,596	3,072	1,878	767	323	2	11,638
1993	5,788	3,328	1,925	822	94	0	11,957
1994	6,006	3,426	1,946	813	90	2	12,283
1995	6,279	3,534	1,992	890	102	0	12,797
1996	6,558	3,640	2,031	858	112	0	13,199
1997	6,815	3,766	2,064	658	106	0	13,409
1998	7,281	3,930	2,134	397	128	1	13,871
1999	7,775	4,149	2,195	376	148	0	14,643
2000	8,455	4,163	2,220	373	170	1	15,382
2001	9,036	4,270	2,268	384	261	1	16,220
2002	9,550	4,548	2,313	428	338	3	17,189
2003	9,972	4,923	2,474	360	363	0	18,092
2004	10,216	5,358	2,580	392	386	2	18,934
PERCENTAGE	City	Suburban	Country	Interstate	Overseas	Unknown	TOTAL
Year							
1988	49.9	26.5	16.7	6.4	0.5	0.0	100
1989	50.8	25.3	16.4	7.0	0.5	0.0	100
1990	50.8	25.7	15.9	7.0	0.5	0.0	100
1991	50.7	25.6	16.3	6.8	0.6	0.0	100
1992	48.1	26.4	16.1	6.6	2.8	0.0	100
1993	48.4	27.8	16.1	6.9	0.8	0.0	100
1994	48.9	27.9	15.8	6.6	0.7	0.0	100
1995	49.1	27.6	15.6	7.0	0.8	0.0	100
1996	49.7	27.6	15.4	6.5	0.8	0.0	100
1997	50.8	28.1	15.4	4.9	0.8	0.0	100
1998	52.5	28.3	15.4	2.9	0.9	0.0	100
1999	53.1	28.3	15.0	2.6	1.0	0.0	100
2000	55.0	27.1	14.4	2.4	1.1	0.0	100
2001	55.7	26.3	14.0	2.4	1.6	0.0	100
2002	55.6	26.5	13.5	2.5	2.0	0.0	100
2003	55.1	27.2	13.7	2.0	2.0	0.0	100
2004	54.0	28.3	13.6	2.1	2.0	0.0	100

6.2 Location of private firms

Since 1997 the Law Society has tracked the location of *private law firms*. In 2004, half of all law firms (51.2%) were located in the suburbs of Sydney, while about a quarter were located in the city itself (24.2%) and around the same proportion in country NSW (22.3%). These proportions have remained roughly the same since 1997, with suburban firms increasing slightly. Table 6 shows the number and proportion of private law firms by location.

Table 6. Location of firms 1997-2004

		1997	1998	1999	2000	2001	2002	2003	2004
City	n	793	807	828	863	880	895	911	983
	%	24.3	24.2	24.1	24.9	24.7	24.4	24.5	24.2
Suburban	n	1550	1,615	1,691	1,700	1,746	1,798	1,873	2,083
	%	47.6	48.5	49.2	49.1	49.1	49.1	50.3	51.2
Rural and regional	n	747	775	793	784	817	829	852	908
	%	22.9	23.3	23.1	22.6	23.0	22.6	22.9	22.3
Interstate	n	158	125	115	109	104	118	67	70
	%	4.9	3.8	3.3	3.1	2.9	3.2	1.8	1.7
Overseas	n	9	9	9	6	11	22	21	23
	%	0.3	0.3	0.3	0.2	0.3	0.6	0.6	0.6
Unknown	n	0	0	0	1	0	0	1	1
	%	0	0	0	<0.1	0	0	<0.1	<0.1
Total		3,257	3,331	3,436	3,463	3,558	3,662	3,725	4,068

It should be noted that the decline in the number of *interstate* firms is due to the introduction of the national Practising Certificate regime and changes to the way interstate firms are coded on the NSW Law Society's membership database.

Although there has been a relatively large increase in the number of *overseas* firms since 1998, this category represents less than 1% of the total number of firms; in addition, most of the overseas firms have one solicitor only.

7 Employment sector

The majority of solicitors continue to work in private practice, with over two-thirds of the profession (70.8%) in this category. The other major segments of the profession are corporate solicitors (14.0%) and government solicitors (10.5%). The remainder (4.7%) work in positions such as teaching and Clerks of the Local Court. Table 7 provides a snapshot of solicitors working in the private, government and corporate sectors.

Table 7: Solicitors in private, government and corporate practice (%)

	Private	Government	Corporate
Total	70.8	10.5	14.0
Gender			
Male	65.2	45.1	48.9
Female	34.8	54.9	51.1
Level of Employment*			
Full time	80.0	80.6	83.2
Part time	9.4	11.4	7.5
Other	10.6	8.0	9.3
Location			
City	55.4	65.5	55.8
Suburbs of Sydney	26.0	21.1	35.9
Country NSW	16.0	11.1	5.2
Interstate	1.9	2.1	1.4
Overseas	0.8	-	1.7
Age			
Under 30 years	20.3	15.3	15.3
30 to 39 years	26.7	30.3	42.6
40 to 49 years	25.2	31.9	27.7
50 to 59 years	19.6	19.2	12.2
60 years or over	7.8	2.6	1.7
Years since admission			
Less than 1	15.2	14.7	13.0
1 to 5	21.2	22.6	25.3
6 to 10	14.1	17.2	22.8
11 to 14	8.9	13.4	12.4
15 or more	40.6	32.1	26.5
Approximate mean income*	\$84,900	\$72,200	\$109,000

*Indicates data taken from the 2004/05 Practising Certificate survey.

As Table 8 indicates, the sectors of the profession vary substantially in gender terms. Males are strongly represented in private practice, while relatively more females work as government or corporate solicitors.

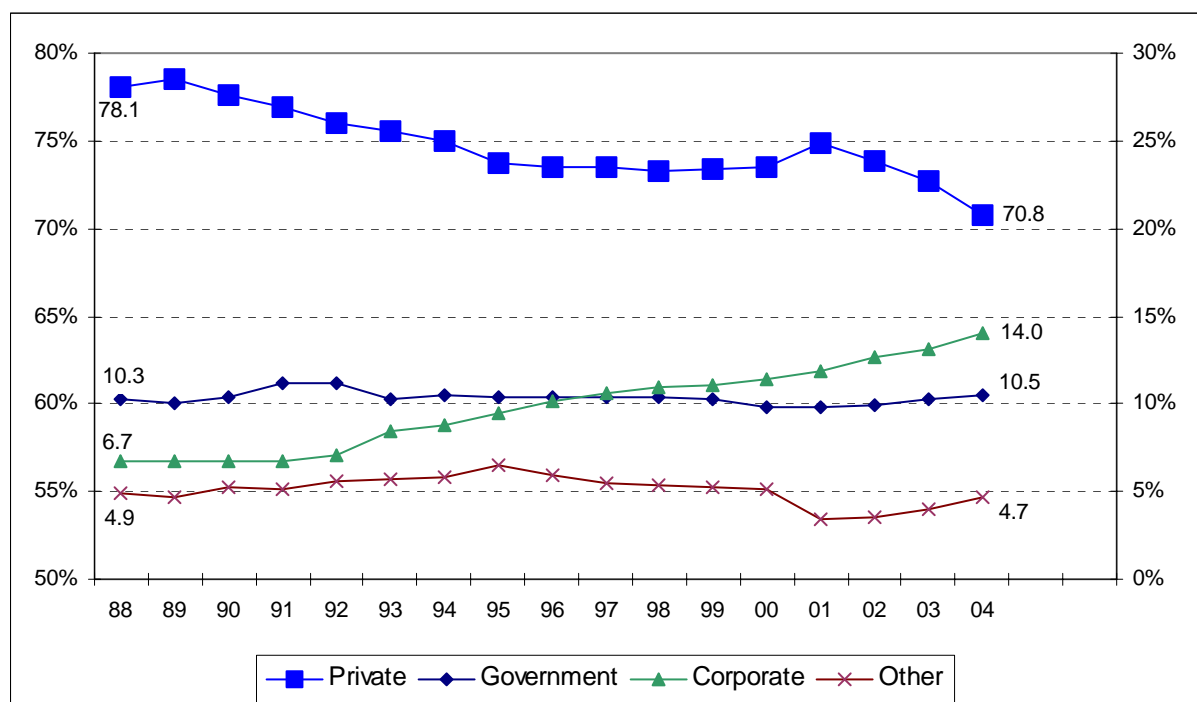
Table 8: Gender profile of employment sectors in 2004

Sector	Female		Male		All	
	n	%	n	%	n	%
Private	4,667	61.7	8,731	76.8	13,398	70.8
Government	1,090	14.4	897	7.9	1,987	10.5
Corporate	1,357	17.9	1,298	11.4	2,655	14.0
Other	452	6.0	442	3.9	894	4.7
Total	7,566	100	11,368	100	18,934	100

Note: Other = not employed in NSW; not employed; not advised

Since 1988 there has been a steady growth in the proportion of solicitors pursuing careers in government and corporate practice. Corporate practice, in particular, has experienced strong growth, with a 403% rise in number since 1988 and a 200% increase since 1997. By comparison, the number of solicitors in private practice has grown by 175% since 1988, while government solicitors increased by 197% over that period. Figure 6 compares the growth in these sectors between 1988 and 2003.

Figure 6: Employment in each sector, 1988-2004



8 Diversity in the profession

8.1 Women

Female solicitors now make up 40% of the practising profession. In the year ending 1 October 2004, more women than men obtained their first Practising Certificate; of those entering the profession for the first time, 57.9% were women and 42.1% were male. Table 9 provides a snapshot of female practitioners.

Table 9: Female solicitors in 2004

	Female Solicitors		Whole profession
	n	%	%
Total	7,566	40.0	
Level of Employment*			
Full time	2,418	74.3	79.7
Part time	531	16.3	9.8
Other	304	9.4	10.5
Employment Sector			
Private	4,667	61.7	70.8
Government	1,090	14.4	10.5
Corporate	1,357	17.9	14.0
Other	452	6.0	4.7
Private Practitioners			
Principals	501	10.7	25.0
Sole Practitioners	587	12.6	22.6
Employees	3,568	76.5	52.1
Size of Law Firm			
Sole Practitioners	1,355	28.6	34.6
2 to 4 Partners	813	17.2	20.1
5 to 10 Partners	408	8.6	8.9
11 to 20 Partners	192	4.1	3.8
21 or more Partners	1,966	41.5	32.7
Years since admission			
Less than 1	1,659	21.9	15.1
1 to 5	2,215	29.3	22.5
6 to 10	1,437	19.0	15.8
11 to 14	778	10.3	9.7
15 or more	1,477	19.5	36.9
Age (approximate average)	36.0 years		40.8 years
Income (approximate mean)*	\$73,100		\$85,900

* Indicates data taken from the 2004/2005 Practising Certificate survey



8.2 Indigenous solicitors

In the 2004/2005 Practising Certificate Survey, 54 solicitors or (0.3% of respondents) identified themselves as Indigenous. The following information summarises the responses of these practitioners. Figures rather than percentages have been given because of the low numbers involved.

8.2.1 Location

Of the 54 solicitors who identified themselves as Indigenous:

- 21 practised in the city of Sydney
- 11 practised in the suburbs of Sydney
- 16 practised in country NSW
- 2 practised outside NSW.

8.2.2 Other characteristics

Of the 54 solicitors who identified themselves as Indigenous:

- 20 out of the 54 respondents had been admitted for five years or less
- 38 worked in private practice
- 18 were employees
- 8 were partners
- 12 were sole practitioners
- 8 worked in government practice
- 5 worked in community legal centres.



9 Private practice

As of 1 October 2004 70.8% of the profession worked in private law firms. This section provides the profile of the profession working in the private sector. Table 10 gives a snapshot of solicitors in private practice.

Table 10: Profile of private practice

	Solicitors in Private Practice		Whole profession
	n	%	%
Total	13,398	70.8	
Gender			
Male	8,731	65.2	60.0
Female	4,667	34.8	40.0
Level of Employment*			
Full time	5,067	80.0	79.7
Part time	598	9.4	9.8
Other	669	10.6	10.5
Location			
City	7,419	55.4	54.0
Suburbs of Sydney	3,483	26.0	28.3
Country NSW	2,138	16.0	13.6
Interstate	279	1.9	2.1
Overseas	109	0.8	2.0
Age			
Under 30 years	2,719	20.3	20.4
30 to 39 years	3,579	26.7	29.3
40 to 49 years	3,376	25.2	27.0
50 to 59 years	2,623	19.6	17.9
60 years or over	1,041	7.8	5.8
Years since admission			
Less than 1	2,034	15.2	15.1
1 to 5	2,842	21.2	22.5
6 to 10	1,886	14.1	15.8
11 to 14	1,193	8.9	9.7
15 or more	5,443	40.6	36.9
Approximate mean income*		\$84,900	\$85,900

* Indicates data taken from the 2004/2005 Practising Certificate survey

9.1 Firm size

In October 2004 there were 4,068 private law firms operating in New South Wales. The bulk of these (82.9%) were sole practitioner firms (firms with one principal). Of the remainder:

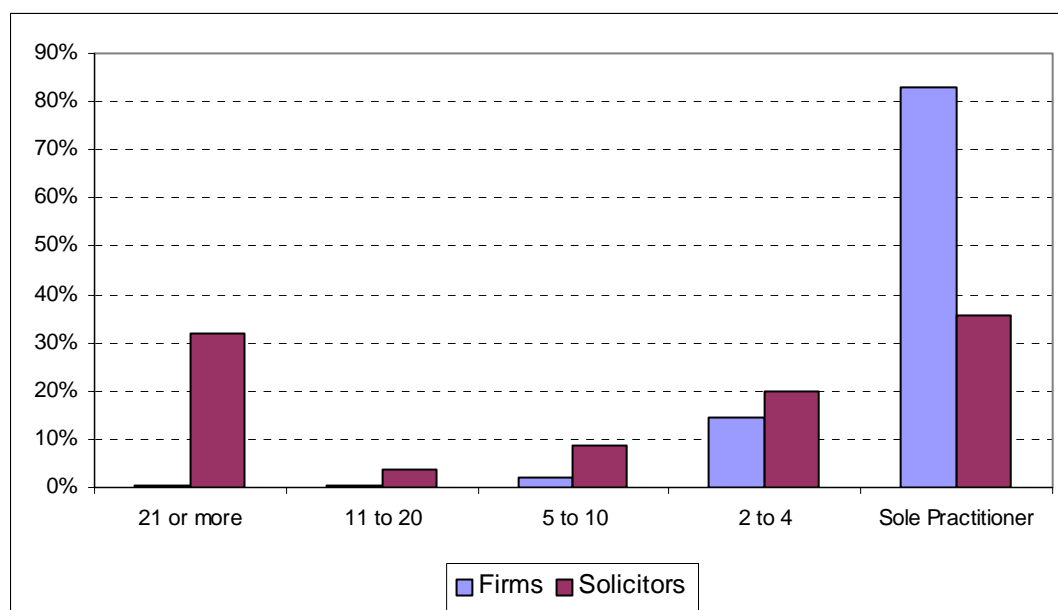
- 584 firms (14.4%) had 2-4 partners
- 78 firms (1.9%) had 5-10 partners
- 12 firms (0.3%) had 11-20 partners
- 23 firms (0.6%) had 21 or more partners.

Table 11 lists the number of partners and employees in each size category in 2004, while Figure 7 compares the number of firms with the number of solicitors for each firm size.

Table 11: Firm Profile 2004

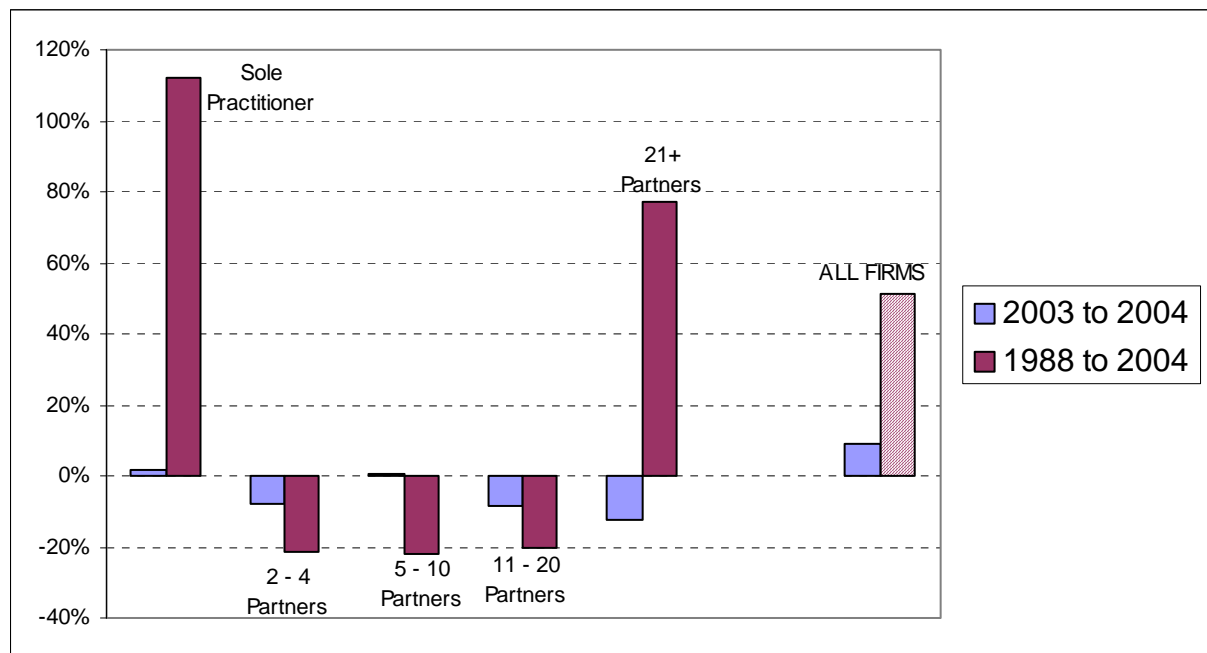
	Firms		Partners		Employees		All solicitors in private practice	
	n	%	n	%	n	%	n	%
21 or more Partners	23	0.6	1,237	18.4	3,230	44.5	4,467	32.0
11 to 20 Partners	12	0.3	177	2.6	337	4.6	514	3.7
5 to 10 Partners	78	1.9	522	7.8	704	9.7	1,226	8.8
2 to 4 Partners	584	14.4	1,399	20.9	1,402	19.3	2,801	20.1
Sole Practitioner	3,371	82.9	3,371	50.3	1,586	21.8	4,957	35.5
Total	4,068	100	6,706	100	7,259	100	13,965	100

Figure 7: Number of firms vs number of solicitors as a proportion of total



Since 1988, there has been a marked increase in the number of sole practitioner firms and of firms with 21 or more partners, with a decline in the number of medium-sized firms. The total number of firms has increased by 52%. Figure 8 illustrates the changes in the firm profile of the sector in percentage terms, and compares this year's changes to the overall changes since 1988.

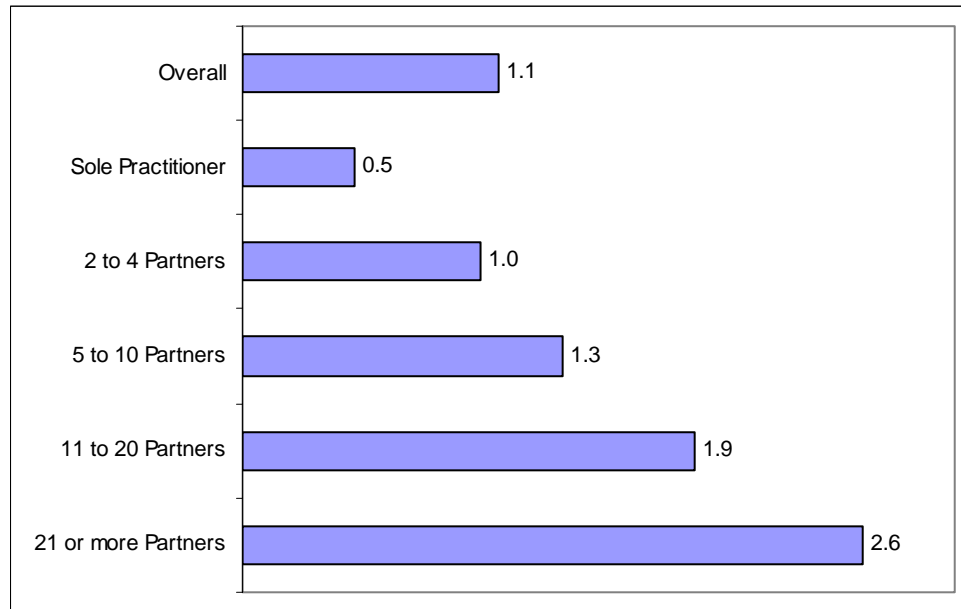
Figure 8: Change in firm profile



9.2 Staff/principal ratios

Staff profiles within the private profession vary by size of firm. In firms with a sole practitioner, there is a ratio of 0.5 employed solicitors for every principal, while firms with 21 or more partners have a ratio of 2.6. Figure 9 depicts employee/principal ratios for each firm size.

Figure 9: Ratio of employed solicitors to principals



9.3 Gender profile

Of all private practitioners in New South Wales in 2004, one third (32.0%) worked in firms with 21 or more partners, while around the same proportion (35.5%) were sole practitioners working in their own firms.

There were significant differences by gender between firms of different sizes. Male solicitors were more frequently found in smaller firms, while females were strongly represented in firms with more than 20 partners. Well over half the male practitioners, but only 28% of females, were principals of a law firm. Table 12 details the gender breakdown of solicitors in private practice according to firm size. Among other things, it illustrates that:

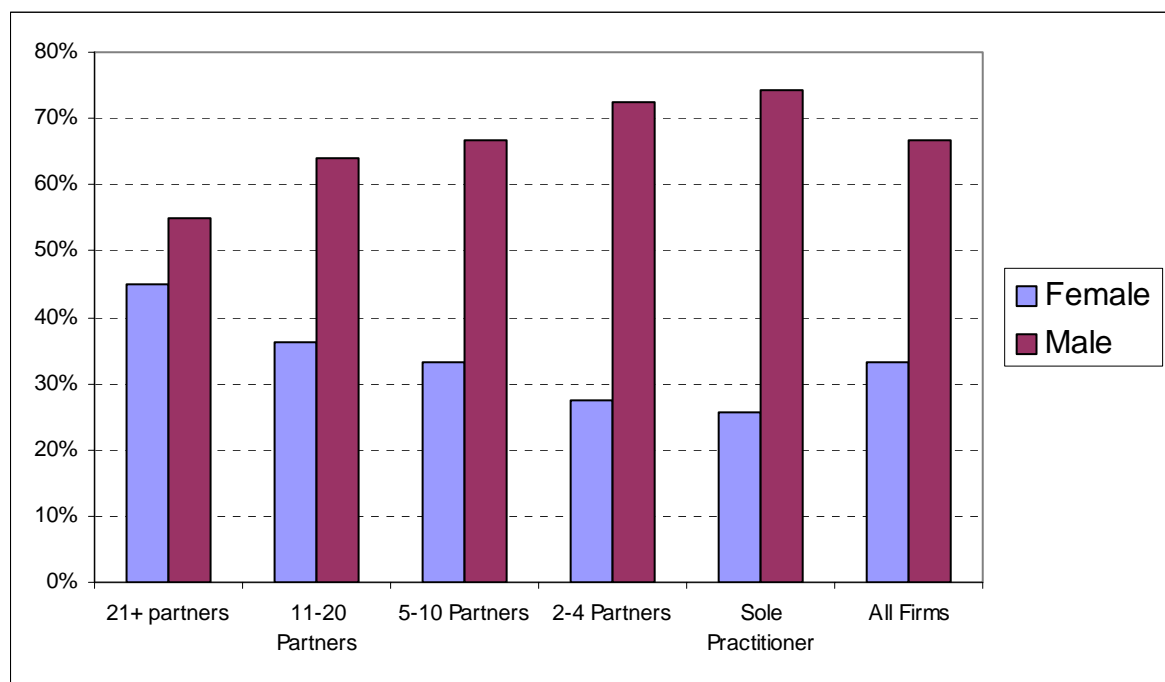
- Across all firms, 18.7% of principals were female and 83.6% were male
- Male principals far outnumber female principals in firms of all sizes.

Figure 10 compares the gender makeup in each firm size category.

Table 12: Gender of private practitioners by firm size

		21+ partners	11-20 Partners	5-10 Partners	2-4 Partners	Sole Practitioner	Total
Female	Principal	224	30	192	178	648	1,272
	Employee	1,741	146	202	563	561	3,213
	Total	1,965	176	394	741	1,209	4,485
	% of total females	43.8	3.9	8.8	16.5	27.0	100
Male	Principal	1,013	147	461	1,220	2,677	5,518
	Employee	1,397	164	328	731	835	3,455
	Total	2,410	311	789	1,951	3,512	8,973
	% of total males	26.9	3.5	8.8	21.7	39.1	100

Figure 10: Gender of private practitioners by firm size (%)

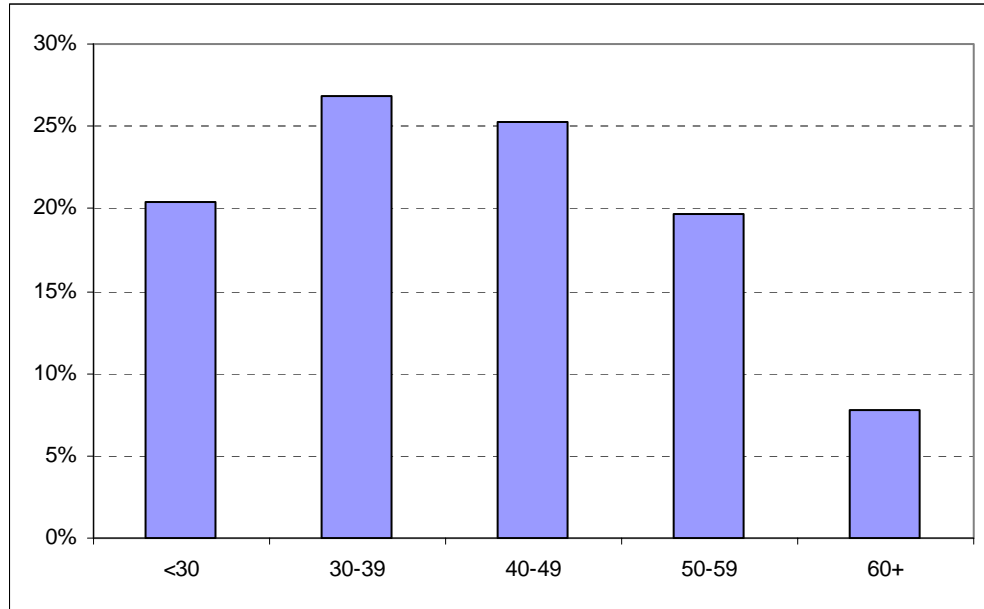


9.4 Age profile

The age profile of solicitors working in private firms resembles the general age profile of the practising profession, although solicitors in private practice tend to be a little older than those in other sectors. In October 2004 just under half (47.2%) the private practitioners were under 40 years old, while around a quarter (25.3%) were aged between 40 and 49. The proportion of solicitors over 60 was higher in private practice (7.8%) than overall (6.4%). Figure 11 depicts the age profile of solicitors in private practice.



Figure 11: Age profile of practitioners in law firms





9.5 Years since admission

The *years since admission* profile of solicitors working in private practice also varies with size of firm. For example, just under half (45.4%) of those who had been admitted for less than one year worked in firms with 21 or more partners, while a quarter (24.0%) worked in sole practitioner firms.

Table 13: Years since admission by firm size (%)

Firm Size	Less than 1 year	1-5 years	6-10 years	11-14 years	15+ years
21 or more	45.4	47.6	38.2	31.2	18.7
11 to 20 partners	3.8	4.9	4.1	4.2	3.0
5 to 10 partners	8.7	9.8	9.3	8.3	8.4
2 to 4 partners	18.0	16.6	18.4	19.4	23.4
Sole Practitioner	24.0	21.0	30.1	36.8	46.6
Total	100	100	100	100	100



10 Government solicitors

As at October 1 2004, there were 1,987 Government solicitors working in 141 organisations. A snapshot of these solicitors is given below:

Table 14: Government solicitors 2004

	Government solicitors		Whole profession
	n	%	%
Total	1,987	10.5	-
Gender			
Male	897	45.1	60.0
Female	1,090	54.9	40.0
Level of Employment*			
Full time	736	80.6	79.7
Part time	104	11.4	9.8
Other	73	8.0	10.5
Location			
City	1,302	65.5	54.0
Suburbs of Sydney	420	21.1	28.3
Country NSW	221	11.1	13.6
Interstate	42	2.1	2.1
Overseas	2	<1	2.0
Age			
Under 30 years	304	15.3	19.4
30 to 39 years	603	30.3	29.6
40 to 49 years	633	31.9	26.0
50 to 59 years	382	19.2	18.1
60 years or over	51	2.6	6.4
Years since admission			
Less than 1	293	14.7	15.1
1 to 5	450	22.6	22.5
6 to 10	341	17.2	15.8
11 to 14	266	13.4	9.7
15 or more	637	32.1	36.9
Approximate mean income*	\$72,200		\$85,900

* Indicates data taken from the 2004/2005 Practising Certificate survey

Table 15 provides details about *years since admission* for government solicitors in New South Wales, while Table 16 and Figure 12 give information on their age profile.

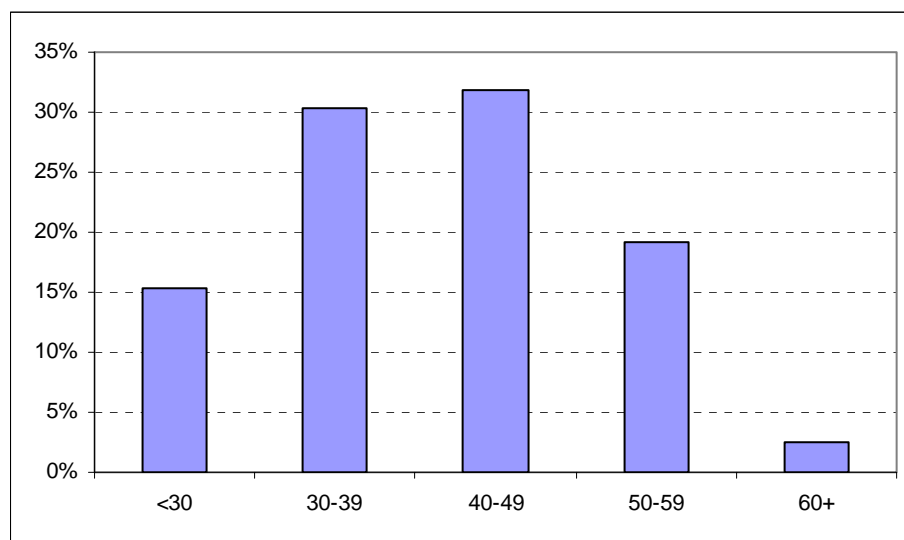
Table 15: Years since admission profile of government solicitors (%)

Years since admission	Male	Female	Total
Less than 1 year	11.8	17.2	14.7
1 to 5 years	17.9	26.5	22.6
6-10 years	14.0	19.7	17.2
11-14 years	12.5	14.1	13.4
15+ years	43.7	22.5	32.1
Total	100	100	100

Table 16: Age profile of government solicitors (%)

Age	Male	Female	All
Under 30	8.9	20.6	15.3
30 to 39	24.4	35.2	30.3
40 to 49	32.6	31.3	31.9
50 to 59	30.2	10.2	19.2
60 and over	3.6	1.7	2.6
No answer	0.3	1.0	0.7
Total	100	100	100

Figure 12: Age profile of government solicitors



11 Corporate solicitors

As at 1 October 2004, there were 2,655 corporate solicitors working in 998 organisations. A snapshot of these solicitors is given below:

Table 17: Corporate solicitors 2004

	Corporate solicitors		Whole profession
	n	%	%
Total	2,655	14.0	-
Gender			
Male	1,298	48.9	60.0
Female	1,357	51.1	40.0
Level of Employment*			
Full time	719	83.2	79.7
Part time	65	7.5	9.8
Other	80	9.3	10.5
Location			
City	1,482	55.8	54.0
Suburbs of Sydney	953	35.9	28.3
Country NSW	137	5.2	13.6
Interstate	38	1.4	2.1
Overseas	45	1.7	2.0
Age			
Under 30 years	405	15.3	19.4
30 to 39 years	1,131	42.6	29.6
40 to 49 years	735	27.7	26.0
50 to 59 years	323	12.2	18.1
60 years or over	46	1.7	6.4
Years since admission			
Less than 1	345	13.0	15.1
1 to 5	673	25.3	22.5
6 to 10	605	22.8	15.8
11 to 14	328	12.4	9.7
15 or more	704	26.5	36.9
Approximate mean income*	\$109,000		\$85,900

* Indicates data taken from the 2004/2005 Practising Certificate survey

The following tables and chart provide information about *years since admission* and *age* for corporate solicitors in New South Wales.

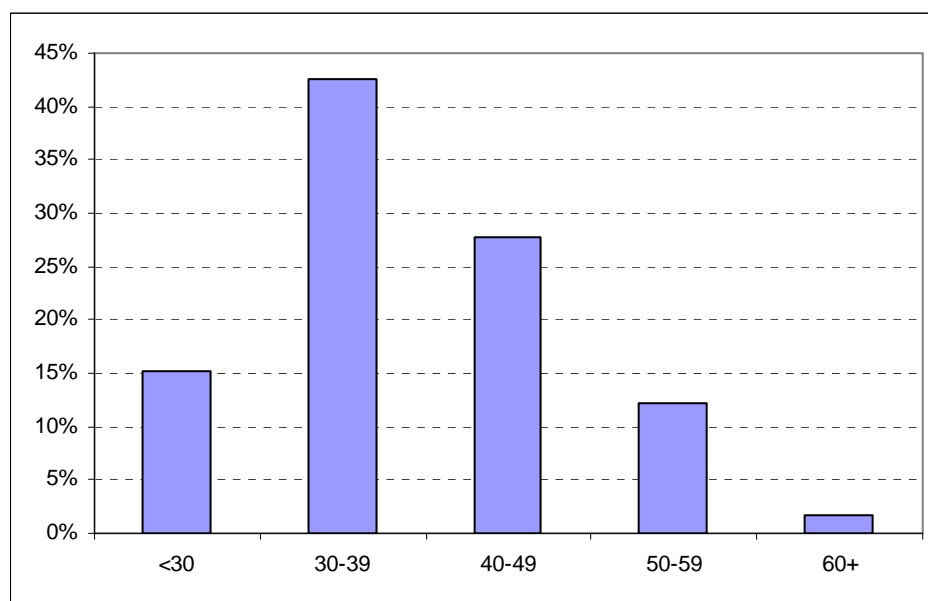
Table 18: Years since admission profile of corporate solicitors (%)

Years since admission	Male	Female	Total
Less than 1 year	11.3	14.6	13.0
1 to 5 years	23.0	27.6	25.3
6-10 years	20.5	25.0	22.8
11-14 years	10.9	13.8	12.4
15+ years	34.3	19.1	26.5
Total	100	100	100

Table 19: Age profile of corporate solicitors (%)

Age	Male	Female	All
Under 30	11.7	18.6	15.3
30 to 39	38.0	47.0	42.6
40 to 49	31.5	24.0	27.7
50 to 59	16.2	8.3	12.2
60 and over	2.5	1.0	1.7
No answer	0.2	1.0	0.6
Total	100	100	100

Figure 13: Age profile of corporate solicitors





12 Areas of practice

Since 1993/94 the Law Society has collected information about dominant areas of practice through the annual Practising Certificate survey, inviting solicitors to indicate up to four areas of law in which they spend 25% or more of their time.

12.1 Overall

Conveyancing/Real Property continues to be the most commonly nominated area overall (32.2%), followed by Commercial Law (31.2%), Civil Litigation (25.5%), and Wills and Estates (20.4%).

The four most common areas of practice have remained relatively stable since the inaugural Practising Certificate survey in 1993/94.

Table 20 details each area of practice as listed by solicitors as a dominant area of practice, in percentage terms. The non-response rate for the *areas of practice* question in the 2003/04 survey was very high (34% compared to 0.8% the year before), making comparisons with the previous year's results difficult.



Table 20: Areas of Practice 1993/94-2004/05

Dominant Areas of Practice	1993/1994	1994/1995	1995/1996	1996/1997	1997/1998	1998/1999	1999/2000	2000/2001	2001/2002	2002/2003	2003/2004	2004/2005
Administrative Law	n/a	3.7	4.1	4.6	4.7	4.6	4.4	4.3	4.5	4.9	3.5	5.3
Advocacy	12.1	8.9	12.0	9.5	9.8	9.1	9.1	7.9	7.7	6.6	5.6	6.5
Banking/Finance	9.2	9.3	10.0	9.4	9.8	9.3	8.6	7.9	8.0	8.5	5.6	7.5
Civil Litigation	31.6	29.9	31.0	30.1	31.4	29.3	30.3	27.1	25.9	25.9	18.0	25.5
Commercial Law	25.6	26.5	30.5	29.3	30.8	31.1	30.8	29.3	29.7	30.9	21.6	31.2
Corporations Law	10.4	12.2	13.4	13.4	13.6	13.8	14.0	13.8	14.0	12.7	9.1	11.6
Conveyancing/Real Property	36.8	38.0	36.1	35.5	34.7	34.0	33.7	32.5	30.1	32.1	22.1	32.2
Criminal Law	7.5	12.7	13.6	13.4	12.6	12.9	12.9	12.5	12.2	12.3	8.5	13.8
Debts/Insolvency	9.2	8.3	9.1	9.0	8.0	7.5	7.8	7.0	5.8	7.6	5.4	7.8
Environmental Law	1.9	2.9	3.4	3.4	3.1	3.1	3.2	2.8	2.7	3	2.7	2.9
Family Law	15.2	16.6	17.3	16.5	14.8	15.1	15	14.2	13.8	15	6.2	15.8
Immigration Law	0.8	1.4	1.7	1.6	1.9	1.8	1.9	1.7	1.8	2.1	10.2*	2.5
Industrial Relations Law	1.4	2.5	3.4	4.6	5.2	6.9	6.8	6.8	7.3	8.5	1.5	8.9
Intellectual Property	3.2	4.7	5.6	6.3	6.4	6.8	7.1	7.0	7.1	7.1	5.1	6.7
Personal Injury	15.7	18.7	20.7	19.9	21.1	20.4	20	18.8	17.8	16.9	10.2	12.1
Planning/Local Government	2.4	3.0	3.8	3.6	3.6	4.1	3.5	3.6	3.5	4.1	3.2	3.8
Product Liability	1.0	1.4	1.8	1.7	2	2.2	2	1.8	1.7	1.5	1.4	1.4
Small Business	6.4	8.3	10.0	10.4	8.9	9.1	8.9	8.4	8.0	9.9	7.2	10.0
Taxation	2.6	3.2	3.2	3.2	3.2	3	3.3	3.5	3.3	3.3	2.4	3.4
Trade Practices Law	2.4	4.0	5.0	5.5	5.7	5.8	6.2	6.0	5.7	6.4	4.7	5.4
Wills and Estates	11.9	13.6	17.8	18.9	17.2	18.6	18.4	16.8	16.3	19.2	13.6	20.4
Water Management	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0.2	n/a
Other	4.5	9.2	9.0	9.0	9.2	9.7	9.5	8.8	9.9	10.1	6.3	9.0

*As it is not clear why this figure is so high for 2003/04, it should be treated with caution.



12.2 Employment sector

The main areas of practice nominated by solicitors vary significantly according to *employment sector*. Table 21 lists the four most frequently nominated areas for each sector, as indicated by practitioners responding to the 2004/2005 Practising Certificate Survey.

Table 21: Main areas of practice by sector (%)

Private		Government		Corporate	
Conveyancing/Property	39.1	Criminal Law	46.1	Commercial Law	58.7
Commercial Law	31.0	Administrative Law	24.5	Corporations Law	33.3
Civil Litigation	28.7	Civil Litigation	15.6	Banking/Finance	23.3
Wills and Estates	25.4	Advocacy	12.2	Intellectual Property	20.9

12.3 Size of firm and location

Main areas of practice among solicitors in private practice also vary by size of firm and location. Figure 14 shows, for example, that the significance of Conveyancing and of Wills and Estates varies greatly by size of firm, being dominant in small firms but of much less significance in large and very large firms. The significance of Commercial Law and of Civil Litigation, by contrast, is fairly consistent in percentage terms across the various firm sizes.

Table 22 lists some common areas of practice according to firm size and firm location.



Figure 14: Areas of practice by size of firm

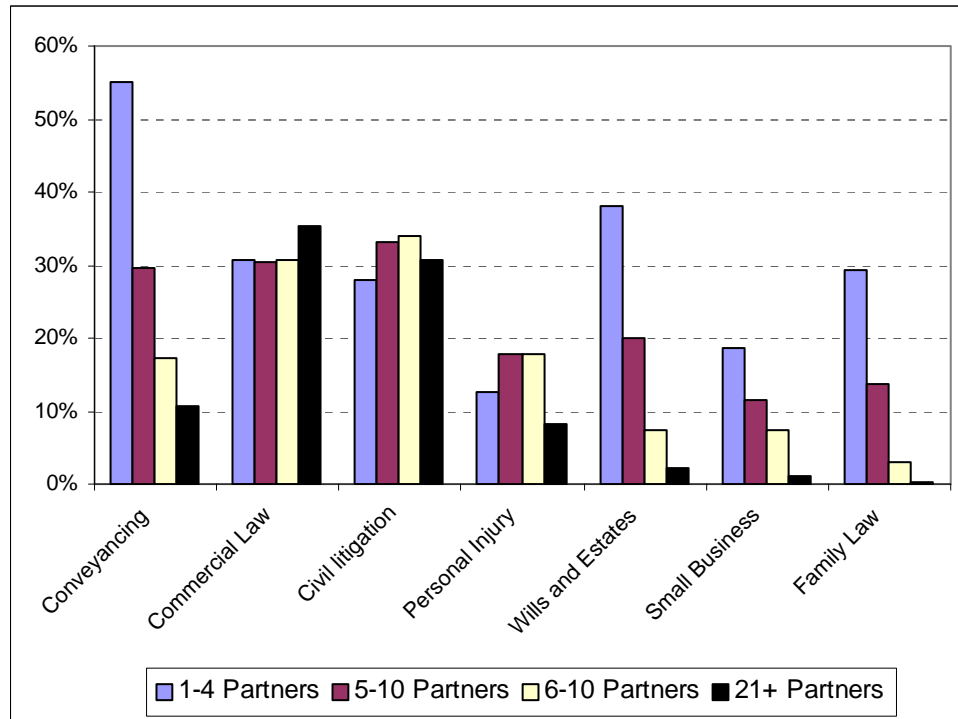


Table 22: Some common areas of practice by firm size and firm location (%)

	Number of partners				Location			All private practice
	1-4	5-10	11-20	21+	City	Suburban	Country	
Conveyancing/Real property	55.2	29.6	17.3	10.7	21.9	59.0	58.2	39.1
Commercial Law	30.7	30.4	30.6	35.4	35.1	28.0	23.5	31.0
Civil Litigation	28.0	33.2	34.1	30.8	33.3	25.0	22.5	28.7
Personal Injury	13.7	22.7	27.1	10.2	13.4	12.5	17.4	13.9
Wills and Estates	38.1	19.9	7.5	2.1	10.1	39.4	46.5	25.4
Small Business	18.7	11.5	7.5	1.2	6.6	19.8	18.4	12.5
Family Law	29.2	13.6	3.1	0.3	6.4	31.1	34.6	18.8



13 Income

13.1 Overall

Each year since the 1996/97 Practising Certificate Survey, solicitors have been asked to describe "their real take-home income (after all expenses but before income tax) in the previous financial year." Since the 2000/01 survey the question about income has given respondents the option of writing in their approximate income or selecting one of twelve income bands, with most respondents electing to choose an income band. The overall income figures quoted in this section have been obtained by adding both sets of data together.

The figures for the 2004/2005 survey refer to the financial year ending 30 June 2003, the 2003/2004 results refer to the financial year ending 30 June 2002, and the results for 2002/2003 refer to the financial year ending June 2001.

In the financial year ending June 2003, solicitors in New South Wales most commonly reported earning between \$50,001 and \$75,000 a year, with \$75,001 to \$100,000 being the next most common income band. A comparison of income levels over the past three years is given in Table 23.

Table 23: Reported income for the past four financial years (%)

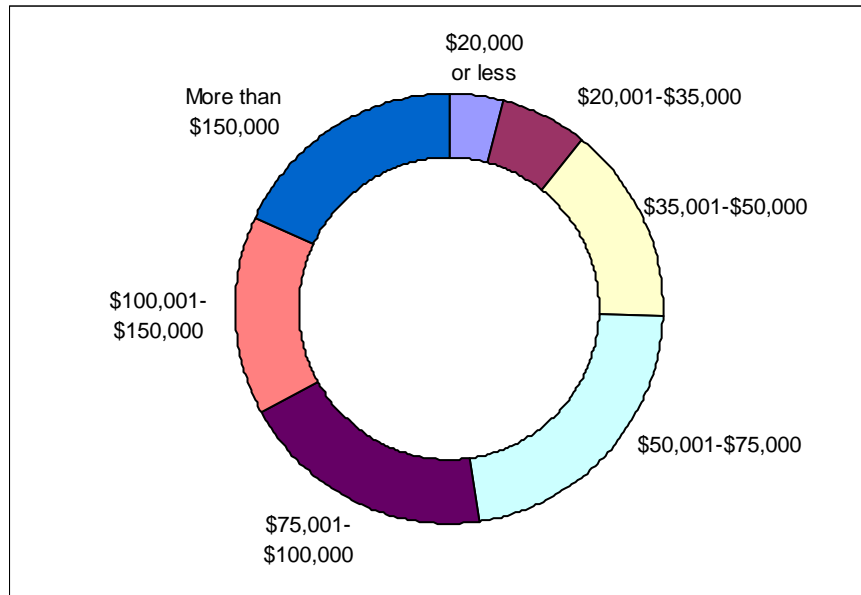
Income band	2001/2002 (fin year ending '00)	2002/2003 (fin year ending '01)	2003/2004 (fin year ending '02)	2004/2005 (fin year ending '03)**
\$20,000 or less	4	4	4	4
\$20,001 to \$35,000	7	6	6	6
\$35,001 to \$50,000	17	15	14	14
\$50,001 to \$75,000	23	23	23	21
\$75,001 to \$100,000	15	16	17	18
\$100,001 to \$150,000	12	14	14	14
More than \$150,000	14	15	9*	17

*Reflects the high non response rate in that year's survey.

**Six per cent of respondents in the 2004/05 survey gave no answer to the income question, a much lower non-response rate than the 15% in the previous year's survey. This explains the discrepancies between the most recent data and that of the previous year.



Figure 15: Reported income for financial year ending June 2003 (all solicitors)



13.2 Employment sector

The Practising Certificate survey reveals differences in solicitors' incomes according to the sector in which they work. Solicitors practising in corporations tend to earn more than their colleagues in other sectors. In the 2004/05 survey corporate solicitors reported a mean income of \$109,000, compared with \$84,900 for solicitors in private practice and \$72,200 for government solicitors. Table 24 summarises the mean reported incomes for each sector over the last three years, while Table 25 sets out the reported income bands for each employment sector in the 2004-05 survey (it should be remembered that the 2003/04 figures are affected by a high non-response rate).

Table 24: Mean income by sector 2002/03-2004/05³

Sector	2002/2003 (fin year ending '01)	2003/2004 (fin year ending '02)	2004/2005 (fin year ending '03)
Private	\$82,600	\$77,400	\$84,900
Corporate	\$105,100	\$101,300	\$109,000
Government	\$67,800	\$68,400	\$72,200

³ Mean income has been estimated by using \$20,000 as the figure for the lowest income category, \$150,000 for the highest income category, and the midpoints of each other income category.

Table 25: Reported income bands by employment sector (%)

Income band	Employment sector					All respondents
	Private practice	Corporate	Government	Community Legal Centres	Non-legal	
\$20,000 or less	4.3	0.8	1.4	9.3	7.3	3.9
\$20,001 to \$35,000	6.5	1.8	4.6	14.9	9.4	5.8
\$35,001 to \$50,000	14.8	5.9	14.5	34.3	16.6	14
\$50,001 to \$75,000	20	13.5	37.6	24.1	20.2	21
\$75,001 to \$100,000	16.9	17.7	28.6	1.9	15.5	17.7
\$100,001 to \$150,000	13.6	25.7	8.1	2.8	6.7	14.3
More than \$150,000	17.6	29.6	2.1	3.7	10.4	17.3
Not stated	6.2	5	3.1	9.3	14	6.1
TOTAL	100	100	100	100	100	100
Estimated mean income (\$K)	84.9	109	72.2	50.1	71.1	85.9

13.3 Private practice

Around one in three solicitors (32.6%) in firms with between one and four principals reported earning less than \$50,000 in the financial year ending June 2003.

The mean income reported by solicitors for each firm size were as follows:

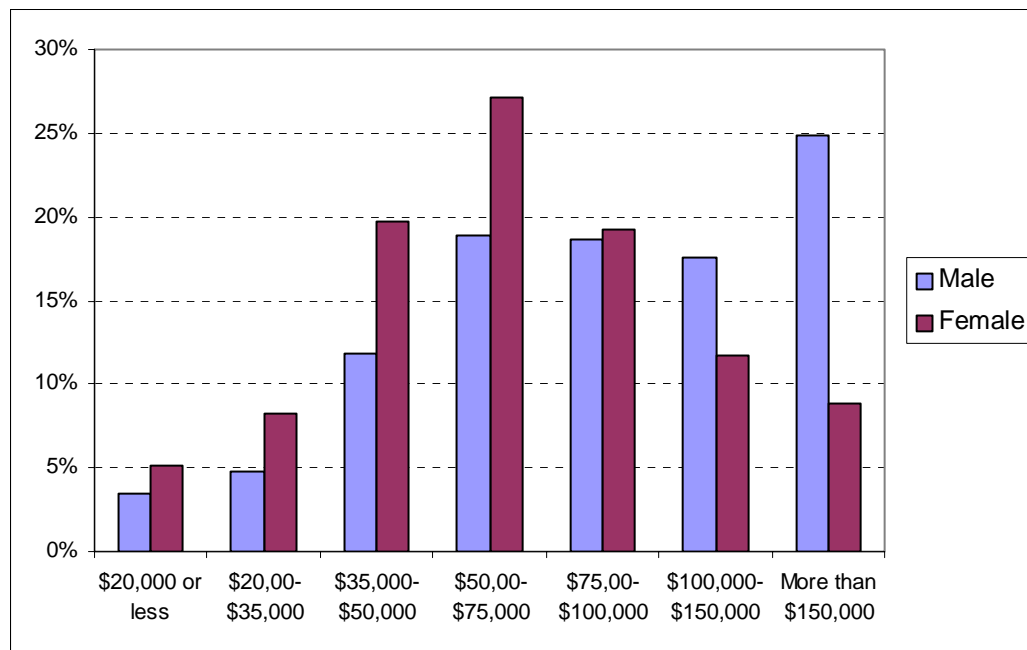
1-4 Partners	\$77,200
5-10 Partners	\$92,900
11-20 Partners	\$96,900
20 or more Partners	\$101,600

13.4 Gender

As in past years, male respondents reported earning higher incomes than females overall. For example, 39.7% of all men, but only 19.4% of women, reported incomes over \$100,000; while 31.2% of women, compared to only 18.8% of men, reported earning less than \$50,000. The approximate mean income reported by male practitioners was \$94,400, while for female practitioners it was \$73,100.

Figure 16 compares the reported incomes of all male and female practitioners in New South Wales for the financial year ending June 2003.

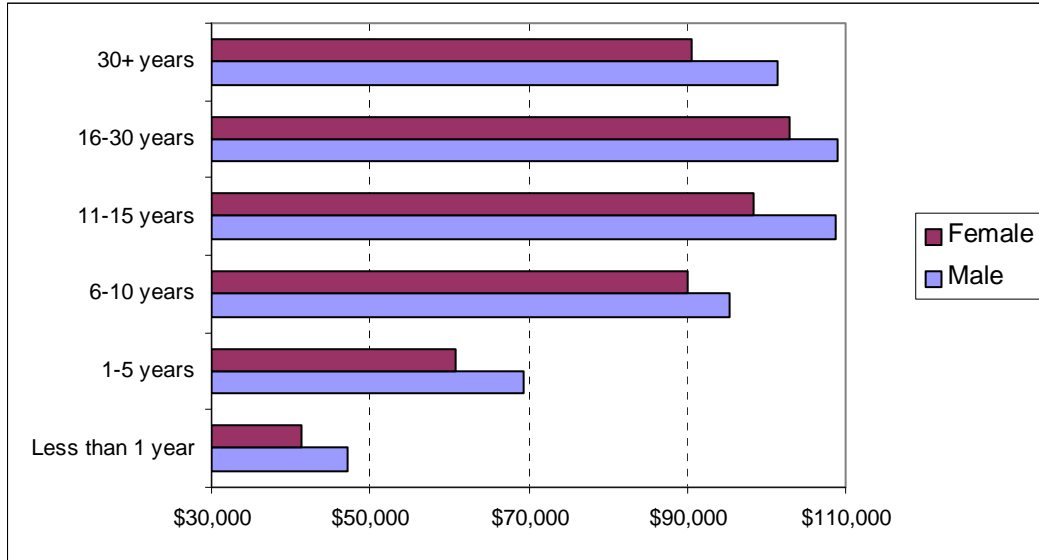
Figure 16: Income by gender



Comparing male and female salaries, however, is complicated by the fact that men and women are not equally distributed across the main employment sectors (private practice, government and corporate); that female practitioners tend to be younger and more recently admitted than males; and that relatively more female practitioners work part time.

In order to obtain the best possible comparison between major groups of male and female solicitors, incomes have also been analysed for full time practitioners in private practice. Figure 17 presents reported income data for these solicitors by years since admission, and shows that average reported male incomes still exceed those of female practitioners.

Figure 17: Mean incomes according to years since admission (full time private practitioners)





14 Hours of work

Overall, 80% of the respondents in the 2004/05 Practising Certificate survey said that they worked full time and 10% that they worked part time (defined in the survey as less than 35 hours per week). The remainder said that they were not currently in employment, or failed to answer this question.

14.1 Part time work

Sixteen per cent of the female respondents, as against 6% of the males, said they worked *part time*. Part time work was relatively common among respondents in the 35-39 age group (17%) and among those over the age of 50 (12%).

The proportion of part time workers was fairly similar among respondents working in private firms (9%) and among those in other sectors (11%).

Within private law firms, part time work was most common among respondents working in firms with between one and four principals, with 11% of these practitioners working part time, as against 7% in firms with five or more partners. Twelve per cent of sole practitioners said they worked part time.

The *average* number of hours worked per week by people who said they were in part time employment was 23.7 hours, a result which was slightly higher than in previous years, presumably because 'part time' was defined as *35 hours* per week, rather than *30 hours* as in previous surveys. The average for males (22.5 hours) was a little lower than for females (24.2 hours).

Table 26 details the usual hours of work reported by those who indicated that they were in part time employment.

Table 26: Hours per week worked by practitioners working part time

	Males		Females		All respondents*	
	n	%	n	%	n	%
1-10 hours	28	10.3	26	4.9	54	6.6
11-15 hours	14	5.1	43	8.1	58	7.1
16-20 hours	45	16.5	69	13	115	14.1
21-25 hours	32	11.8	124	23.4	157	19.3
26-29 hours	20	7.4	58	10.9	79	9.7
30+ hours	59	21.7	144	27.1	206	25.3
Not stated	74	27.2	67	12.6	144	17.7
TOTAL	272	100	531	100	813	100
Mean hours	22.48	-	24.15	-	23.68	-

* Gender not stated in some cases



14.2 Full time work

Eighty-four per cent of male respondents and 74% of female respondents reported working *full time*.

Table 27 presents information on the usual weekly hours of work reported by respondents who reported working full time. It shows that 17.1% of these respondents reported working 40 hours a week or less, 36.5% reported working 41-50 hours, 20.9% said they worked 51-60 hours, and 4.8% said they worked over 60 hours a week. However 20.6% of full time workers failed to answer the question, a much higher non-response rate than in previous surveys.

The average hours worked per week reported by full time workers was 49.8 hours (50.9 for males, 48.1 for females). Private practitioners reported working an average of 50.5 hours a week, corporate lawyers 50.8 hours and government lawyers 44.7 hours.

Table 27: Hours per week worked by practitioners working full-time

	Males		Females		All respondents*	
	n	%	n	%	n	%
Under 30 hours	12	0.3	11	0.5	23	0.3
30-40 hours	545	13.3	552	22.8	1108	16.8
41-50 hours	1441	35.2	939	38.8	2408	36.5
51-60 hours	922	22.5	446	18.4	1380	20.9
61-70 hours	176	4.3	75	3.1	254	3.8
Over 70 hours	54	1.3	10	0.4	67	1.0
Not stated	942	23	385	15.9	1358	20.6
TOTAL	4092	100	2418	100	6598	100
Mean hours	50.93		48.1		49.83	

* Gender not stated in some cases.

The average hours reported by full time workers in this survey was slightly less than in previous years. In 2002, full-time workers reported working an average 50.7 hours per week, while in 2001 it was 50.9 hours a week. Table 28 compares average reported working hours of full time practitioners over the past few surveys.

Table 28: Average working week of full time practitioners by gender, 1999/00-2004/05

	Men	Women	Total
1999/2000	51.6	49.0	50.8
2000/2001	52.1	49.2	51.2
2001/2002	51.9	49.1	50.9
2002/2003	51.8	48.9	50.7
2003/2004	50.9	48.1	49.8