2009 Profile of the Solicitors of NSW

16 February 2010

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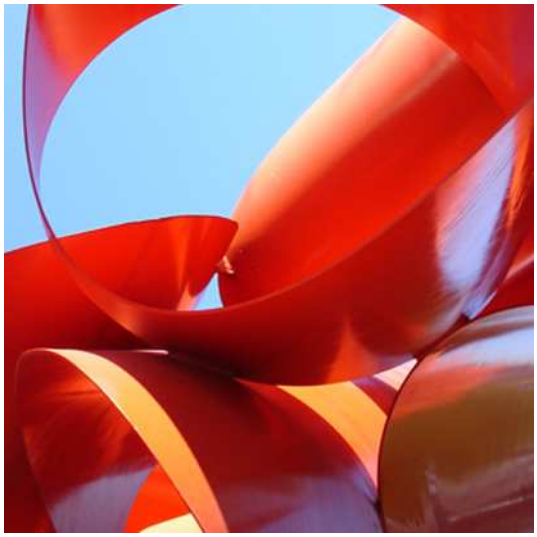

2009 Profile of the Solicitors of NSW

Prepared for the Law Society of NSW

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Sydney NSW 2000

16 February 2010

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Snapshot of Solicitors in 2009

On the 1st of October 2009:

- 22,863 solicitors held current NSW Practising Certificates
- 10,347 of solicitors in NSW were female (45.3%)
- 12,516 of solicitors in NSW were male (54.7%)
- 15,981 solicitors worked in private practice (69.9%)
- 2,724 solicitors worked in government (11.9%)
- 4,157 solicitors worked in corporations (18.2%)
- 11,861 solicitors worked in the Sydney CBD (51.9%)
- 6,964 solicitors worked in the suburbs of Sydney (30.5%)
- 2,954 solicitors worked in country areas of NSW (12.9%)
- there were 4,586 private law firms
- there were 156 government employers
- there were 1,272 corporate employers
- 23.5% of NSW solicitors in private practice (3,528) worked in firms with 40 or more partners
- 18.5% of solicitors working in private practice (2,776) worked in firms with between 2 and 4 partners
- 39.3% of solicitors in private practice (5,910) worked in sole practitioner firms
- sole practitioner firms constituted 85.4% of all private firms
- firms with more than 20 partners constituted 0.5% of all firms
- the average age of NSW solicitors was 41.5 years, with half of the profession (49.6%) aged under 40 years
- 11.5% of solicitors had been admitted for less than one year
- 33.4% of solicitors had been admitted for 5 years or less.

In the twelve months since October 2008:

- the profession grew by 3.4%
- the number of female solicitors increased by 5.1%
- the number of male solicitors increased by 2.1%
- 2,623 solicitors were issued with a Practising Certificate for the first time; 40.5% of these were male and 59.5% were female.

1 Introduction

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 as well as investigating complaints against solicitors; it also represents the interests of its members. 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. 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 http://www.lawsociety.com.au.

Objectives

The purpose of this report is two-fold:

- to collate and analyse information about the demographic profile of the practising profession in 2009; and
- to identify and monitor any trends in composition and profile by comparing this year's data with information from previous years.

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 database on 1 October (or nearest working day) each year.

As the profession fluctuates over the course of 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 Law Society database since 1988. From that year forward, the coding of information has been reliable and consistent. The data used in this report were drawn from the database on 1 October 2009. This information relates only to those solicitors who held a current Practising Certificate on that day.

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 practice) 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 interstate solicitors practising in New South Wales under the national practising scheme.

The second source of information for this report is the *Annual Practising Certificate Survey* 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 typically been around 35-50% 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 it are 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 solicitor statistics are published on the Law Society web site at http://www.lawsociety.com.au.

Further information

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

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2 Gender and Growth

On the 1st of October 2009 there were 22,863 solicitors with current New South Wales Practising Certificates. Of these, 10,347 (45.3%) were female and 12,516 (54.7%) were male. Figures from 1988 to 2009 for the number of solicitors in NSW by gender are given in Table 2.1.

Since 1988, the profession has grown by 133.1% (from 9,808 to 22,863), with an average annual growth rate of 4.1%. The number of female solicitors rose by 422.8% during the same time period (from 1,979 to 10,347). The number of male solicitors grew by only 59.9% (from 7,829 to 12,516).

The growth rate between 2008 and 2009 was 3.4%, with the number of female solicitors rising by 5.1% and male solicitors by 2.1%. The *average annual* growth rate for female solicitors since 1988 has been 8.2%, and 2.3% for males.

Figure 2.1 compares the number of male and female solicitors since 1988, while Figure 2.2 compares the annual growth rate over the same period.

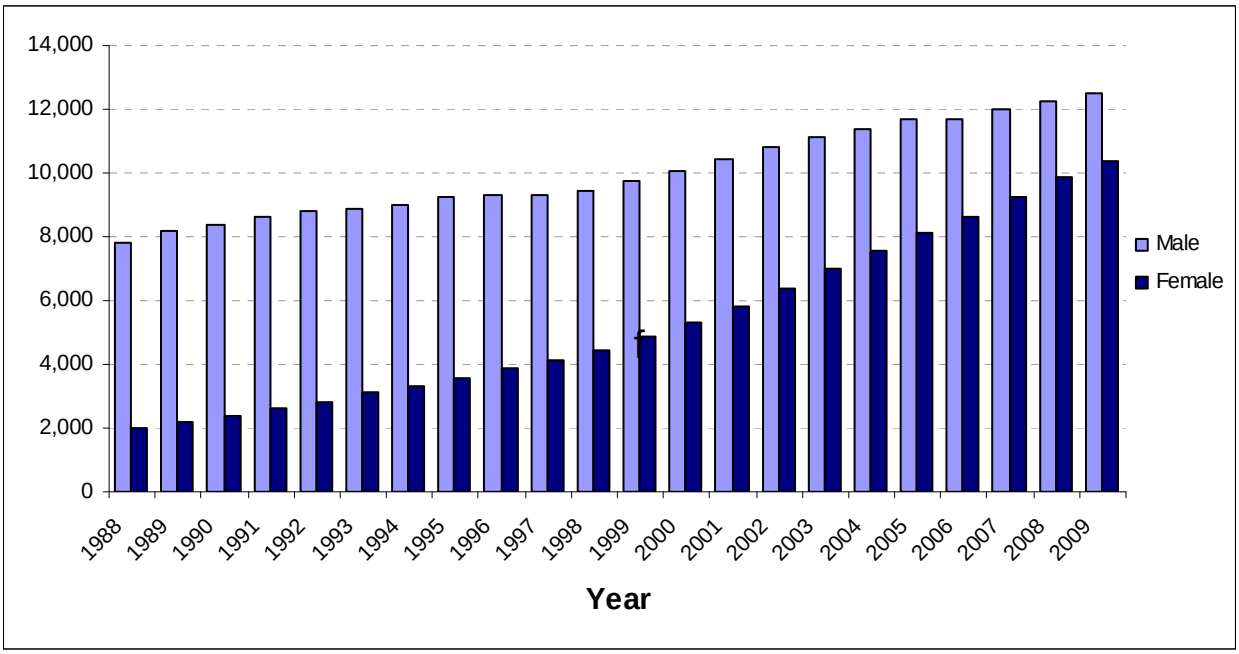
Table 2.1 – Gender and growth, 1988-2009

Year	Male		Female		Total
	n	%	n	%	n
2009	**12,516**	**54.7%**	**10,347**	**45.3%**	**22,863**
2008	12,260	55.5%	9,845	44.5%	22,105
2007	11,974	56.3%	9,281	43.7%	21,255
2006	11,712	57.6%	8,618	42.4%	20,330
2005	11,677	58.9%	8,132	41.1%	19,809
2004	11,368	60.0%	7,566	40.0%	18,934
2003	11,112	61.4%	6,980	38.6%	18,092
2002	10,815	62.9%	6,374	37.1%	17,189
2001	10,417	64.2%	5,803	35.8%	16,220
2000	10,060	65.4%	5,322	34.6%	15,382
1999	9,777	66.8%	4,866	33.2%	14,643
1998	9,414	67.9%	4,457	32.1%	13,871
1997	9,310	69.4%	4,099	30.6%	13,409
1996	9,331	70.7%	3,868	29.3%	13,199
1995	9,243	72.2%	3,554	27.8%	12,797
1994	8,992	73.2%	3,291	26.8%	12,283
1993	8,859	74.1%	3,098	25.9%	11,957
1992	8,801	75.6%	2,837	24.4%	11,638
1991	8,596	76.5%	2,634	23.5%	11,230

1990	8,393	77.8%	2,398	22.2%	10,791
1989	8,197	78.9%	2,196	21.1%	10,393
1988	7,829	79.8%	1,979	20.2%	9,808

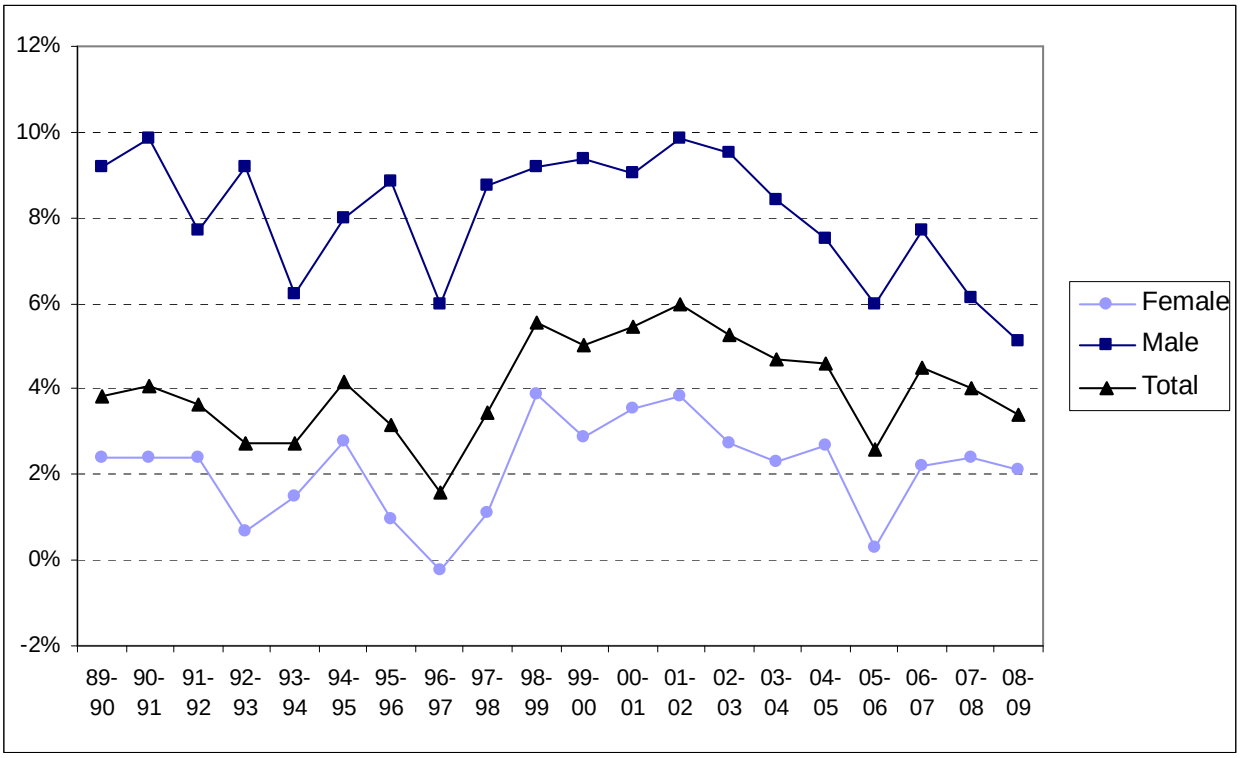
Source: Law Society Data as at 1 October 2009.

Figure 2.1 – Number of Solicitors 1988 - 2009



Source: Law Society Data as at 1 October 2009.

Figure 2.2 – Annual growth rates, 1988-2009 (%)



Source: Law Society Data as at 1 October 2009.

3 Age

The average age of NSW solicitors in 2009 was 41.5 years – slightly lower than 44.8 years in 2008. Half of all solicitors in NSW were aged under 40 years (49.6%). As in previous years, female solicitors tended to be younger than males, with an approximate average age in 2009 of 37.1 years, compared to the male average of 45.2 years.

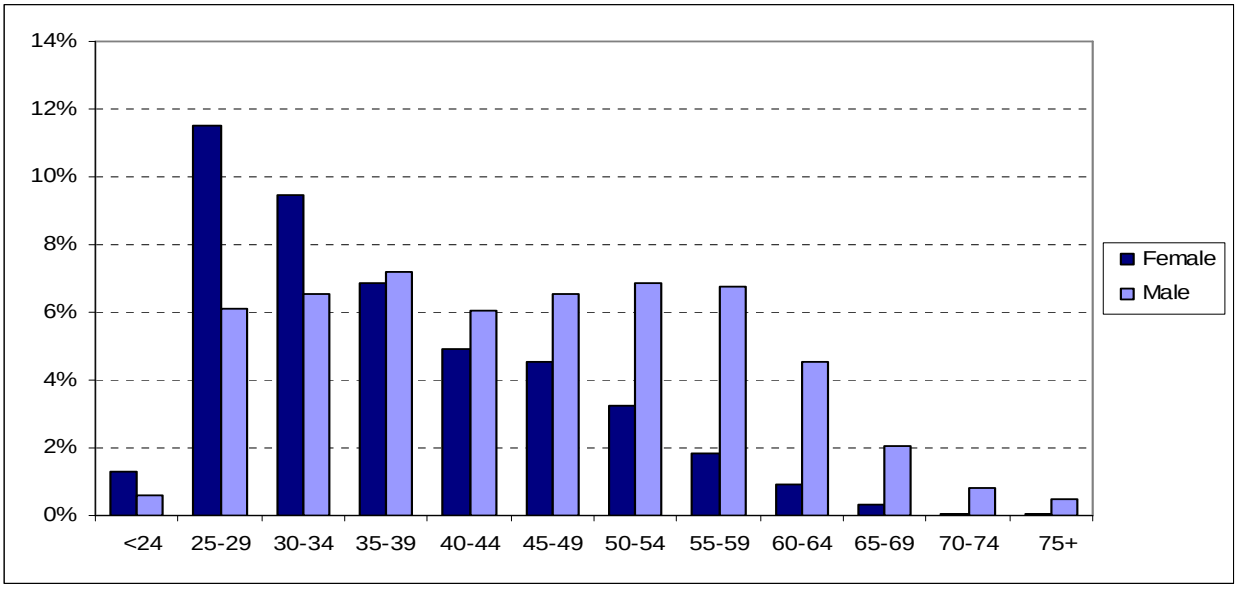
The largest age group for both female and male solicitors was 30 to 39 years (36.1% of females, 25.1% of males) however there were greater numbers of male solicitors than female solicitors in the age groups 40 to 49, 50 to 59 and over 60. As in previous years, females outnumbered males among the younger age groups - those aged under 29, and 30 to 39 (see Table 3.1).

Table 3.1 – Age profile of solicitors in 2009

Age	Male		Female		Total	
	n	%	n	%	n	%
29 years or less	1,535	12.3	2,931	28.3	4,466	19.5
30-39 years	3,147	25.1	3,745	36.1	6,892	30.1
40-49 years	2,881	23.0	2,161	20.8	5,042	22.0
50-59 years	3,110	24.8	1,153	11.1	4,263	18.6
60-69 years	1,505	12.0	287	2.8	1,792	7.8
70-74 years	185	1.5	15	0.1	200	0.9
75+	116	0.9	17	0.2	133	0.6
No response	47	0.4	60	0.6	107	0.5
Total	**12,526**	**100.0**	**10,369**	**100.0**	**22,895**	**100.0**

Source: Law Society Data as at 1 October 2009. Note: The total number of solicitors included in age statistics includes 32 solicitors who had not been granted their Practising Certificate as of yet.

Figure 3.1 – Age profile of solicitors in 2009 by gender (%)



Source: Law Society Data as at 1 October 2009.

4 Years since Admission

In the year ending 1 October 2009, 2,623 solicitors were issued with a Practising Certificate for the first time. Of these, 40.5% were male and 59.5% were female.

Years since admission figures indicate the number of years since solicitors were admitted in NSW as at the date on which the data were extracted from the Law Society database (1 October 2009). They do not take account of any breaks in practice when a solicitor may not have renewed a Practising Certificate, nor of solicitors not practising for a period but continuing to hold a Practising Certificate (for example during parental leave or an extended period overseas).

On the 1st of October 2009:

- around a third of the profession (33.4%) had been admitted for 5 years or less;
- just under a third (30.0%) had been admitted for 6 to 14 years; and
- just over a third (36.6%) had been admitted for 15 years or more.

These figures are similar to those in 2008. Of all solicitors, 54.0% were admitted in the past 10 years.

The changing gender profile of the profession is reflected in the fact that more female solicitors than males were admitted in the past 10 years. Of all female solicitors, 67.8% have been admitted in the last 10 years, while this is true of only 42.3% of all male solicitors. Among those admitted for 11 years or more, 57.7% are male and only 32.2% are female. These findings are summarised in Table 4.1.

Table 4.1 – Years since admission in 2009

	Male		**Female**		**Total**	
	n	**%**	**n**	**%**	**n**	**%**
<1 year	1,062	8.5	1,561	15.0	2,623	11.5
1-5 years	2,027	16.1	2,983	28.8	5,010	21.9
6-10 years	2,218	17.7	2,489	24.0	4,707	20.6
11-14 years	1,135	9.1	1,022	9.9	2,157	9.4
15+ years	6,084	48.6	2,314	22.3	8,398	36.6
Total	**12,526**	**100**	**10,369**	**100**	**22,895**	**100**

Source: Law Society Data as at 1 October 2009. Note: The total number of solicitors included in age statistics includes 32 solicitors who had not been granted their Practising Certificate as of yet.

5 Country of Birth

Country of birth data accessed on 1 October 2009 shows that the majority of solicitors practising in NSW were born in Australia (73.6%), with 61.3% born in NSW.

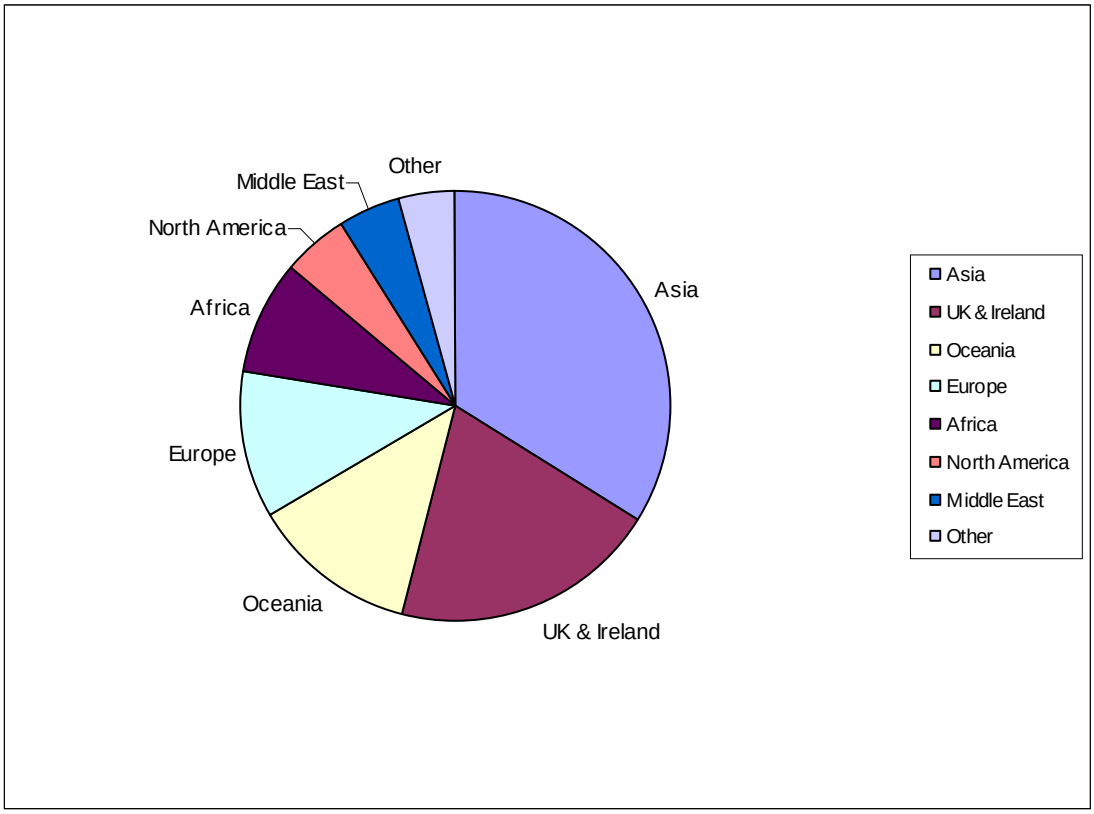
The majority of solicitors born overseas were either from Asian countries (33.0%) or from the UK and Ireland (19.4%). These figures have remained reasonably consistent since 2001, although there continues to be a slight increase in the number of solicitors born in Asian countries (up from 26.8% in 2001) and a decrease in those born in the UK and Ireland (down from 24.7% in 2001). Relevant data are set out in Table 5.1 and Figure 5.1.

Table 5.1 – Country of birth from 2001-2009 (as % of total born overseas)

Region	2001	2002	2003	2004	2005	2006	2007	2008	2009
Asia	26.8	28.3	29.7	31.8	30.1	30.3	31.2	31.8	33.0
UK & Ireland	24.7	23.6	23.3	22.0	21.0	20.9	20.3	19.8	19.4
Oceania	14.6	14.5	14.1	13.8	12.7	12.8	12.7	12.7	12.3
Europe	14.8	14.4	13.0	12.2	11.2	11.3	11.5	11.3	10.9
Africa	8.5	8.6	8.7	8.9	8.4	8.5	8.3	8.2	8.2
North America	4.5	4.5	4.6	4.7	4.6	4.6	4.7	4.9	4.9
Middle East	3.9	3.8	4.2	4.2	4.2	4.3	4.5	4.6	4.7
South & Central America	1.3	1.6	1.5	1.3	1.6	1.4	1.4	1.3	1.3
Former USSR & Baltic States	0.8	0.8	1.0	1.0	1.0	1.0	0.9	1.1	1.2
Unknown	-	-	-	-	5.1	4.7	4.4	4.2	4.1
Total	100	100	100	100	100	100	100	100	100

Source: Law Society Data as at 1 October 2009.

Figure 5.1 – Country of birth for overseas-born solicitors in 2009 (%)



Source: Law Society Data as at 1 October 2009. Note: Countries have been classified according to the Australian Bureau of Statistics Standard Australian Classification of Countries (SACC) (Catalogue reference 1269.0)

6 Location

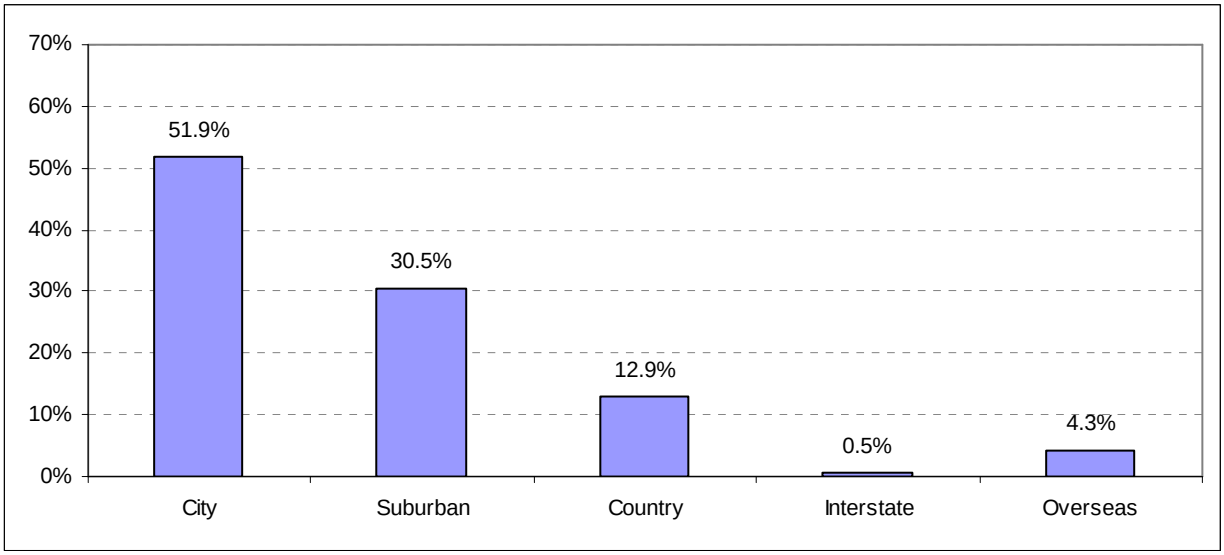
Location of Workplaces

As at 1 October 2009, just over half of the profession (51.9%) were practising within the Sydney CBD.

The proportion of solicitors working in the CBD has increased slightly since 1988 (then 49.9%), but in the last few years has remained relatively stable. Over the same period there has been a steady decline in the proportion of solicitors practising in rural areas - 16.7% in 1988 down to 12.9% in 2009.

Figure 6.1 shows the geographical breakdown for practitioners in 2009, while Tables 6.1 and 6.2 provide figures on practitioners' locations from 1988 to 2009.

Figure 6.1 – Geographical profile in 2009 (%)



Source: Law Society Data as at 1 October 2009.

Table 6.1 – Location of solicitors 1988-2009 (number)

Number							
Year	**City**	**Suburban**	**Rural**	**Interstate**	**Overseas**	**Unknown**	**TOTAL**
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
2005	10,564	5,693	2,708	412	432	0	19,809
2006	10,862	5,929	2,772	131	633	3	20,330
2007	11,309	6,220	2,822	109	794	1	21,255
2008	11,696	6,456	2,877	115	959	2	22,105
2009	**11,861**	**6,964**	**2,954**	**105**	**977**	**2**	**22,863**

Source: Law Society Data as at 1 October 2009.

Table 6.2 – Location of solicitors 1988-2009 (%)

Percentage							
Year	**City**	**Suburban**	**Rural**	**Interstate**	**Overseas**	**Unknown**	**TOTAL**
1988	49.9	26.5	16.7	6.4	0.5	<0.1	100.0
1989	50.8	25.3	16.4	7.0	0.5	<0.1	100.0
1990	50.8	25.7	15.9	7.0	0.5	<0.1	100.0
1991	50.7	25.6	16.3	6.8	0.6	<0.1	100.0
1992	48.1	26.4	16.1	6.6	2.8	<0.1	100.0
1993	48.4	27.8	16.1	6.9	0.8	0.0	100.0
1994	48.9	27.9	15.8	6.6	0.7	<0.1	100.0
1995	49.1	27.6	15.6	7.0	0.8	0.0	100.0
1996	49.7	27.6	15.4	6.5	0.8	0.0	100.0
1997	50.8	28.1	15.4	4.9	0.8	0.0	100.0
1998	52.5	28.3	15.4	2.9	0.9	<0.1	100.0
1999	53.1	28.3	15.0	2.6	1.0	0.0	100.0
2000	55.0	27.1	14.4	2.4	1.1	<0.1	100.0
2001	55.7	26.3	14.0	2.4	1.6	<0.1	100.0
2002	55.6	26.5	13.5	2.5	2.0	<0.1	100.0
2003	55.1	27.2	13.7	2.0	2.0	0.0	100.0
2004	54.0	28.3	13.6	2.1	2.0	<0.1	100.0
2005	53.3	28.7	13.7	2.1	2.2	<0.1	100.0
2006	53.4	29.2	13.6	0.6	3.1	<0.1	100.0
2007	53.2	29.3	13.3	0.5	3.7	0.0	100.0
2008	52.9	29.2	13.0	0.5	4.3	0.0	100.0
2009	**51.9**	**30.5**	**12.9**	**0.5**	**4.3**	**0.0**	**100.0**

Source: Law Society Data as at 1 October 2009.

Location of Private Law Firms

Since 1997 the Law Society has tracked the location of *private law firms*. The trend for increasing numbers of firms to be located in Sydney's suburbs at the expense of a CBD location continues. In 2009, just over half of all law firms (53.6%) were located in the Sydney suburbs. Of the remaining firms, just under a quarter (22.9%) were located in the CBD, while 22.4% were in country NSW. These figures are shown in Table 6.3.

Table 6.3 – Location of private firms 2002-2009 *(see Table 1 of Appendix for data from 1997-2001)*

		2002	2003	2004	2005	2006	2007	2008	2009
City	n	895	911	983	1,024	1,039	1,020	1,024	**1,050**
	%	24.4	24.5	24.2	24.3	24.4	23.7	23.2	**22.9**
Suburban	n	1,798	1,873	2,083	2,143	2,208	2,268	2,344	**2,458**
	%	49.1	50.3	51.2	50.8	51.8	52.6	53.2	**53.6**
Country	n	829	852	908	953	963	972	997	**1,028**
	%	22.6	22.9	22.3	22.6	22.6	22.6	22.6	**22.4**
Interstate*	n	118	67	70	76	29	29	25	**26**
	%	3.2	1.8	1.7	1.8	0.7	0.7	0.6	**0.6**
Overseas	n	22	21	23	21	20	19	20	**24**
	%	0.6	0.6	0.6	0.5	0.5	0.4	0.5	**0.5**
Unknown	n	0	1	1	0	0	0	0	**0**
	%	0.0	<0.1	<0.1	0.0	0.0	0.0	0.0	**0.0**
Total	n	3,662	3,725	4,068	4,217	4,259	4,308	4,410	**4,586**

Source: Law Society Data as at 1 October 2009. Note: the decline in 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 data base.

Firms with 21-39 partners and 40 or more partners

Data collected for the 2009-10 Practising Certificate survey provides information on the location of firms with 21 to 39 partners, and with 40 or more partners. By contrast with the numbers of smaller firms located in Sydney's suburbs:

- 89.9% of firms with 21-39 partners and 88.8% of firms with 40+ partners, were located in the CBD; and
- 7.3% of firms with more than 40+ partners were located outside of NSW.

These results are similar to those from the 2008-09 Practising Certificate survey.

7 Employment Sector

The majority of solicitors in NSW (69.9%) continue to work in private practice. Of the other major sectors of the profession, 18.2% are corporate solicitors and 11.9% are government solicitors. Table 7.1 provides a snapshot of NSW solicitors working in the private, government and corporate sectors.

Table 7.1 – Solicitors in private, government and corporate practice

	Private (%)	Government (%)	Corporate (%)
Total	69.9% of total	11.9% of total	18.2% of total
Gender			
Male	59.8	37.6	46.5
Female	40.2	62.4	53.5
Level of Employment *			
Full-time	82.7	80.1	80.5
Part-time	15.2	14.2	13.9
Other	2.1	5.7	5.6
Location			
City	51.6	60.5	47.1
Sydney suburbs	30.5	26.5	32.9
Country NSW	15.8	11.5	2.7
Interstate	0.4	1.1	0.7
Overseas	1.7	0.4	16.6
Age			
Under 30	20.9	17.3	15.8
30-39	26.0	31.7	45.2
40-49	20.8	24.8	25.3
50-59	20.2	20.9	11.1
60-69	9.8	4.9	2.3
70+	2.1	0.4	0.3
Years Since Admission			
Less than 1	12.9	9.9	6.9
2-5	20.4	24.6	26.0
6-10	17.5	23.2	30.5
11-14	8.6	9.8	12.4
15 or more	40.6	32.5	24.2
Estimated mean income*	$115,700	$96,600	$153,000

Source: Law Society Data as at 1 October 2009. *Data taken from the 2009-10 Practising Certificate Survey.

As Table 7.2 indicates, there are variations in terms of gender across the different sectors of the profession. The percentage of females working in the government and corporate sectors is higher than the percentage of males; while males are more strongly represented than women in private practice.

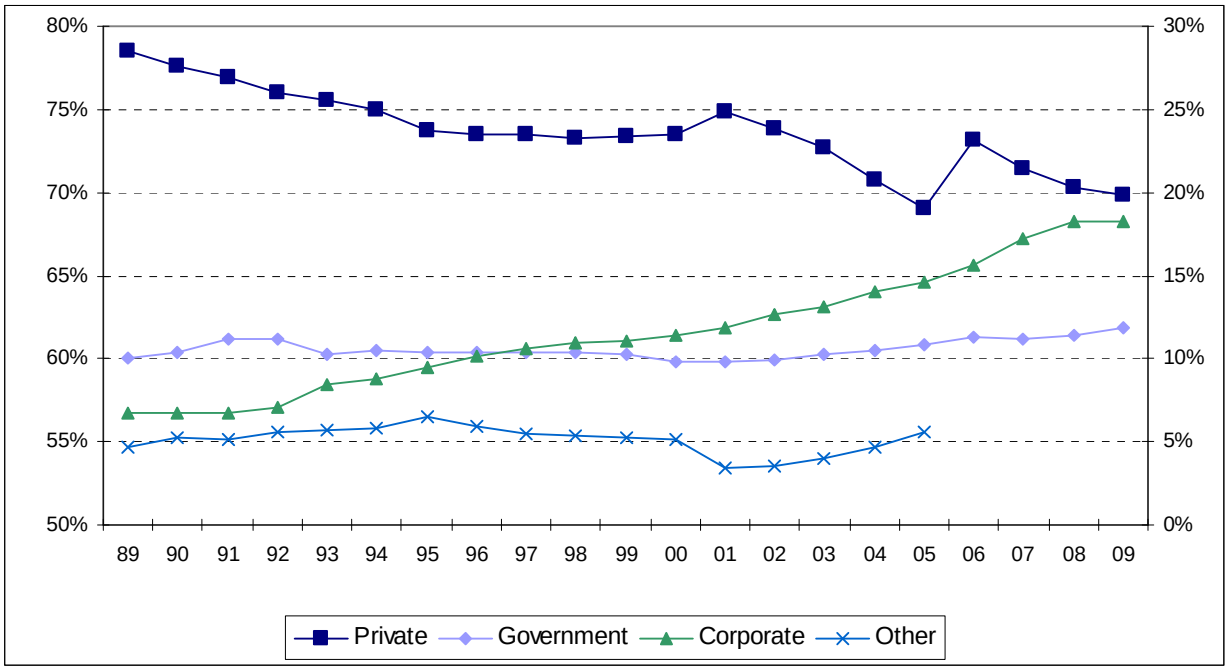
Table 7.2 – Gender by employment sector

Sector	Female		Male		Total	
	n	%	n	%	n	%
Private	6,425	62.1	9,556	76.4	15,981	69.9
Government	1,700	16.4	1,024	8.1	2,724	11.9
Corporate	2,222	21.5	1,935	15.5	4,157	18.2
No response	0	0.0	1	0.0	1	0.0
Total	**10,347**	**100.0**	**12,516**	**100.0**	**22,863**	**100.0**

Source: Law Society Data as at 1 October 2009.

The proportion of all solicitors working in private firms has decreased over the period since 1988 (78.1% down to 69.9%), although the actual *number* of solicitors in private practice has increased. Since 1988 there have been large increases in the proportion of solicitors working in the corporate sector (6.7% in 1998, 18.2% 2009), while the proportion of solicitors working in government has remained fairly stable (10.3% in 1998, 11.9% 2009). Figure 7.1 illustrates the proportion of solicitors in each sector since 1988.

Figure 7.1 – Employment in each sector, 1988-2009[1] (%)



Source: Law Society Data as at 1 October 2009.

[1] These sectors include those who are unemployed and solicitors with no current practising details. Prior to May 2006 these solicitors were included in the 'Other' category. If a person has a multiple status (ie works for a company or government as well as private practice), it will be the private practice status that is shown in the statistics.

8 Diversity in the Profession

Women

As at October 2009, female solicitors made up 45.3% of the practising profession in NSW. Numbers of women entering the profession for the first time continue to slightly outweigh their male counterparts. In the year ending 1 October 2009, 59.5% of solicitors entering the profession for the first time were women – a similar figure to that of 59.7% in 2008. Table 8.1 provides further details on female solicitors.

Table 8.1 – Female solicitors in 2009

	Female practitioners (n)	Female practitioners (%)	Whole Profession (%)
Total	10,347	45.3	100.0
Mode of Employment *			
Full time	2,566	71.0	77.8
Part time	739	21.0	15.3
Other	287	8.0	6.9
Employment Sector			
Private	6,425	62.1	69.9
Government	1,700	16.4	11.9
Corporate	2,222	21.5	18.2
Private Practitioners			
Partners	636	9.9	19.7
Sole Practitioners	835	13.0	23.8
Employees	4,954	77.1	56.4
Total	6,425	100.0	100.0
Size of Law Firm			
Sole Practitioner	1,819	31.5	39.3
2-4 Partners	931	16.1	18.4
5-10 Partners	450	7.8	6.9
11-20 Partners	338	5.8	5.2
21-39 Partners	483	8.4	6.7
40+ Partners	1,760	30.4	23.5
Total	5,781	100.0	100.0
Years since Admission			
< 1 year	1561	15.1	11.5
1-5 years	2983	28.8	21.9
6-10 years	2489	24.0	20.6
11-14 years	1022	9.9	9.4
15+ years	2314	22.3	36.7
Age (approximate average)	37.1 years		41.5 years
Estimated mean income*	$101,100		$116,600

Source: Law Society Data as at 1 October 2009. *Data taken from the 2009-10 Practising Certificate survey. The approximate average age is based on multiplying the total of each age group with each group's midpoint, which are totalled and then divided by the total number of females. Note this figure is an estimate as assumptions have been made with <24 and >75 age groups.

Indigenous Solicitors

In the 2009-10 Practising Certificate survey, 46 solicitors (0.6% of respondents) identified themselves as Aboriginal, and 11 (0.1%) as Torres Strait Islanders. The number of Indigenous respondents continues to rise – there were 57 in 2009, 44 in 2008, and 35 in 2007.

In 2009, among the 57 Indigenous respondents:

- 34 were male
- 30 worked in private practice
- 15 were employees
- 2 were partners
- 3 were sole practitioners
- 13 worked in government
- 5 worked in corporate firms.

9 Private Practice

As at 1 October 2009, 69.9% of the profession worked in private law firms. This section presents a profile of the profession working in the private sector.

Individuals

Table 9.1 summarises information about solicitors working in private law firms.

Table 9.1 – Solicitors in private law firms

	Solicitors in Private Practice		Whole Profession
	n	%	%
Total	15,981	69.9	100
Gender			
Male	9,556	59.8	54.7
Female	6,425	40.2	45.3
Mode of Employment*			
Full time	4,277	82.8	77.8
Part time	787	15.4	15.3
Other	83	1.8	6.9
Location			
City	8,252	51.6	51.9
Suburbs	4,876	30.5	30.5
Rural NSW	2,529	15.8	12.9
Interstate	46	0.3	0.5
Overseas	277	1.7	4.3
Unknown	1	0.0	0.0
Age			
<29 years	3,339	20.9	19.5
30-39 years	4,157	26.0	30.1
40-49 years	3,323	20.8	22.0
50-59 years	3,238	20.2	18.6
60-69 years	1,569	9.8	7.8
70-74 years	190	1.2	0.9
75+ years	123	0.8	0.6
N/A	74	0.5	0.5
Years Since Admission			
< 1 year	2,067	12.9	11.5
1-5 years	3,259	20.4	21.9
6-10 years	2,807	17.5	20.6
11-14 years	1,373	8.6	9.4
15+ years	6,507	40.6	36.7
Estimated mean income*	$115,700		$116,600

Source: Law Society Data as at 1 October 2009. * Data taken from the 2009-2010 Practising Certificate Survey. Not that age and years since admission totals do not equate to the overall total of solicitors in private practice, as both sets of figures included 32 pending Practising Certificate Holders.

Firm Size

In October 2009 there were 4,586 private law firms operating in NSW. The bulk of these (85.4%) were sole practitioner firms (firms with one principal). Of the remainder:

- 565 firms (12.4% of the total) had 2 to 4 partners
- 63 firms (1.4% of the total) had 5 to 10 partners
- 16 firms (0.3% of the total) had 11 to 20 partners
- 11 firms (0.2% of the total) had 21 to 39 partners
- 13 firms (0.3% of the total) had 40 or more partners.

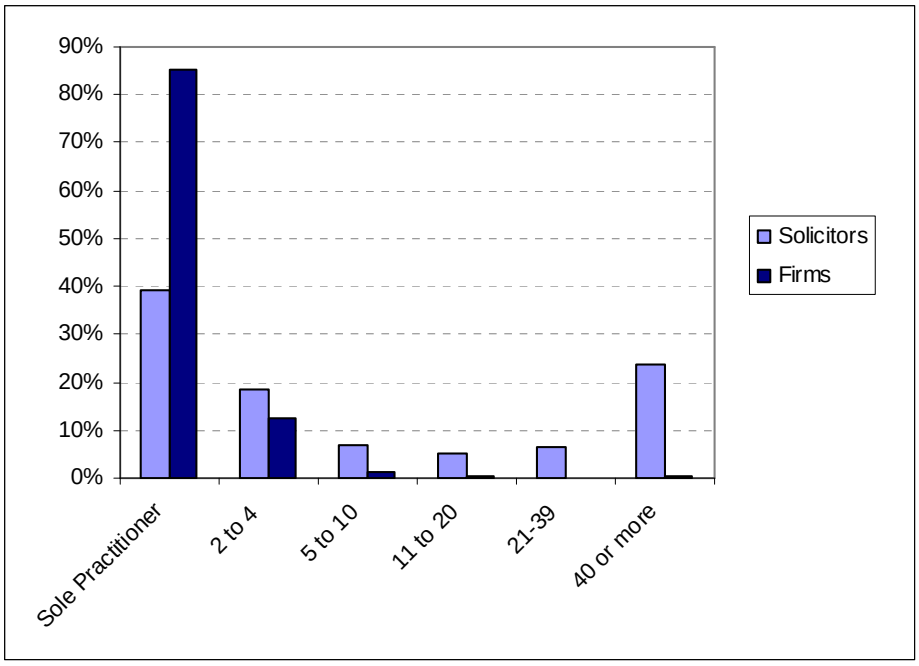
Table 9.2 lists the number of partners and employees in each category of firm, while Figure 9.1 compares the proportion of firms in each category with the proportion of solicitors working for each type of firm.

Table 9.2 – Firm profile 2009

Number of Partners	Firms		Partners		Employees		All Solicitors in Private Practice	
	n	%	n	%	n	%	n	%
40 or more	13	0.3	909	12.8	2,619	33.0	3,528	23.5
21 to 39	11	0.2	301	4.3	698	8.8	999	6.6
11 to 20	16	0.3	218	3.1	557	7.0	775	5.2
5 to 10	63	1.4	394	5.6	641	8.1	1,035	6.9
2 to 4	565	12.4	1,339	18.9	1,437	18.1	2,776	18.5
Sole Practitioner	3,918	85.4	3,918	55.3	1,992	25.0	5,910	39.3
Total	**4,586**	**100**	**7,079**	**100**	**7,944**	**100**	**15,023***	**100**

Source: Law Society Data as at 1 October 2009. *This figure does not equate with the total number of private practitioners indicated in Table 9.1 because it is derived from data incorporating solicitors with *dual status* – that is, those with more than one employer. It also includes solicitors working interstate and overseas, as well as those with a pending Practising Certificate, which the figure in Table 9.1 does not.

Figure 9.1 – Firm size vs solicitors in each firm type (%)



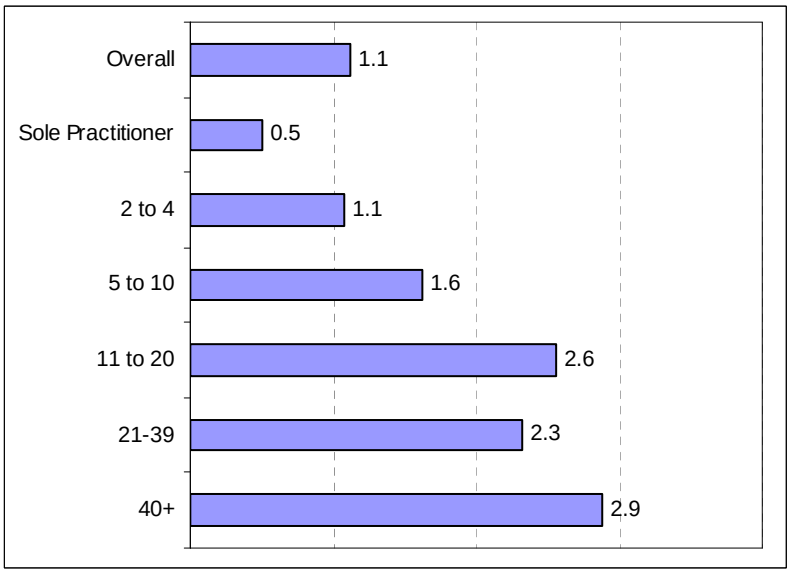
Source: Law Society Data as at 1 October 2009.

Since 1988, there has been a marked increase in the number of sole practitioner firms, a slow rise of firms with 21 or more partners, and a decline in medium sized firms. Since 1988, the total number of firms operating in NSW has increased by 87%.

Staff to principal ratios

Staff to principal ratios 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, and this increases to a ratio of 2.9 in firms with 40 or more partners. Figure 9.2 shows employee/principle ratios for different firm sizes.

Figure 9.2 – Ratio of employed solicitors to principals



Source: Law Society Data as at 1 October 2009.

Gender profile in private firms

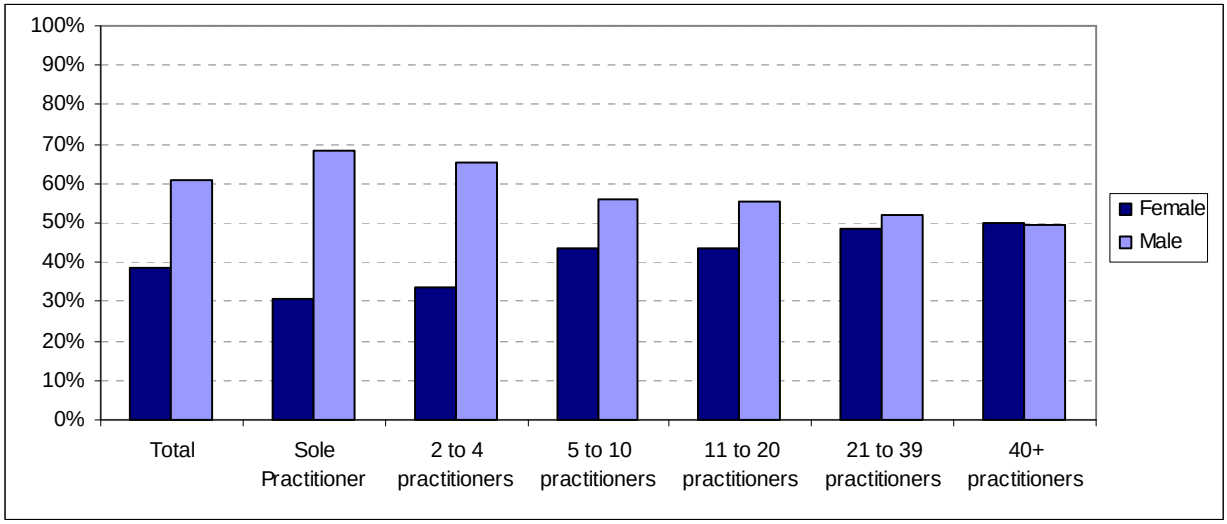
There are significant differences in gender terms among firms of different sizes. Female solicitors are more likely than their male counterparts to work in larger firms with 40 or more partners; whereas male solicitors are more strongly represented in Sole Practitioner firms. Figure 9.3 illustrates the gender breakdown in law firms of different sizes.

Table 9.3 – Gender profile of employees and principals in private firms

		Sole Practitioner	2 to 4 partners	5 to 10 partners	11 to 20 partners	21 to 39 partners	40+ partners	Total
Female	Principal	857	228	70	38	57	221	**1,471** (25.4%)
	Employee	962	703	380	300	426	1,539	**4,310** (74.6%)
	Total (n)	1,819	931	450	338	483	1,760	**5,781**
	% of all females	31.5	16.1	7.8	5.8	8.4	30.4	100.0
Male	Principal	3,061	1,111	324	180	239	693	**5,608** (61.4%)
	Employee	979	706	256	250	281	1,050	**3,522** (38.6%)
	Total	4,040	1,817	580	430	520	1,743	**9,130**
	% of all males	44.2	19.9	6.4	4.7	5.7	19.1	100.0

Source: Law Society Data as at 1 October 2009. Note data was not provided for sole practitioners which explains a lower number of principals than has been recorded in previous years.

Figure 9.3 – Gender division of all solicitors in private law firms (%)



Source: Law Society Data as at 1 October 2009.

Data collected for the 2008-09 Practising Certificate indicates that males and females are relatively evenly represented among larger firms (49.4% male and 48.7% female for firms 21-39 partners; 43.8% male and 55.8% female for firms with 40 or more partners) (note some solicitors did not indicate their gender). However, greater numbers of *partners* in these firms are male, and greater numbers of *employees* are female. For instance, 80.0% of partners in firms with 21 to 39 partners are male, whilst just under two thirds (59.6%) of employees are female. Similarly, just under three quarters (72.4%) of partners in firms with more than 40 partners are male, and 62.1% of employees are female.

Years since admission

The years since admission profile of solicitors working in private practice varies according to firm size. For example, 40.1% of those who had been admitted for less than one year worked in firms with 40 or more partners (40.1%). Conversely, among solicitors admitted for more than 10 years, the largest proportion were sole practitioners. Table 9.5 provides data on years since admission according to firm size.

Table 9.5 – Years since admission in private firms by firm size (%)

Firm Size	< 1 Yr	2- 5 Yrs	6-10 Yrs	11-15 Yrs	15+ Years
40 or more partners	40.1	33.8	28.2	23.4	13.2
21 to 39 partners	5.1	9.6	9.2	6.3	5.3
11 to 20 partners	6.9	6.1	5.7	6.4	4.0
5 to 10 partners	6.2	7.6	7.6	7.4	6.8
2 to 4 partners	17.3	15.8	16.9	18.4	20.7
Sole Practitioner	24.4	27.1	32.4	38.1	50.0
Total	**100**	**100**	**100**	**100**	**100**

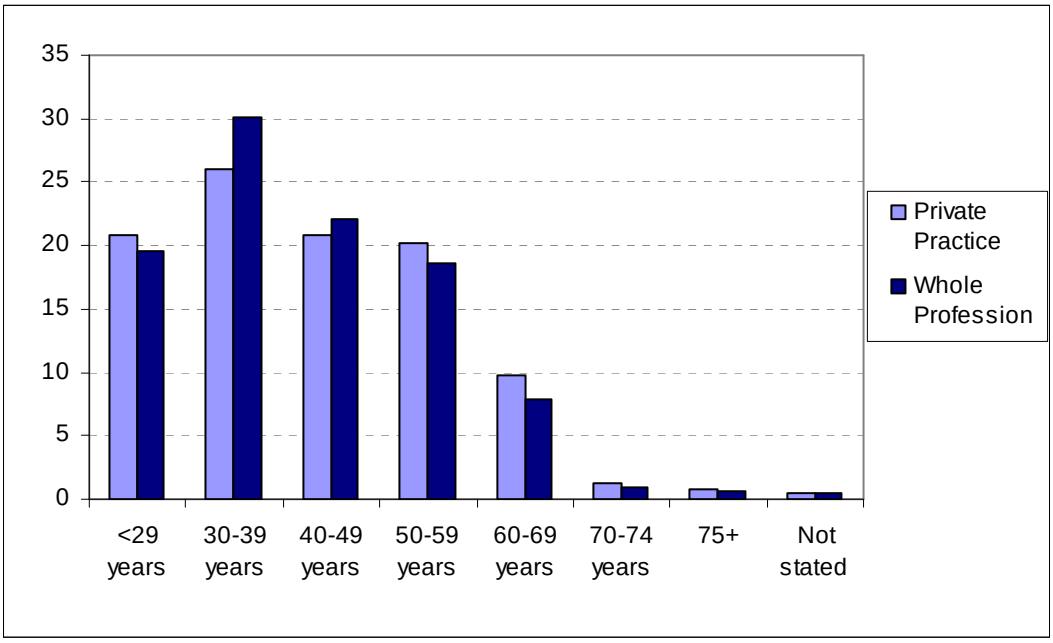
Source: Law Society Data as at 1 October 2009.

As would be expected, a similar trend was reflected in data gathered for the 2009-10 Practising Certificate. As in 2007 and 2008, while there was little variation in years since admission among practitioners in firms of 21 to 39 partners, there was a clear decline in the proportion of practitioners working in firms with more than 40 partners. This was according to years since admission whereby 40.1% had been admitted for less than a year, 33.8% for those admitted for 2 to 5 years, 28.2% for those admitted for 6 to 10 years, 23.4% for those admitted for 11 to 15 years, and 13.8% for those admitted for over 15 years.

Age Profile

The age profile of solicitors working in private firms is broadly similar to the age profile of the entire profession, although private practitioners tend to be slightly older than those in other sectors. In 2009 more than half of solicitors in private practice (52.8%) were aged over 40, while just over a quarter (26.0%) were aged between 30 and 39. The proportion of solicitors over 60 was a little higher in private practice (11.8%) than overall (9.3%). Figure 9.4 shows the age profile of solicitors in private practice compared with the whole profession.

Figure 9.4 – Age profile of solicitors in private practice compared with the whole profession (%)



Source: Law Society Data as at 1 October 2009.

Age Profile of large firms

Data collected in the 2009-10 Practising Certificate survey, indicate that firms with more than 21 practitioners tend to have younger practitioners. Just under half (48.1%) of practitioners who work in firms with 21 to 39 practitioners, and 60.7% of practitioners who work in firms with over 40 practitioners, were aged under 35. Younger practitioners tend to be employees and older practitioners to be partners in these firms. Among practitioners in firms with 21 to 39 partners, 67.0% of employees were aged under 35 and 79.0% of partners were aged over 40 years. Similarly, in firms with more than 40 partners, 74.3% of employees were aged under 35 years, while 70.5% of partners were aged over 40 years.

10 Government Solicitors

As at October 2009, there were 2,724 government solicitors in NSW working across 156 government organisations. Information on these solicitors is presented in Table 10.1.

Table 10.1 – Government solicitors in 2009

	Government Solicitors		Whole Profession
	n	%	%
Total	2,724	11.9	100
Gender			
Male	1,024	37.6	54.7
Female	1,700	62.4	45.3
Level of employment*			
Full time	735	80.3	77.8
Part time	130	14.4	15.2
Other	48	5.3	7.0
Location			
City	1,648	60.5	51.9
Suburban	721	26.5	30.5
Rural	314	12.5	12.9
Interstate	31	1.1	0.5
Overseas	10	0.4	4.3
Age			
<29 years	470	17.3	19.5
30-39 years	857	31.5	30.1
40-49 years	669	24.6	22.0
50-59 years	568	20.9	18.6
60-69 years	132	4.8	7.8
70-74 years	6	0.2	0.9
75+ years	6	0.2	0.6
Not stated	16	0.5	0.5
Years since admission			
< 1 year	269	9.9	11.5
1-5 years	669	24.6	21.9
6-10 years	631	23.2	20.6
11-14 years	266	9.8	9.4
15+ years	889	32.6	36.7
Estimated mean income*	$96,600		$116,600

Source: Law Society Data as at 1 October 2009. *Data taken from the 2009-10 Practising Certificate survey.

Table 10.2 provides details about years since admission for government solicitors in New South Wales, while Table 10.3 provides information on their age profile. Notably, over half (55.4%) of male solicitors working in government were aged between 40 to 60 years of age, whereas female solicitors were skewed towards the *under* 40 age group (56.9%).

Table 10.2 – Years since admission profile of government solicitors (%)

Years since admission	Male	Female	All
Less than 1 year	7.9	11.1	9.9
1 to 5 years	18.0	28.5	24.6
6-10 years	19.4	25.4	23.1
11-14 years	9.5	9.9	9.8
15+ years	45.2	25.1	32.6
Total	100	100	100

Source: Law Society Data as at 1 October 2009.

Table 10.3 – Age profile of government solicitors (%)

Age	Male	Female	All
Under 30 years	9.4	22.0	17.3
30-39 years	25.8	34.9	31.5
40-49 years	25.2	24.2	24.6
50-59 years	30.2	15.2	20.9
60-69 years	8.4	2.7	4.8
70-74 years	0.6	0.0	0.2
75+ years	0.1	0.2	0.2
Not stated	0.3	0.8	0.5
Total	100	100	100

Source: Law Society Data as at 1 October 2009.

11 Corporate Solicitors

As of October 2009 there were 4,157 corporate solicitors working across 1,272 organisations. Information on these practitioners is summarised in Table 11.1.

Table 11.1 – Corporate solicitors 2009

	Corporate Solicitors		Whole Profession
	n	%	%
Total	4,157	18.2	100
Gender			
Male	1,935	46.5	54.7
Female	2,222	53.5	45.3
Level of employment*			
Full time	868	80.8	77.8
Part time	150	13.9	15.3
Other	54	5.3	6.9
Location			
City	1,961	47.2	51.9
Suburbs	1,366	32.9	30.5
Rural NSW	111	2.7	12.9
Interstate	28	0.7	0.5
Overseas	690	16.6	4.3
Age			
<29 years	657	15.8	19.5
30-39 years	1,878	45.2	30.1
40-49 years	1,049	25.2	22.0
50-59 years	457	11.0	18.6
60-69 years	91	2.2	7.8
70-74 years	4	0.1	0.9
75+ years	4	0.1	0.6
Not stated	17	0.4	0.5
Years since admission			
< 1 year	287	6.9	11.5
1-5 years	1,082	26.0	21.9
6-10 years	1,269	30.5	20.6
11-14 years	517	12.4	9.4
15+ years	1,002	24.1	36.7
Estimated mean income*	$153,000		$116,600

Source: Law Society Data as at 1 October 2009. *Data taken from the 2009-10 Practising Certificate survey.

In 2009, around six out of ten solicitors working in corporate practice (61.0%) were aged under 40, and just under two-thirds (63.4%) had been admitted for 10 years or less. Table 11.2 provides years since admission information for corporate solicitors, while Table 11.3 gives the age breakdown for this sector of the profession.

Table 11.2 – Years since admission profile of corporate solicitors (%)

Years since admission	Male	Female	Total
Less than 1 year	6.0	7.7	6.9
1-5 years	23.7	28.1	26.0
6-10 years	29.0	31.8	30.5
11-14 years	12.6	12.3	12.4
15+ years	28.7	20.1	24.2
Total	100	100	100

Source: Law Society Data as at 1 October 2009.

Table 11.3 – Age profile of corporate solicitors (%)

Age	Male	Female	Total
Under 30	12.1	19.0	15.8
30-39	41.7	48.2	45.2
40-49	27.8	23.0	25.2
50-59	14.4	8.0	11.0
60 years or older	3.7	1.3	2.4
Not stated	0.3	0.5	0.4
Total	100	100	100

Source: Law Society Data as at 1 October 2009.

12 Areas of Practice

Since 1993 the annual Practising Certificate survey has collected information about dominant areas of practice. The survey questionnaire asks solicitors to indicate up to four areas of law in which they spend 25% or more of their time.

The 2009-10 Practising Certificate questionnaire was completed by 7,844 practising solicitors, representing 33% of all NSW practising solicitors as at June 2009.

Overall

Table 12.1 details the dominant areas of practice as reported by practitioners responding to the Practising Certificate Survey. In the 2009-10 survey, *Commercial Law* (30.5%) and *Conveyancing/Real Property* (28.9%) were the most commonly nominated areas of practice, followed by *Civil Litigation* (22.1%) and *Wills and Estates* (21.5%). These results are similar to those in 2008.

Table 12.1 – Areas of practice 2000/01 – 2009/10 *(see Table 2 of Appendix for data from 1994-1999)*

Dominant Areas of Practice (%)	00/01	01/02	02/03	03/04	04/05	05/06	06/07	07/08	08/09	**09/10**
Administrative Law	4.3	4.5	4.9	3.5	5.3	6.0	6.4	6.6	6.7	**7.2**
Advocacy	7.9	7.7	6.6	5.6	6.5	5.8	6.2	5.7	6.6	**6.1**
Banking/Finance	7.9	8.0	8.5	5.6	7.5	7.9	8.1	8.1	8.4	**7.9**
Civil Litigation	27.1	25.9	25.9	18	25.5	25.8	24.4	22.1	22.0	**22.1**
Commercial Law	29.3	29.7	30.9	21.6	31.2	30.9	31.3	28.4	29.3	**30.5**
Corporate Law	13.8	14.0	12.7	9.1	11.6	11.5	12.0	16.6	17.8	**16.7**
Conveyancing/Real Property	32.5	30.1	32.1	22.1	32.2	31.3	30.0	29.0	28.7	**28.9**
Criminal Law	12.5	12.2	12.3	8.5	13.8	13.1	13.4	13.0	13.5	**13.3**
Debts/Insolvency	7.0	5.8	7.6	5.4	7.8	7.6	7.7	7.0	7.4	**8.3**
Employment/ Industrial Law	6.8	7.3	8.5	1.5	8.9	9.5	8.7	7.6	7.4	**7.5**
Environmental Law	2.8	2.7	3.0	2.7	2.9	3.3	3.2	3.1	3.3	**3.5**
Family Law	14.2	13.8	15.0	6.2	15.8	16.3	16.1	15.4	15.1	**15.9**
Immigration Law	1.7	1.8	2.1	10.2	2.5	2.5	2.8	2.8	2.7	**3.2**
Information technology /Telecommunications	n/a	n/a	n/a	n/a	n/a	n/a	n/a	4.3	4.6	**4.3**
Intellectual Property	7.0	7.1	7.1	5.1	6.7	7.4	7.3	6.9	6.4	**7.0**
Litigation – General	n/a	n/a	n/a	n/a	n/a	n/a	n/a	18.8	17.4	**19.1**
Personal Injury	18.8	17.8	16.9	10.2	12.1	11.8	10.9	9.6	9.1	**9.4**
Planning/Local Government	3.6	3.5	4.1	3.2	3.8	4.4	4.1	3.8	4.0	**4.0**

Product Liability	1.8	1.7	1.5	1.4	1.4	1.1	1.3	n/a	n/a	**n/a**
Small Business	8.4	8.0	9.9	7.2	10.0	10.5	9.7	8.4	7.8	**7.9**
Taxation	3.5	3.3	3.3	2.4	3.4	3.1	3.5	3.5	3.3	**3.4**
Trade Practices Law	6.0	5.7	6.4	4.7	5.4	5.9	5.5	4.5	5.0	**5.1**
Wills and Estates	16.8	16.3	19.2	13.6	20.4	21.6	21.4	20.5	20.9	**21.5**
Other	8.8	9.9	10.1	6.3	9.0	10.1	10.8	9.4	9.5	**9.4**

Source: 2009-10 Practising Certificate survey.

Employment Sector

The main areas of practice nominated by solicitors vary according to employment sector. As in previous years, there were substantial differences in 2009-10 in the responses of private, government and corporate lawyers. Among corporate lawyers, the areas of practice most often mentioned were *Commercial Law* (58%) and *Corporate Law* (53%). *Conveyancing/Property* (39%) remains the largest area of practice in the private profession. Among government lawyers, the most common areas of practice were *Criminal Law* (34%) and *Administrative Law* (33%). Table 12.2 lists the four most frequently nominated areas for each sector, as indicated by practitioners responding to the 2009-10 Practising Certificate Survey.

Table 12.2 – Main areas of practice by sector (%)

Private		Government		Corporate	
Conveyancing/Property	39%	Criminal Law	34%	Commercial Law	58%
Wills and Estates	31%	Administrative Law	33%	Corporate Law	53%
Commercial Law	30%	Civil Litigation	18%	Banking and Finance	25%
Civil Litigation	27%	Other	15%	Intellectual Property	20%

Source: 2009-10 Practising Certificate survey.

Firm Size and Location within the private sector

Within the private sector, main areas of practice also varied by size and location of firms. For example, *Conveyancing/Real Property* was much more frequently mentioned by those working in suburban and country practices than those in city practices. This was also true for *Wills and Estates, Family Law, Small Business and Criminal Law*. By contrast, the areas of *Commercial Law*, *Civil Litigation, Corporate Law and Banking and Finance* were mentioned more often by city practitioners than those in suburban or country locations.

In firms with fewer than five partners, the areas of practice most commonly reported were *Conveyancing/Real Property, Wills and Estates, Family Law and Criminal Law*. In firms with 21 to 39 partners, areas of practice most commonly reported were *Civil Litigation, Commercial Law* and *Banking and Finance*; in firms with 40 or more, *Commercial Law* was most commonly reported.

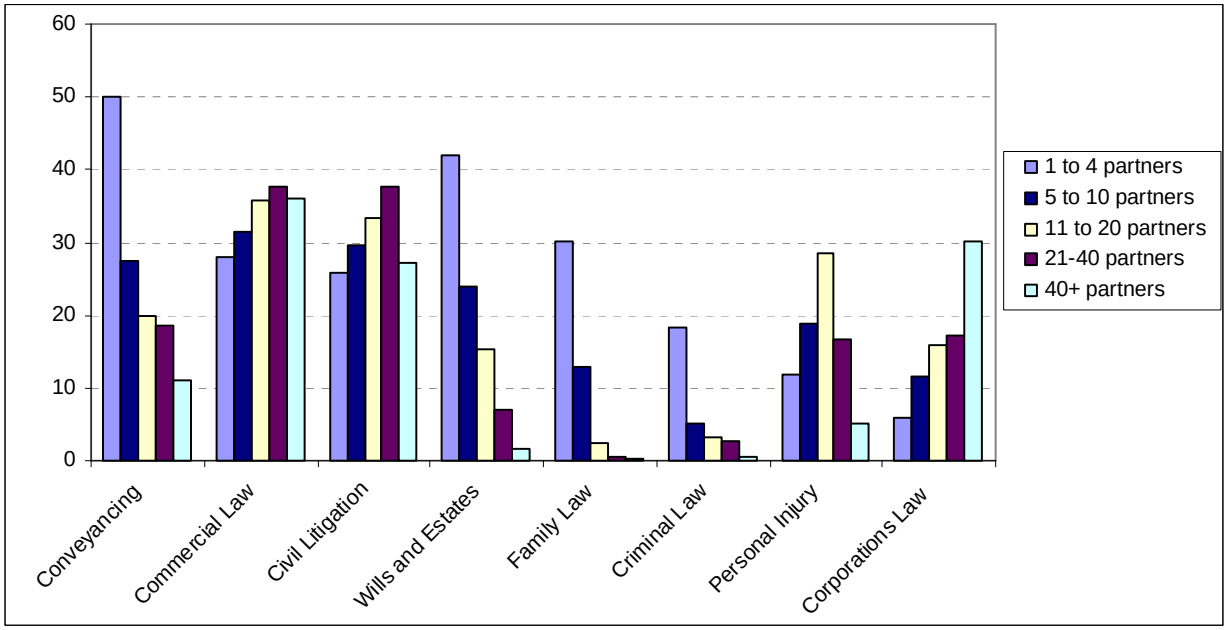
Table 12.3 provides information on selected areas of practice according to firm size and firm location, while Figure 12.1 illustrates differences in areas of practice by size of firm.

Table 12.3 – More common areas of practice by firm size and location (%)

Area of practice	Number of partners					Practice location			All private practice
	1 to 4	5 to 10	11 to 20	21 to 39	40+	City	Suburbs	Country	
Conveyancing/ Property	50.0	27.4	19.8	18.6	10.9	17.2	45.2	49.0	39.1
Commercial Law	28.1	31.6	35.8	37.8	36.1	34.6	29.3	23.4	30.4
Civil Litigation	25.9	29.5	33.3	37.8	27.3	27.0	21.0	17.5	26.7
Wills and Estates	41.9	23.9	15.4	7.1	1.7	9.1	34.0	46.8	30.7
Family Law	30.1	12.9	2.5	0.6	0.3	5.7	26.3	34.8	20.6
Criminal Law	18.2	5.0	3.1	2.6	0.5	7.6	18.1	25.3	12.4
Personal Injury	11.8	18.9	28.4	16.7	5.0	9.4	8.8	12.6	11.5
Banking and Finance	2.3	6.6	4.3	17.9	12.5	8.5	2.0	1.9	7.9
Corporate Law	6.0	11.6	16.0	17.3	30.2	23.1	10.9	3.4	12.3

Source: 2009-10 Practising Certificate survey.

Figure 12.1 – Area of practice by size of firm (%)



Source: 2009-10 Practising Certificate survey.

13 Income

Income Overall

In 2009, respondents were asked to indicate their *gross* income in the previous financial year. This marks a change from previous years where solicitors have been asked to describe their real take-home income (after all expenses but before tax). Care should therefore be exercised in making comparisons between 2009 and earlier year's figures.

As in previous surveys respondents were given the option of recording their approximate income or selecting one of 12 income bands. The overall income figures quoted in this section have been estimated by combining these two sets of data together. The figures for the 2009-10 survey (the latest) refer to the financial year ending 30 June 2008, 2008/09 results refer to the financial year ending in 2007, and so on.

Results for 2009 are presented in Table 13.1 and Figure 13.1. This year an extra income bracket was added to the survey, such that practitioners earning greater than $150,000 could indicate whether they earned between $150,001 and $200,000, or more than $200,000 (in previous surveys practitioners could only indicate whether they earned more than $150,000). In the survey financial year ending June 2008, the three highest income bands among solicitors in New South Wales were *$75,001-$100,000, $50,001-$75,000* and *$100,001- $150,000*.

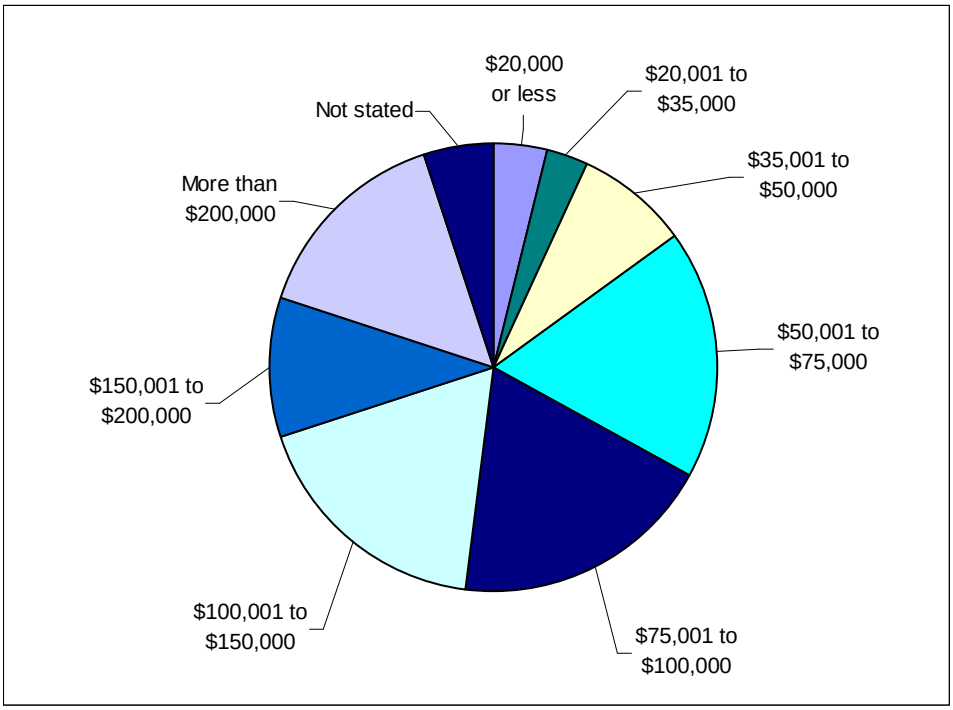
Table 13.1 – Annual income in 2007-08 financial year (%)

	Income 2007/2008 (%)
$20,000 or less	**4**
$20,001 to $35,000	**3**
$35,001 to $50,000	**8**
$50,001 to $75,000	**18**
$75,001 to $100,000	**19**
$100,001 to $150,000	**18**
$150,001 to $200,000	**10**
More than $200,000	**15**
Not stated	**5**
Total	**100**

25%

Source: 2009-10 Practising Certificate survey.

Figure 13.1 – Annual income in 2007-08 financial year (%)



Source: 2009-10 Practising Certificate survey.

Table 13.2 shows a comparison in responses to income for the previous five Practising Certificate surveys and is presented separately, as the 2009-10 survey measured gross income.

Table 13.2 – Reported income for the past five financial years (%)

	Income 2002/2003 (%)	Income 2003/2004 (%)	Income 2004/2005 (%)	Income 2005/2006 (%)	Income 2006/2007 (%)
$20,000 or less	4	4	5	4	4
$20,001 to $35,000	6	6	5	5	5
$35,001 to $50,000	14	14	12	11	10
$50,001 to $75,000	21	21	21	21	20
$75,001 to $100,000	18	17	18	18	19
$100,001 to $150,000	14	15	14	16	16
More than $150,000	17	17	18	19	21
Non response	6	6	7	6	5
Total	**100**	**100**	**100**	**100**	**100**

Source: 2009-10 Practising Certificate survey.

Employment sector

The Practising Certificate survey reveals differences in solicitors' incomes according to the sector in which they work. The growth in estimated mean incomes in the 2009-10 survey results can in part be attributed to respondents being asked their *gross* income rather than their real take home income as in previous years.

As in previous years, *corporate solicitors* earned more in the current financial year than their colleagues in other sectors, reporting an estimated mean income of $153,000. This compares with an estimated mean income of $115,700 among *private practitioners*, and $96,600 among *government solicitors*. For practitioners working in *community legal centres,* estimated mean income was $56,400, and for those in *non-legal employment* it was $100,500.

Table 13.3 presents estimated mean incomes for each sector over the last seven years, while Table 13.4 sets out the reported income bands for each employment sector, as reported by respondents to the 2009-10 Practising Certificate survey.

Table 13.3 – Mean income by sector 2003/04-2009/10

Sector	2003/04 (fin year ending '02)	2004/05 (fin year ending '03)	2005/06 (fin year ending '04)	2006/07 (fin year ending '05)	2007/08 (fin year ending '06)	2008/09 (fin year ending '07)	2009/10 (fin year ending '08)
Private	$77,400	$84,900	$85,600	$84,900	$92,800	$94,800	$115,700
Corporate	$101,300	$109,000	$109,000	$110,300	$124,300	$123,900	$153,000
Government	$68,400	$72,200	$74,700	$79,600	$83,600	$86,700	$96,600

Source: 2009-10 Practising Certificate survey. Note respondents were asked to detail their *gross* income in the 2009-10 survey, rather than their real take home income as in previous years. Note that caution should be taken in comparing results from 2009/10 to previous years, as this figure is based on *gross* income not real take-home income as is the case in previous years.

Table 13.4 – Reported income bands by employment sector (%)

	Employment sector					All respondents
	Private practice	Corporate	Government	Community Legal Centres	Non-legal	
$20,000 or less	4.5	1.4	0.6	7.9	10.8	4.0
$20,001 to $35,000	4.2	0.5	1.7	8.6	4.5	3.4
$35,001 to $50,000	8.7	1.8	5.0	21.9	7.4	7.5
$50,001 to $75,000	18.2	9.4	23.4	43.0	15.7	17.9
$75,001 to $100,000	17.4	15.2	36.4	11.3	17.5	19.2
$100,001 to $150,000	16.2	22.6	22.5	2.0	15.9	17.6
$150,001 to $200,000	9.8	19.3	5.6	1.3	7.6	10.3
More than $200,000	16.1	25.9	3.1	0.0	10.3	15.2
Not stated	4.9	3.9	1.7	4.0	10.3	4.9
Total	100	100	100	100	100	100
Estimated mean income ($K)	**$115.7**	**$153.0**	**$96.6**	**$56.4**	**$100.5**	**$116.6**

Source: 2009-10 Practising Certificate survey.

Private Practice

In the 2009-10 Practising Certificate survey, solicitors working in *city firms* tended to report higher incomes than those in *suburban* or *country firms*. The estimated mean income of solicitors in city firms was $131,300, compared with $101,200 for solicitors in suburban firms and $94,100 for those in country areas.

The estimated mean income was lower for solicitors working in smaller firms than their counterparts in larger firms. The estimated mean income reported by solicitors for each firm size were as follows:

1-4 partners:	$98,700
5-10 partners:	$125,100
11-20 partners:	$117,900
21-39 partners:	$133,400
40 or more partners:	$139,300

Gender

As in previous surveys, male respondents reported higher incomes than females overall. One third (33%) of all men, but only 17% of women, reported incomes over $150,000; while 17% of all women, as against 14% of men, had incomes of $50,000 or less.

Great care should be taken in comparing male and female salaries due to the fact that they are not equally distributed across the main employment sectors. As reported earlier, female practitioners tend to be younger and more recently admitted than males, and relatively more female practitioners work part time.

One way to more meaningfully assess income parity between the genders is to compare the reported incomes of *full-time private practitioners* by *years since admission*. As Table 13.5 shows, male incomes are still consistently higher than female incomes, even compensating for such differences. For example, the estimated mean income of male solicitors admitted for less than one year was $57,900, compared to $51,100 for females. For those admitted for between 1 and 5 years the average income was $81,700 for males and $74,400 for females.

Table 13.5 – Income of respondents working in private practice by gender and years since admission (%) (full time)

	All		30 + years		16 to 30 years		11 to 15 years		6 to 10 years		1 to 5 years		< 1 years	
	M	**F**	**M**	**F**	**M**	**F**	**M**	**F**	**M**	**F**	**M**	**F**	**M**	**F**
$20,000 or less	4.4	4.0	6.2	11.0	2.5	4.5	3.6	2.7	3.1	3.9	3.2	2.6	9.9	13.1
$20,001-$35,000	3.7	4.5	4.1	5.8	2.1	5.0	1.5	3.2	3.1	3.6	4.7	3.6	12.7	11.9
$35,001-$50,000	7.2	11.0	4.5	3.8	4.8	7.1	2.5	7.4	8.1	7.3	12.3	14.6	25.3	24.3
$50,001-$75,000	14.3	24.0	10.5	15.3	8.2	14.0	6.8	12.1	16.1	18.6	31.2	36.9	37.8	34.7
$75,001-$100,000	15.7	20.0	14.0	9.6	12.7	13.6	21.0	16.5	20.1	24.0	24.9	28.2	2.7	4.0
$100,001-$150,000	16.4	15.6	17.0	15.3	18.3	22.6	18.0	21.6	20.1	22.2	12.8	7.5	0.4	2.3
$150,001-$200,000	11.5	8.8	11.1	12.2	13.3	12.2	14.5	16.5	16.2	11.8	3.9	2.6	2.1	0.0
More than $200,000	21.2	8.2	25.5	17.5	32.4	17.5	27.1	17.5	10.1	5.7	2.7	0.9	2.7	0.0
Not stated	5.6	3.9	7.1	9.5	5.7	3.5	5.0	2.5	3.1	2.9	4.3	3.1	6.4	9.7
Total	100	100	100	100	100	100	100	100	100	100	100	100	100	100
Estimated mean income ($K)	**129.9**	**101.1**	**137.9**	**112.1**	**155.6**	**127.7**	**147.5**	**130.6**	**117.7**	**106.8**	**81.7**	**74.4**	**57.9**	**51.1**

Source: 2009-10 Practising Certificate survey.

14 Hours of Work

The survey asked whether respondents worked full time or part time, with part time work defined in the survey as 'less than 38 hours a week'.

Overall, 77.6% of the 2009-10 Practising Certificate respondents said that they worked full time and 15.0% said that they worked part time. The remaining 7.4% either were not currently in employment or did not answer the question.

Part Time Work

In the 2009-10 survey, 21.0% of female respondents, compared with 10.1% of male respondents said they worked part time. Part time work was more common among respondents over the age of 35, with 19% for each of those in age brackets 35 to 39, 40 to 49 and over 50 years.

The percentage of practitioners working part time was similar among respondents working in private firms and among those in non-private practice (15.2% private practice, 14.9% non-private practice). Among respondents employed in Community Legal Centres, 25.8% reported working part time.

Within private law firms, part time work was most common among respondents in firms with up to four partners; 18.6% of these solicitors worked part time, as against 10.1% in firms with 11 or more partners. Among sole practitioners, 19.8% reported working part time.

Table 14.1 details the usual hours of work reported by solicitors working part time. Just over a quarter of these respondents (27.4%) reported working between 21 and 30 hours per week.

The average number of hours worked by practitioners in part time employment has been steady for the last 3 years and continues to hover around the 24.0 hour mark. As in previous years, the average for males (21.9 hours) was lower than for females (24.9 hours).

Table 14.1 – Hours worked each week by solicitors working part time

	Males		Females		All Respondents	
	No.	%	No.	%	No.	%
1-10 hours	37	8.9	36	4.9	74	6.3
11-15 hours	17	4.1	37	5.0	54	4.6
16-20 hours	59	14.1	49	6.6	109	9.2
21-25 hours	31	7.4	133	18.0	165	14.1
26-30 hours	39	9.3	115	15.6	156	13.3
31+ hours	34	8.1	101	13.7	138	11.8
Not stated	201	48.1	268	36.2	477	40.7
Total	**418**	**100**	**739**	**100**	**1,173**	**100**
Mean hours	**21.93**	**-**	**24.92**	**-**	**24.00**	**-**

Source: 2009-10 Practising Certificate survey. Note total does not reflect total of males and females as gender not stated in some cases.

Full Time Work

Some 83.2% of male respondents and 71.2% of female respondents reported working full time.

The average hours worked per week reported by full time workers was 48.3 hours (49.5 for males, 46.9 for females). Private practitioners and corporate lawyers reported working very similar number of hours a week (49.4 and 48.7 hours respectively), whereas government lawyers worked 42.6 hours.

The average number of full time hours reported in the Practising Certificate survey has steadily declined over recent years – dropping from 49.2 in 2007 to 48.8 in 2008, and then 48.3 in 2009 (see Table 14.2).

Table 14.2 – Average working week of full time solicitors by gender 1999/00-2009/10 (%)

	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
2004/2005	50.3	47.9	49.3
2005/2006	50.3	47.2	49.0
2006/2007	50.3	47.0	49.0
2007/2008	50.5	47.6	49.2
2008/2009	50.1	47.2	48.8
2009/2010	49.5	46.9	48.3

Source: 2009-10 Practising Certificate survey. Note total does not reflect total of males and females as gender not stated in some cases.

Appendix Tables cited in main document

Table 1 – Location of private firms 1997-2001 (see Table 6.3)

		1997	1998	1999	2000	2001
City	n	793	807	828	863	880
	%	24.3	24.2	24.1	24.9	24.7
Suburban	n	1,550	1,615	1,691	1,700	1,746
	%	47.6	48.5	49.2	49.1	49.1
Country	n	747	775	793	784	817
	%	22.9	23.3	23.1	22.6	23.0
Interstate*	n	158	125	115	109	104
	%	4.9	3.8	3.3	3.1	2.9
Overseas	n	9	9	9	6	11
	%	0.3	0.3	0.3	0.2	0.3
Unknown	n	0	0	0	1	0
	%	0.0	0.0	0.0	<0.1	0.0
Total	n	3,257	3,331	3,436	3,463	3,558

Table 2 – Areas of practice 1994/95-1998/99 (see Table 12.1)

Dominant Areas of Practice (%)	94/95	95/96	96/97	97/98	98/99
Administrative Law	3.7	4.1	4.6	4.7	4.6
Advocacy	8.9	12.0	9.5	9.8	9.1
Banking/Finance	9.3	10.0	9.4	9.8	9.3
Civil Litigation	29.9	31.0	30.1	31.4	29.3
Commercial Law	26.5	30.5	29.3	30.8	31.1
Corporate Law	12.2	13.4	13.4	13.6	13.8
Conveyancing/Real Property	38.0	36.1	35.5	34.7	34.8
Criminal Law	12.7	13.6	13.4	12.6	12.9
Debts/Insolvency	8.3	9.1	9.0	8.0	7.5
Employment/ Industrial Law	2.5	3.4	4.6	5.2	6.9
Environmental Law	2.9	3.4	3.4	3.1	3.1
Family Law	16.6	17.3	16.5	14.8	15.1
Immigration Law	1.4	1.7	1.6	1.9	1.8
Information technology /Telecommunications	n/a	n/a	n/a	n/a	n/a
Intellectual Property	4.7	5.6	6.3	6.4	6.8
Litigation – General	n/a	n/a	n/a	n/a	n/a
Personal Injury	18.7	20.7	19.9	21.1	20.4
Planning/Local Government	3.0	3.8	3.6	3.6	4.1
Product Liability	1.4	1.8	1.7	2.0	2.2
Small Business	8.3	10.0	10.4	8.9	9.1
Taxation	3.2	3.2	3.2	3.2	3.0
Trade Practices Law	4.0	5.0	5.5	5.7	5.8
Wills and Estates	13.6	17.8	18.9	17.2	18.6
Other	9.2	9.0	9.0	9.2	9.7