

## Fair Work Ombudsman continues to set the bar for gender equity in briefing practices

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The Fair Work Ombudsman has allocated more than half of its legal work to female barristers for the fourth year in a row, continuing to set an example as a best practice employer in equitable briefing practices.

In the 2016-17 financial year the Fair Work Ombudsman briefed female counsel 59 times and male counsel 35 times. Female barristers received 58 per cent of the agency's total spend on barristers.

Fair Work Ombudsman Chief Counsel Janine Webster says the figures reflect the agency's strong commitment to equitable briefing practices.

"It took several years for the agency to be in a position to achieve these results, but now we consistently meet and exceed our targets in relation to equitable briefing," Ms Webster said.

"We urge other agencies to follow our lead and set targets to achieve equity in their briefing practices."

The Fair Work Ombudsman is a signatory to the Law Council of Australia's Equitable Briefing Policy which is aimed at improving gender equality in the number of briefs to barristers across the country.

The policy aims to have women briefed in 30 per cent of matters and paid 30 per cent of the value of all briefs by 2020, seeking to address ongoing issues of gender inequity at the bar.

For example, statistics released by the Victoria Supreme Court show that female barristers had only six per cent of speaking roles in civil hearings in the state's Court of Appeal in 2016-17, far below 29 per cent of women at the Victorian Bar.

"The Fair Work Ombudsman actively seeks out barristers of both genders to make themselves available to accept briefs from the agency," Ms Webster said.

"We are pleased that our efforts go some way towards tackling the issue of inequitable briefing in Australia, but recognise that more needs to be done.

"We encourage all people and entities to adopt the National Model Gender Equitable Briefing Policy when selecting counsel and actively monitor their performance in briefing equitably."

The Fair Work Ombudsman aims to set an example to other employers with both its internal practice and external briefing practice.

The agency's in-house legal team is one of the largest workplace relations legal practices in Australia, comprising 43 female lawyers and 12 male lawyers.

Around 20 per cent of the team has part-time working arrangements.

Ms Webster said the agency's focus on providing a supportive and flexible work environment for lawyers with specialised skills has resulted in a significant reduction in the Fair Work Ombudsman's spend on legal services.

"Adopting flexible working arrangements means we can retain valuable employees and enhance our internal capability to keep legal matters in-house, resulting in substantial savings for the agency," Ms Webster said.

The Fair Work Ombudsman secured penalties in 100 per cent of decisions handed down by the courts in its litigations in 2016-17.

"As a result of our effective workforce planning we have created a highly talented and engaged practice that achieves consistently good results," Ms Webster said.

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