

Female barristers get lion's share of legal work

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The Fair Work Ombudsman now allocates more than half of its legal work to female barristers.

Last financial year, the Agency briefed 56 female barristers and 34 men for its legal work. This compares to its use of 50 female barristers and 18 men in 2013-2014.

"We have been pushing hard to achieve gender equality in the number of briefs allocated as well as the value of the cases," says Fair Work Ombudsman Chief Counsel Janine Webster.

The Fair Work Ombudsman spent \$876,200 in 2014-15 briefing barristers for its legal work.

Commonwealth agencies are bound by Legal Services Directions which encourage gender equity in the allocation of work. A recent analysis by the NSW Bar Association acknowledges that the Fair Work Ombudsman has led the way in its approach to equitable briefing.

"We have been edging closer to gender equality over the past few years," says Ms Webster. "When we receive recommendations from law firms about preferred counsel, a list of names that does not include female options will be rejected. "We urge other agencies to follow our lead and set targets."

Ms Webster says a larger in-house team of lawyers has enabled the Fair Work Ombudsman to significantly reduce its legal spend over the past few years.

"Working towards gender equality in briefing practice is particularly important for the Agency in acting as a best practice employer," she says. "The Fair Work Ombudsman aims to set an example to other employers both with internal practice and external briefing practice."

The Federal Minister for Employment and Minister for Women, Senator the Hon Michaelia Cash says she has been extremely encouraged by the number of female barristers working at the Fair Work Ombudsman.

"Gender equality is about women and men realising their potential and contributing equally both at home and in the workplace - to this end the Fair Work Ombudsman's office is setting a fantastic example to other organisations," Senator Cash added.

Ms Webster says her team of 39 in-house lawyers, all of whom have practising certificates, is one of the largest workplace relations legal practices in Australia. The team comprises 28 female lawyers and 11 males, with 31 percent employed part-time.

"Traditionally many legal practices have put part-time or flexible working arrangements in the too hard basket when it comes to litigation work," Ms Webster says.

"Our organisation has been able to put in place supportive and effective arrangements which ensure we retain valuable employees with specialised skills in a way that meets everyone's needs.

"With effective workforce planning, we have been able to create an engaged and talented practice."

Last financial year, the Fair Work Ombudsman commenced 50 litigation proceedings and was successful in securing penalties in more than 90 per cent decisions handed down by the courts.

"By building internal capability and resources, the Agency has also been able to significantly reduce its legal spend over the past few years as the majority of matters are run by the in-house legal team with assistance from external legal providers as appropriate," Ms Webster said.

Savings were achieved after the Federal Attorney-General approved the Agency's request to reduce its reliance on external lawyers and deal with the work in-house.

The cost savings from re-allocating advice work are part of a broader efficiency campaign that has allowed the Agency to cut its spending on external lawyers by as much as 30 per cent.

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