

State of the Bar Report

For The Victorian Bar Inc. 2023

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Executive Summary

The State of the Bar survey report covers the findings of a survey undertaken in October 2023 by over 630 Victorian barristers who answered the majority of survey questions. With 650 barristers answering at least some of the questions. This represents 30% or almost one third of the barristers at the Victorian Bar.

A) Work Practices:

1. Commercial law was the largest practice area. With male barristers at 65% versus female barristers at 53%. The second largest practice area was criminal law, where female barristers at 48% led their male counterparts at 40%.
2. Since the end of the pandemic, the majority of barristers replied that their number of briefs had remained the same. However, a substantial minority of barristers (22% overall) replied that their number of briefs had actually increased. With 23% of male barristers and 20% of female barristers saying this had occurred.
3. The clear majority of billable time was allocated to medium to small law firms. With male barristers higher (63%) than female barristers (56%). The large law firms scored fairly evenly across both genders here. Legal Aid and OPP had a higher percentage of female barristers by billable time at 35%.
4. Online communication has led to a greater capacity to accept briefs, especially amongst female barristers. For both local (25%) and interstate (28%) briefings.
5. Working from home has expanded greatly since before the pandemic. With the overall number of barristers doing this almost tripling (13% in 2018 increasing to 37% in 2023).

B) Health and Wellbeing

1. Most barristers are content with both life in general and life as a barrister. Overall job satisfaction is high. With combined agree and agree strongly scores of: Total 87%, Male 87% and Female 86%. Overall sense of achievement is also high. With combined agree and agree strongly scores of: Total 89%, Male 90% and Female 89%.
2. Experiencing stress at work has emerged as a strong issue here. A majority of 55% female barristers strongly agree that this was an issue for them. When combined with agree, their total is 94%. Male barristers are also feeling the stress, but to a slightly lesser degree. Their agree strongly score was still a significant 37%. With a combined agree and agree strongly score of 87%.

Further analysis of the data suggests that female barristers are more likely to be mutually supportive regarding managing stress issues than their male counterparts. Female barristers may be more self aware, so they monitor their mental (and physical) health better than their male counterparts.

3. With regard to their actual work conditions and environment, a clear majority agreed that they were able to perform their work to their abilities. They also felt in control over their work situation, especially regarding decisions that impacted on their work. However male barristers were more likely to select the strongly agree answer category (29%) than the female barristers (16%).

It is a similar situation when they were asked about their overall work conditions. Here the male barristers are clearly happier with their work conditions than are the female barristers. This is most prevalent in the strongly agree category, with males at 32% versus females at 13%. For the neutral category females are higher at 16%, and for the disagree category at 17%.

C) Demographics

1. Based on the survey results, there is a growing influx of younger barristers. The largest cohort have been at the Bar for five years or less, followed by those who have been at the Bar for ten years or less. This indicates an encouraging growth in the number of new barristers. Especially female barristers.
2. The age grouping of the barristers surveyed is strongest in the 45 years and under range. In all the age groupings under 45 years, females are the predominant gender.
3. The clear majority of the barristers surveyed are in the top income tax bracket of \$180,000 per year and upwards. Of these, 73% are male barristers and 65% are female barristers. So the gender pay gap persists, even at the higher income range.

D) Workplace Issues

With regards to workplace discrimination, sexual harassment and workplace bullying, the survey results indicated that the first two of these were not a major issue here. However workplace bullying is a significant issue.

1. While the clear majority of 67% said that they had not experienced workplace bullying, 23% or nearly one in four of the barristers that we surveyed have had this experience. Which is clearly an issue of concern.
2. Junior and middle level barristers emerged as the more vulnerable cohort here. With the largest numbers recorded for those who had been at the Bar for 20 years or less.
3. Of those who did experience bullying, these barristers were aged mainly from less than 30 up to 50 years. At 15 years or less call at the Bar. So a pattern has emerged of the younger / junior barristers being bullied. While female barristers are more vulnerable here, younger male barristers also have to deal with this problem as well.
4. The main source of the bullying appears to come from a group of male older (and more senior) barristers. The age group here is mainly 51 years and upwards.
5. The bullying typically takes the form of: Verbal abuse (20% mentioned by male barristers) and intimidation/threats (22% mentioned by female barristers).
6. When asked about their experiences over previous five years. Bullying was the main problem, with responses exceeding 50% across both genders. Discrimination was the second ranked problem area for male barristers. Sexual harassment was the second ranked problem area for female barristers.
7. We then asked if they had witnessed any form of inappropriate behaviour over the past 12 months. Most barristers said that they had not seen anything. For those who did witness inappropriate behaviour, the most frequent example given was bullying. With female barristers (38%) saying that they had witnessed bullying, compared with male barristers (22%).
8. The perpetrator of the bullying event witnessed, was more likely to be from within the Bar. With 68% of female barristers saying this, as compared with male barristers at 58%. That said, the fact that both genders identified the issue as internal to the Bar is a concern. The overall total figure for identifying bullying as origination from within the Bar was 61%.
9. Judicial bullying was also a concern. Especially within the Magistrates Court, the County Court, and (to a lesser extent) the Supreme Court/Court of Appeal.

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Design of the Market Research

This survey in 2023 continues from the earlier survey conducted by Adept Research in 2018 and follows on from the State of The Bar Survey. It was designed to cover a range of topics and services unique to the Victorian Bar. The survey length was such that it could be completed within 12 - 15 minutes. Adept Research administered it and survey responses were obtained across a wide range of barristers. Almost one third of barristers (30% of 2,150 barristers) responded to the survey. This represents a statistically robust sample of barristers.

The actual analysis is based on percentages of the total number of replies to the survey questions, and is charted and/or cross-tabulated against both total and gender. Where appropriate, additional cross tabulations and charts displaying data for age groups and length of time at the Bar were also utilised.

New questions were asked in the 2023 survey. These have been consolidated and the results that emerged have been summarised in this report.

Limitations

In a survey of this nature there will always be some barristers who will not answer some of the survey questions, either by accident or by choice. This then causes some survey questions to be answered less frequently than others. For example, our survey received a maximum of 650 responses. So 650 barristers opened the link to the survey and submitted the questionnaire. But not all of them completed all of the questions.

The most likely reasons for this are:

1. Some barristers just chose to ignore / not answer certain questions for whatever reason.
2. Some barristers may have been interrupted while completing the survey, become distracted, and then accidentally missed a question upon resuming their answers.

To compensate for this, we use percentages as the basis for our analysis and findings, instead of raw numbers. Raw numbers are included here only to provide context and a base line.

In this survey, the actual number of barristers who answered at least some, or most, of the survey questions that applied to them ranged from: 640 - 650 barristers. Depending on how many questions each barrister answered.

For each of our surveys, we automatically keep count of the responses we receive. In this instance, we have calculated that there were 19 barristers who answered less than 20 of the potential 76 questions in the survey. Which is less than half of the survey.

Once we take out these 19 barristers from the 650 mentioned above, we can then calculate a realistic minimum sample size of 631.

Please note: In the latter part of the survey where not every question applies to every barrister, some barristers would automatically skip over certain questions. Here the number of actual responses would therefore automatically be smaller, which is to be expected.

Raw Data Count

The following table displays the number of responses to all the questions in the survey based on: Total, gender and age groups. All graphs and charts throughout this report are displayed in both the raw data count and as percentages.

Please treat the table below as representing the “realistic minimum number” of replies from those barristers who were eligible to answer all the of the survey questions, and then did so.

The “other” category shown in the table below was too small to have any influence on the actual survey results and was therefore removed from the final data calculations. The “prefer not to say” response only applied to the demographic questions, so it has no impact on any of the other data or analysis.

All the subsequent percentage tables and charts displayed later in the report are based on these results. Or the equivalent tables for the other questions that we asked. In some instances, additional tables and data sets were use for further analysis. All data tables are calculated downwards, as that is how the data sets were arranged.

Age / Gender	Total	Male	Female	Other
Prefer not to say	21	11	10	0
30 or below	16	11	5	0
31-35	89	44	43	2
36-40	107	55	50	2
41-45	98	51	46	1
46-50	73	44	29	0
51-55	79	40	38	1
56-60	49	37	12	0
61-65	37	28	9	0
66 or above	62	48	13	1
Total	631	369	255	7

Key Findings

A) Work Practices: Questions 1 – 14.

1. Since the pandemic, there has been virtually no change in the timing of briefing to barristers.
2. Overall, barristers spent 2/3 of their time out of court. With male barristers slightly higher (71%) than female barristers (66%). Very little of their time was spent in country Victoria.
3. Commercial law was the largest practice area. With male barristers at 65% versus female barristers at 53%. The second largest practice area was criminal law, where female barristers at 48% led their male counterparts at 40%.
4. Since the end of the pandemic, the majority of barristers replied that their number of briefs had remained the same. However, a substantial minority of barristers (22% overall) replied that their number of briefs had actually increased. With 23% of male barristers and 20% of female barristers saying this had occurred.
5. The clear majority of billable time was allocated to medium to small law firms. With male barristers higher (63%) than female barristers (56%). The large law firms scored fairly evenly across both genders here. Legal Aid and OPP had a higher percentage of female barristers by billable time at 35%.
6. Online communication has led to a greater capacity to accept briefs, especially amongst female barristers. For both local (25%) and interstate (28%) briefings. Male barristers also benefited, with 18% for local briefs, rising to 32% for interstate briefs.
7. Working from home (WFH) has expanded greatly since before the pandemic. With the overall number of barristers doing this almost tripling (13% in 2018 increasing to 37% in 2023). Female barristers increased their WFH from 14% to 41%. The male barristers increased their WFH from 12% to 35%.
8. Pro bono and volunteer work scored highest at 10 hours per week. With a second smaller grouping of 40 hours per week. Irrespective of gender. It was a similar situation regarding volunteer work.

When asked specifically regarding pro bono advice for the Evidence Act 2008, a strong majority of over 80% said that they had not done so. A smaller percentage said that they had done up to five hours per week on this.

9. In terms of being briefed by another barrister over the past six months, male seniors (silk or more than 10 years call) were at 59%. With female senior barristers (silk or more than 10 years call) being higher at 64%. Otherwise the other category numbers being briefed were similar. Ranging in the 20's percentage range across both genders.
10. When the barristers we surveyed were actually recommending other barristers to be briefed, female barristers recommended female juniors by a higher margin (50%) than for male barrister recommending male juniors (40%). Conversely, male barristers tended to favour male juniors for briefing by 37% to 29% for female juniors.

When briefing a more senior barrister, female barristers favoured female barristers by 25% to 18% for males. In contrast, male barristers briefed their more senior colleagues evenly, at 26% for both gender.

B) Health and Wellbeing: Questions 15 – 40.

1. Most barristers are content with both life in general and life as a barrister. Overall job satisfaction is high. With combined agree and agree strongly scores of: Total 87%, Male 87% and Female 86%. Overall sense of achievement is also high. With combined agree and agree strongly scores of: Total 89%, Male 90% and Female 89%.
2. Support from colleges to deal with issues appears to be strong. This is more prevalent among female barristers with a combined positive score of 62% as compared with male barristers at 52%.
3. Experiencing stress at work has emerged as a strong issue here. Female barristers strongly agreed with this statement. A majority of 55% female barristers strongly agree that this was an issue for them. When combined with agree, the total is 94%. Male barristers are also feeling the stress, but to a slightly lesser degree. Their agree strongly score was still a significant 37%. With a combined agree and agree strongly score of 87%.

Despite the high stress levels mention above, there appears to be a robust capacity to manage this stress. Overall 76% of all the barristers survey said that they either agreed or agreed strongly that they had ways of dealing with stress. When we drill down into this, we see that 75% of male barristers and 77% of female barristers were the combined scores here. If we just look at the agree category, a gap opens up. With 65% for females and 58% for males.

This suggests that female barristers are more likely to be mutually supportive regarding managing stress issues that their male counterparts. Female barristers may be more self aware, so they monitor their mental (and physical) health better that their male counterparts.

4. When they were asked about their capacity to be emotionally strong and able to manage stress causing issues, the combined agree and agree strongly scores are: Total 71%, Male 71% and Female 70%. So the majority feel in control of their stress levels.

It should be noted that the neutral answer category here scored in double figures. With the: Total at 20%, Males at 21% and Females at 19%. This number is higher than the neutral scores recorded in some of the other survey questions regarding the well being of barristers. This could be due to the barristers not wishing to admit to us (or to themselves) that stress is a problem for them.

5. Question 33 explores this further. When asked if the job impacts on their mental health in a positive way. Here there is a clear difference based on gender. A combined total of disagree and disagree strongly for female barristers scores at 40%. With a neutral score of 26%. So 66% do not agree that their job impacts on their mental health in a positive way.

This contrasts with male barristers where 28% either disagree or disagree strongly. It should be noted that they have a higher neutral score at 33%. So the combined score of male barristers that did not select either agree, or agree strongly, is 61%. So only 5% behind the female barristers. This may indicate that the male barristers are less willing to acknowledge how their job impacts on their mental health.

6. In terms of physical health, getting adequate sleep is an issue. For the combined disagree and disagree strongly, the scores are: Total 45%, Male 40% and Female 55%. Only 32% of female barristers either agreed or agreed strongly with this, versus 45% of the male barristers.

7. With regard to their actual work conditions and environment, a clear majority agreed that they were able to perform their work to their abilities. They also felt in control over their work situation, especially regarding decisions that impacted on their work. However male barristers were more likely to select the strongly agree answer category (29%) than the female barristers (16%). We should note that the female barristers also scored the highest neutral answer, at 25% when asked about decisions that impacted on their work.

It is a similar situation when they were asked about their overall work conditions. Here the male barristers are clearly happier with their work conditions than are the female barristers. This is most prevalent in the strongly agree category, with males at 32% versus females at 13%. For the neutral category females are higher at 16%, and for the disagree category at 17%.

8. Their perception of the Victorian Bar's understanding of their situation, and its capacity to help, elicited a strong neutral response. With 45% overall, 47% for male barristers and 42% for female barristers. That said, some 29% overall agreed to at least some extent, that the Victorian Bar did understand and was trying to help. Males were 29% and females were 32% here.
9. When asked if the Victorian Bar can do more to better support barristers' mental health, the barristers surveyed were unsure. The neutral answer scored highest here. With the Total 47%, Males 52% and Females 39%. This is an important difference. It suggests that males may believe that they need more support, but are unsure on how to articulate their needs or concerns.

An example of this is demonstrated by the combined agree and agree strongly scores. For females it is 49% but it is only 32% for males.

In question 39 a range of potential options were canvassed with the barristers we surveyed. Of these, peer focused interest groups were seen as being the most popular, ahead of physical exercise and small group de-briefing.

C) Demographics – Questions: 41 – 57

1. Based on the survey results, there is a growing influx of younger barristers. The largest cohort have been at the Bar for five years or less, followed by those who have been at the Bar for ten years or less. When we combine these two totals, we get: Overall 48%, Male 40% and Female 58%. This indicates an encouraging growth in the number of new female barristers.
2. The age grouping of the barristers surveyed is strongest in the 45 years and under range. In all the age groupings under 45 years, females are the predominant gender.
3. The clear majority of the barristers surveyed are in the top income tax bracket of \$180,000 per year and upwards. Of these, 73% are male barristers and 65% are female barristers. So the gender pay gap persists, even at the higher income range.

D) Workplace Issues – Questions: 58 - 76

With regards to workplace discrimination, sexual harassment and workplace bullying, the survey results indicated that the first two of these were not a major issue here. However from the results of this survey, workplace bullying has emerged as a significant issue.

1. While the clear majority of 67% (or 2/3) said that they had not experienced workplace bullying, some 23% or nearly 1/4 of the barristers that we surveyed have had this experience. Which is clearly an issue of concern.
2. Junior and middle level barristers emerged as the more vulnerable cohort here. With the largest numbers recorded for those who had been at the Bar for 20 years or less. Bullying was the main issue raised by them.
3. Of those barristers who did experience bullying, they were aged mainly from less than 30 up to 50 years. There was still a noticeable percentage of barristers aged over 50. But the actual numbers recorded here were smaller in comparison to the relatively younger cohort.

So a pattern has emerged of the younger / junior barristers being bullied. While female barristers are more vulnerable here, younger male barristers also have to deal with this problem as well.

4. The bad conduct (in most cases bullying) experienced was more likely to be from within the Bar. Especially for female barristers (67%) as compared with male barristers (58%).
That said, externally driven bad conduct (bullying) was also a feature here. With male barristers (42%) more likely to experience external bullying than female barristers (33%).
5. Within the Bar, senior barristers were more likely to be the source of the problem. Especially for junior female barristers (82%). That said; 62% of male barristers experienced this problem as well.
6. The main source of the bullying appears to come from a male driven group of older and more senior barristers. The age group here is 51 years and upwards.
7. The bullying typically takes the form of: Verbal abuse (20% mentioned by male barristers) and intimidation/threats (22% mentioned by female barristers). Other examples included (by overall total):
 - Being denied work 13%
 - Incivility 13%
 - Exclusion / Isolation 12%
8. Female barristers answered that they saw this as being mainly influenced by gender.

We then asked about the previous five years.*

9. Bullying emerged as the issue here. It exceeded 50% across both genders. Discrimination was the second ranked problem area for male barristers. Sexual harassment is the second ranked problem area for female barristers.

We then asked if they had witnessed any for of inappropriate behaviour over the past 12 months. Again, most barristers said that they had not seen anything.

10. For those who did witness inappropriate behaviour, the most frequent example given was bullying. With female barristers (38%) more likely to say that they has witnessed bullying that male barristers (22%).
11. The perpetrator of the bullying event witnessed, was more likely to be from within the bar. With 68% of female barristers saying this, as compared with male barristers at 58%. That said, the fact that both genders identified the issue as internal to the Bar is a concern. The overall total figure for identifying bullying as origination from within the Bar was 61%.
12. In terms of bullying from within the Bar, a more senior barrister was typically identified here. With the total responses being 70%, male barristers responded with 62% and female barristers responded with 76%.

It should be noted that 12% of the male barristers we surveyed also identified a less senior barrister as the source of the bullying.

13. The age group of people who are bullying others at the Bar trends to the older demographic. With the largest single age group being 51 – 60 years of age. Female barristers observed more bullying from barristers aged over 60 years. Male barristers observed more bullying from barristers aged 51 – 60 years. There is also an issue with barristers (of both gender) aged 41-50 years.
14. From Q63. Intimidation and threats was the stand out example here, closely followed by verbal abuse. Exclusion or isolate was another clear problem issue raised, followed by incivility. Being denied work was mentioned as well, particularly by the male barristers.
15. In the follow up Q64, there were various inappropriate remarks that were intended to belittle and / or intimidate the barristers who gave these examples. The most frequent were centred around: Sexuality, gender, political views, not being a member of the clique, and generally “erratic behaviour” by judges.
16. This still raises the issue of external bullying, which was identified by 48% of male barristers and 32% of female barristers. The overall total here was 39%.
17. Further analysis shows that the external bullying occurred mainly in court, with judicial bullying being most prevalent within the county court at 25% of those who had experienced recent bullying over the past 12 months, followed by the magistrates court with 18%.

Typical examples of this type of behaviour included both hostile courtroom behaviour and rude and aggressive behaviour.

**Please note that a possible double count may have occurred regarding some of the barristers when they mentioned that they had experienced inappropriate behaviour for Q58 (within the past 12 months) as compared with Q72 (over the past 5 years). The wording of future questions for this topic will be changed in order to prevent this problem from recurring in future surveys.*

We then asked about what they had witnessed over the previous five years

18. While a majority of barrister have not witness bad behaviour over the past five years, a substantial number did witness it. With female barristers recalling it more often than male barristers. As with the previous answers provided, bullying is again the main example here. With 53% of female barristers having seen it, as compared with male barristers at 38%.

We then asked them about judicial bullying, over the past 12 months.

19. Judicial bullying appears to be a problem issue here. With around one in four barristers having either experienced it themselves, witnessed it happen to others, or both. Female barristers experienced this slightly more than males. But both gender groups were clearly affected by this.

20. This type of bullying behaviour starts within the past 12 months and then goes back up to five years ago, or more, in the case of male barristers.

21. The two main jurisdictions where bullying has occurred are the two lower courts, the Magistrates Court and the County Court. Here the numbers for both genders are very closely matched. While some judicial bullying happens within the Supreme Court/Court of Appeal, this is more likely to impact on male barristers.

Data Analysis

Section 1 – Work Practices

Q 1 Since the COVID-19 pandemic has there been any change to the timing of when you are briefed by solicitors?

	Total	Male	Female	Total	Male	Female
Yes earlier in a legal matter or proceeding	35	18	15	5%	5%	6%
Yes later in a legal matter or proceeding	100	51	46	16%	14%	18%
No noticeable change	508	298	191	79%	81%	76%
Total	643	367	252	100%	100%	100%

Overall most barristers saw no change here. A noticeable minority said that some briefings were occurring later than pre pandemic.

Q2. For 2022/23, what was the approximate percentage of days you were in and out of court?

Category	Overall Average	Male Average	Female Average
In court	32%	29%	34%
Out of court	68%	71%	66%

On average, male barristers spent more time out of court than did female barristers.

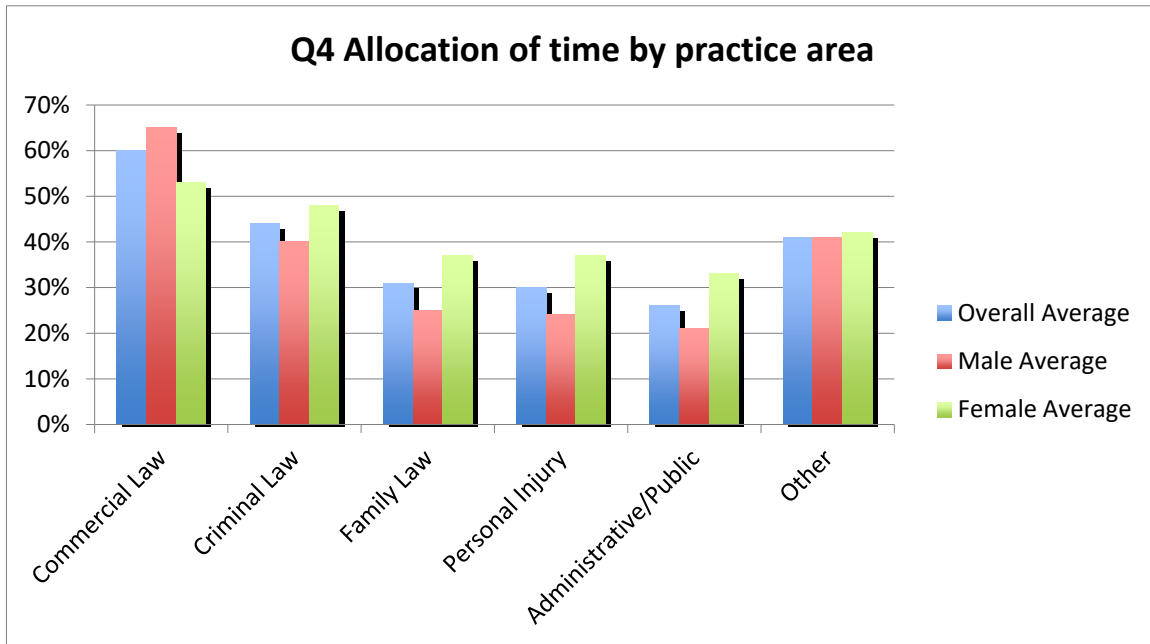
Q3. For 2022/23, what was the approximate percentage of your time spent working in regional Victoria?

Category	Overall Average	Male Average	Female Average
In Regional Victoria	7%	7%	6%

There was very little time spent in country Victoria.

Q4. For 2022/23, what was the approximate percentage allocation of your time by practice area?

Practice Area	Overall Average	Male Average	Female Average
Commercial Law	60%	65%	53%
Criminal Law	44%	40%	48%
Family Law	31%	25%	37%
Personal Injury	30%	24%	37%
Administrative/Public	26%	21%	33%
Other	41%	41%	42%



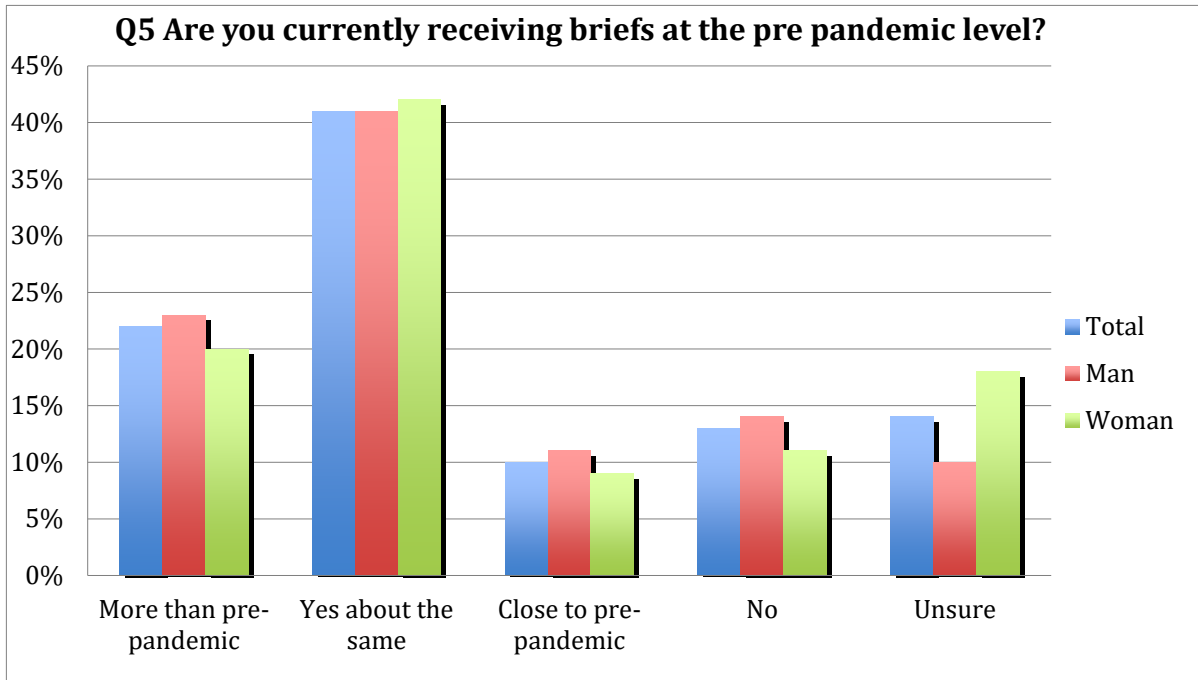
Commercial law was the largest area of practice. With male barristers averaging 65% for commercial, versus female barristers averaging 53%.

Criminal law came in second, with 48% for female barristers versus 40% for male barristers. This was the narrowest gap between the genders. In all the other areas of practice the gap was 12 – 13 percentage points.

Female barristers spent more time in the family law, personal injury law and Administrative/public law, than the male barristers.

Q 5 Emerging from the COVID-19 pandemic are you currently receiving briefs at a pre-pandemic level?

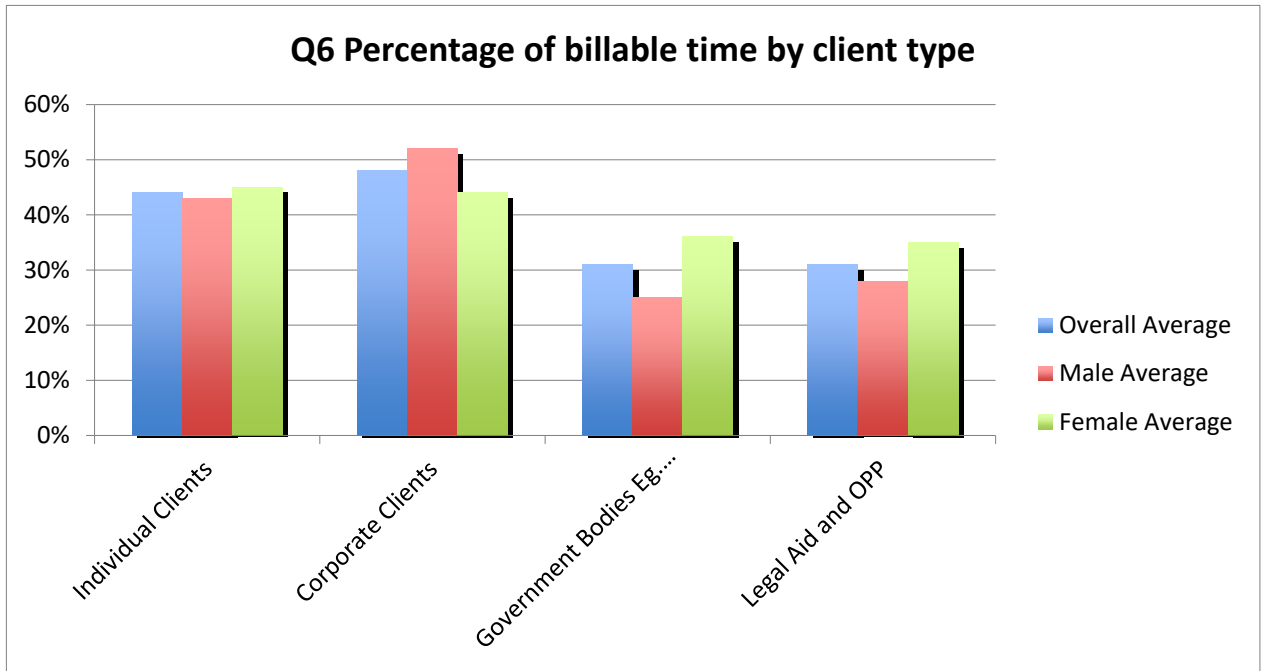
	Total	Male	Female	Total	Male	Female
More than pre-pandemic.	142	85	51	22%	23%	20%
Yes about the same.	264	149	107	41%	41%	42%
Close to pre-pandemic levels	67	41	23	10%	11%	9%
No.	84	52	29	13%	14%	11%
Unsure.	88	38	46	14%	10%	18%
Total	645	365	256	100%	100%	100%



The largest cohort said that briefs were occurring at pre pandemic levels. A significant minority mentioned that briefs had actually **increased**.

Q6. For 2022/23, what was the approximate percentage allocation of your billable time by client type?

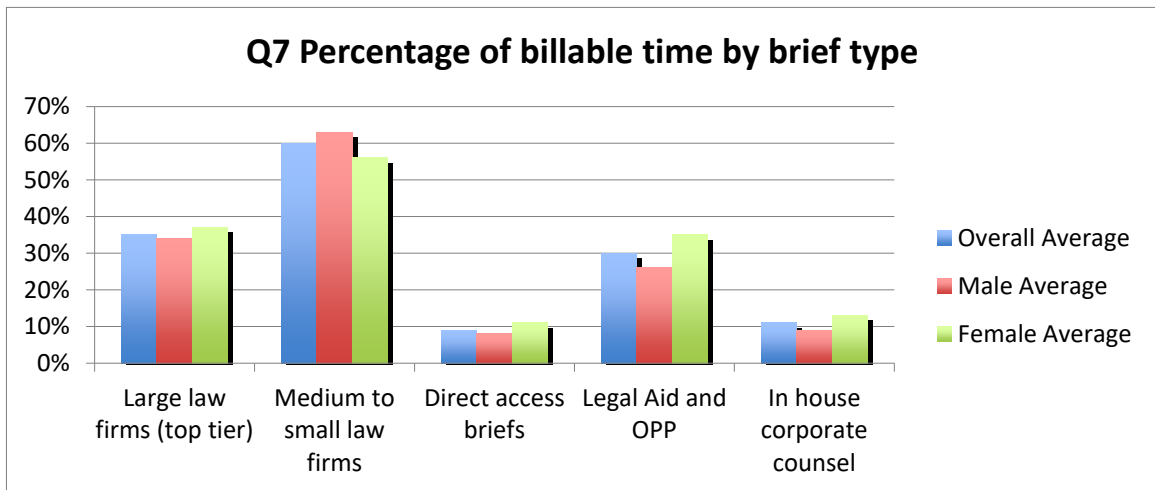
Client Type	Overall Average	Male Average	Female Average
Individual Clients	44%	43%	45%
Corporate Clients	48%	52%	44%
Government Bodies Eg. AGS/VGSO/SRO/Work Cover	31%	25%	36%
Legal Aid and OPP	31%	28%	35%



Corporate clients stood out for the male barristers. Individual clients were evenly spread across gender, and government bodies favoured female barristers. As did legal aid and OPP.

Q7. For 2022/23, what was the approximate percentage allocation of your billable time by brief type?

Type of Brief	Overall Average	Male Average	Female Average
Large law firms (top tier)	35%	34%	37%
Medium to small law firms	60%	63%	56%
Direct access briefs	9%	8%	11%
Legal Aid and OPP	30%	26%	35%
In house corporate counsel	11%	9%	13%

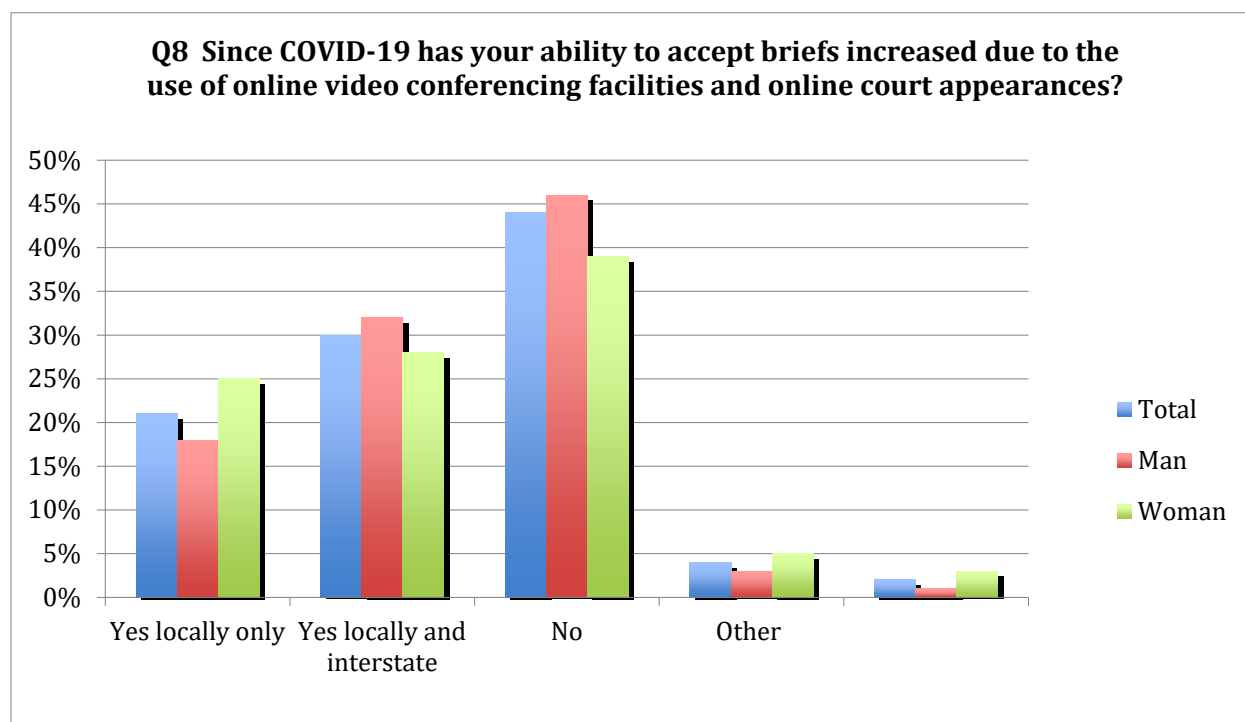


The clear majority of billable time was allocated to medium to small law firms. With male barristers higher than female barristers.

The large law firms scored fairly evenly across both genders here. Legal Aid and OPP had a higher percentage of female barristers by billable time.

Q 8 Since the COVID-19 pandemic has your ability to accept briefs increased due to the use of online video conferencing facilities and online court appearances?

Response	Total	Male	Female	Total	Male	Female
Yes locally only.	134	67	63	21%	18%	25%
Yes locally and interstate.	194	116	72	30%	32%	28%
No.	282	170	100	44%	46%	39%
Other	34	13	20	5%	4%	8%
Total	644	366	255	100%	100%	100%



Online communication has led to a greater capacity to accept briefs, especially amongst female barristers. For both local (25%) and interstate (28%) briefings.

Male barristers also benefited, with 18% for local briefs, rising to 32% for interstate briefs.

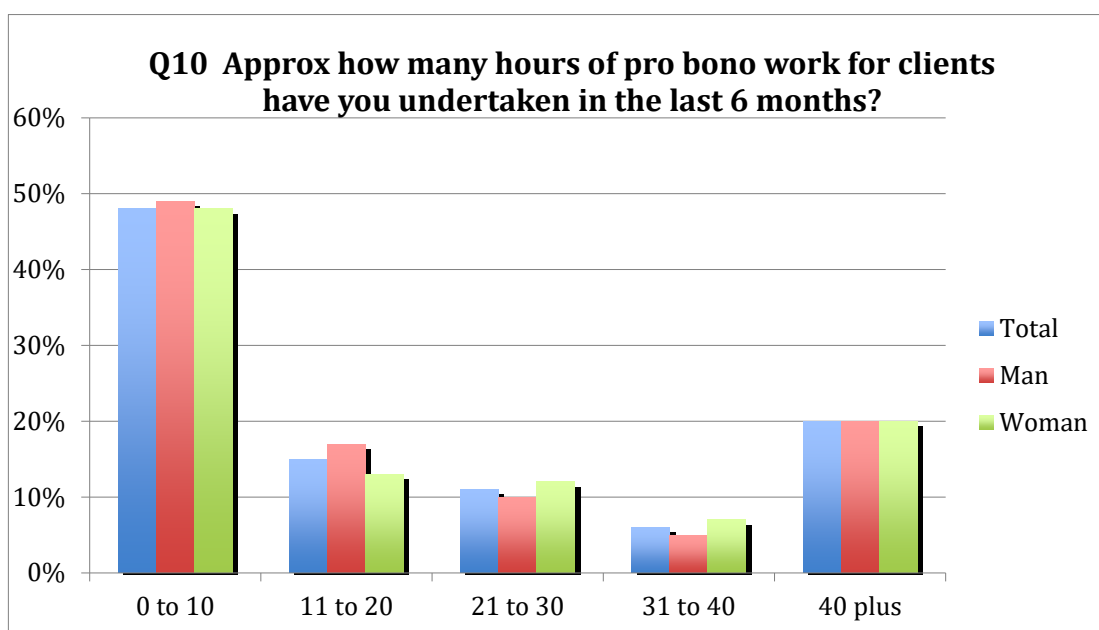
Q9. What percentage of time did you spend working from home pre- and post-pandemic?

Category	Overall Average	Male Average	Female Average
Pre Pandemic	13%	12%	14%
Post Pandemic	37%	35%	41%

There has been a substantial increase in “working from home” post pandemic. The percentage of barristers working from home has almost tripled. With female barristers (41%) being more likely to embrace this approach than their male counterparts (35%).

Q 10 Approximately how many hours of pro bono work for clients have you undertaken in the last 6 months?

Hours	Total	Male	Female	Total	Male	Female
0 to 10	312	180	121	48%	49%	48%
11 to 20	99	61	34	15%	17%	13%
21 to 30	69	38	29	11%	10%	12%
31 to 40	37	17	17	6%	5%	7%
40 plus	128	73	51	20%	20%	20%
Total	645	369	252	100%	100%	100%



This divides up into those barristers who perform 40 plus hours per week (20%) and those who perform less than 10 hours per week (48%).

Q 11 Approximately how many hours of volunteer work have you undertaken for either the Victorian Bar or community service organisations in the last 12 months?

Hours	Total	Male	Female	Total	Male	Female
0 to 10	344	207	129	53%	56%	50%
11 to 20	82	46	34	13%	12%	13%
21 to 30	42	17	23	6%	5%	9%
31 to 40	23	14	6	4%	4%	2%
40 plus	157	84	64	24%	23%	25%
Total	648	368	256	100%	100%	100%

The results for volunteering are similar to the results for the previous question regarding pro bono work. With 40 plus hours at 24% in total, and less than 10 hours at 53% in total.

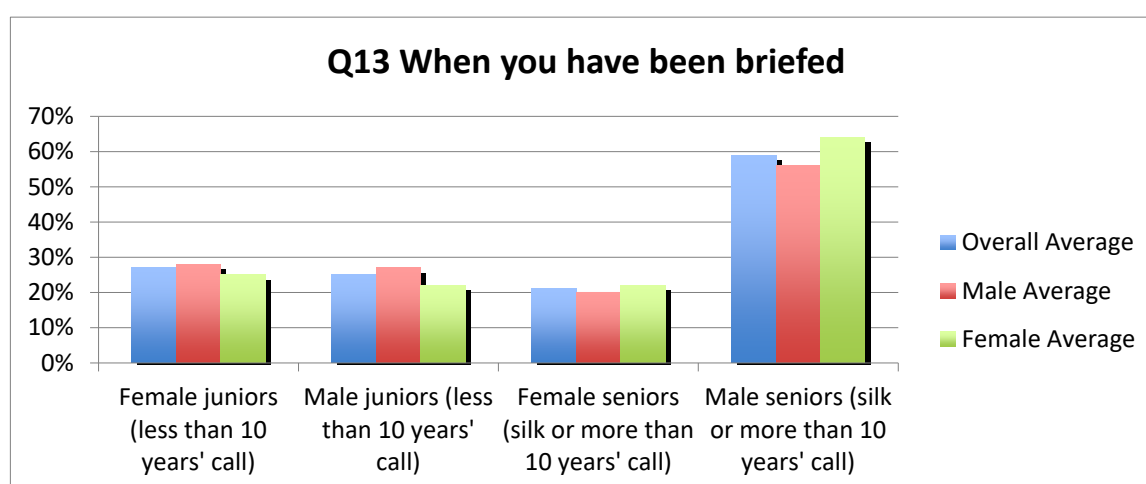
Q 12 Have you given any pro bono advice with respect to section 18 (compellability) or section 128 (privilege in respect of self-incrimination) of the Evidence Act 2008 in the last 12 months? If yes approximately how many hours have you spent on those matters?

Hours	Total	Male	Female	Total	Male	Female
None	542	304	217	84%	82%	85%
0 to 5	58	36	19	9%	10%	7%
6 to 10	28	14	14	4%	4%	5%
11 to 20	13	9	4	2%	2%	2%
21 to 30	2	2	0	0%	1%	0%
31 to 40	1	1	0	0%	0%	0%
40 plus	5	3	2	1%	1%	1%
Total	649	369	256	100%	100%	100%

The overwhelming majority (84% in total) have not done this at all. A small minority (9% in total) have done up to 5 hours per week on this.

Q13. In the last six months, when you have been briefed to appear with a leader or junior, approximately what percentage of those barristers were?

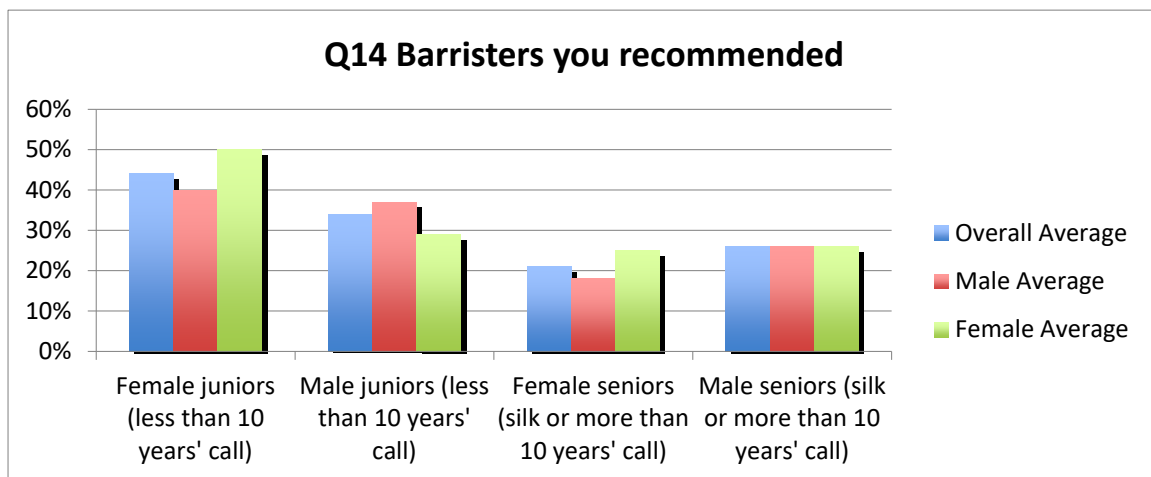
Briefed to appear with	Overall Average	Male Average	Female Average
Female juniors (less than 10 years' call)	27%	28%	25%
Male juniors (less than 10 years' call)	25%	27%	22%
Female seniors (silk or more than 10 years' call)	21%	20%	22%
Male seniors (silk or more than 10 years' call)	59%	56%	64%



Overall there is little difference across briefing by gender here. The only standout difference is briefing for Male Seniors, where female barristers (64%) are briefed ahead of male barristers (56%).

Q14. In the last six months, by seniority and gender, what percentage of barristers did you recommend be briefed?

Recommended to be briefed	Overall Average	Male Average	Female Average
Female juniors (less than 10 years' call)	44%	40%	50%
Male juniors (less than 10 years' call)	34%	37%	29%
Female seniors (silk or more than 10 years' call)	21%	18%	25%
Male seniors (silk or more than 10 years' call)	26%	26%	26%



Female barristers recommended female juniors by a higher margin (50%) than for male barristers recommending male juniors (40%). Conversely, male barristers tended to favour male juniors for briefing by 37% to 29% for female juniors.

When recommending a more senior barrister, female barristers favoured female barristers by 25% to 18% for males. In contrast, male barristers recommended their more senior colleges evenly, at 26% for both gender.

Section 2 – Health and Wellbeing

Q 15 I am content with my life in general.

Answer	Total	Male	Female	Total	Male	Female
Strongly agree	203	137	56	31%	37%	22%
Agree	315	161	144	49%	44%	56%
Neutral	67	37	28	10%	10%	11%
Disagree	53	24	27	8%	7%	11%
Strongly disagree	8	7	1	1%	2%	0%
Total	646	366	256	100%	100%	100%

When we combine the agree and agree strongly categories, 80% overall are content with life in general. With 81% for male barristers and 78% for female barristers. A couple of items to take note of:

- The agree (versus agree strongly) was 56% female compared with 44% male. For the agree strongly category, this was 37% male and only 22% female.
- For the disagree category, 11% were female barristers. Compared with male barristers at 7%.

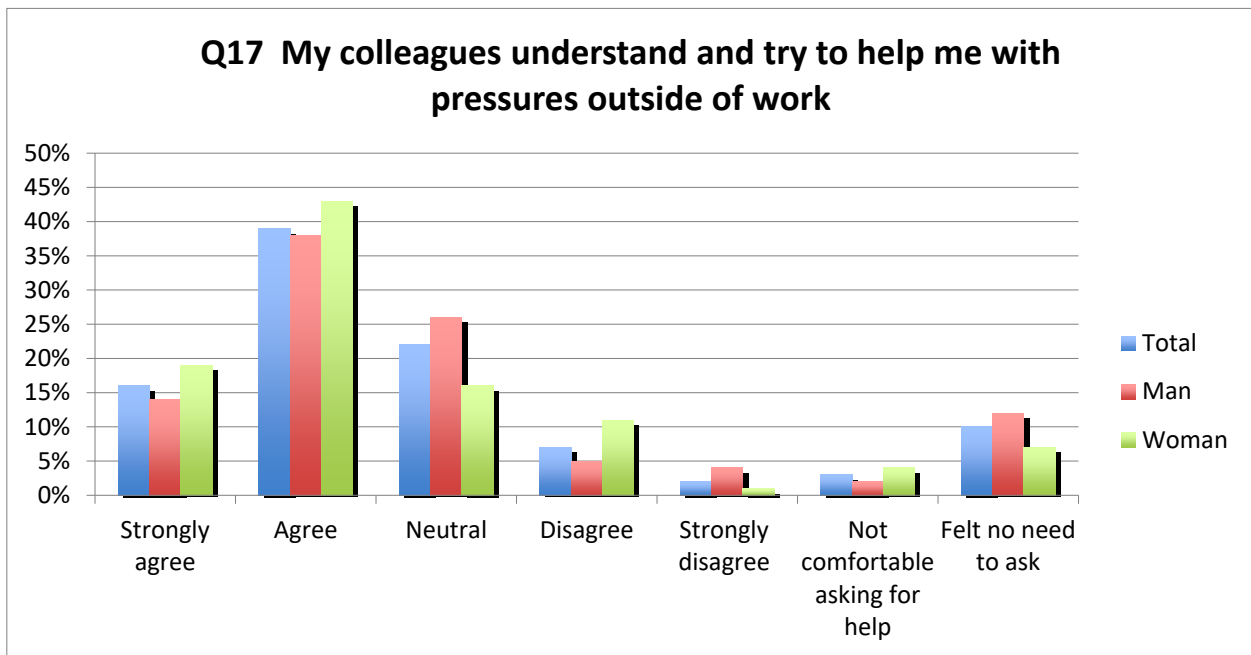
Q 16 I am content with my life as a barrister.

Answer	Total	Male	Female	Total	Male	Female
Strongly agree	173	117	48	27%	32%	19%
Agree	304	162	132	47%	44%	52%
Neutral	80	39	39	12%	11%	15%
Disagree	75	40	31	12%	11%	12%
Strongly disagree	14	8	6	2%	2%	2%
Total	646	366	256	100%	100%	100%

The results here are similar to the previous question. The main difference is that female barristers score a higher neutral score at 15%.

Q 17 My colleagues understand and try to help me with pressures outside of work.

Answer	Total	Male	Female	Total	Male	Female
Strongly agree	105	50	49	16%	14%	19%
Agree	254	138	109	39%	38%	43%
Neutral	141	96	41	22%	26%	16%
Disagree	48	17	27	7%	5%	11%
Strongly disagree	16	14	2	2%	4%	1%
Not comfortable asking for help	19	8	11	3%	2%	4%
Felt no need to ask	64	44	17	10%	12%	7%
Total	647	367	256	100%	100%	100%



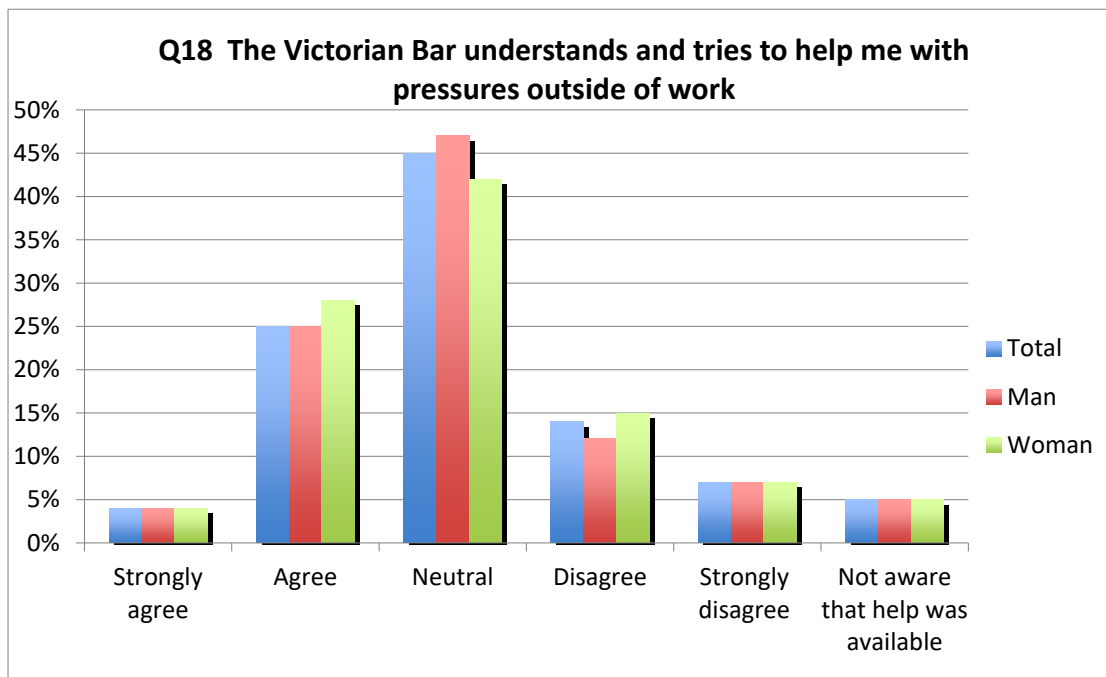
There is a strong informal support network occurring here. When we combine the agree and agree strongly categories we get:

- Total barristers 55%.
- Female barristers 62%
- Male barristers 52%

Male barristers are more likely to be neutral in this topic at 26%. Female barristers are more likely to disagree, with a combined score of 12%.

Q 18 The Victorian Bar understands and tries to help me with pressures outside of work.

Answer	Total	Male	Female	Total	Male	Female
Strongly agree	27	15	9	4%	4%	4%
Agree	164	90	72	25%	25%	28%
Neutral	289	172	107	45%	47%	42%
Disagree	89	45	38	14%	12%	15%
Strongly disagree	44	26	17	7%	7%	7%
Not aware that help was available	31	17	12	5%	5%	5%
Total	644	365	255	100%	100%	100%



The neutral answer is very strong here. Followed by the lower scale agree and disagree categories. With “agree” being the slightly higher of the two.

Q 19 I am generally happy with my ability to do my work.

Answer	Total	Male	Female	Total	Male	Female
Strongly agree	181	124	46	28%	34%	18%
Agree	371	199	159	58%	54%	62%
Neutral	52	23	29	8%	6%	11%
Disagree	38	18	20	6%	5%	8%
Strongly disagree	3	2	1	0%	1%	0%
Total	645	366	255	100%	100%	100%

The combined agree and strongly agree scores here are:

- Total 86%
- Male 88%
- Female 80%

Females had the highest disagree score with 8%.

Q 20 I feel involved in decisions that affect me at work.

Answer	Total	Male	Female	Total	Male	Female
Strongly agree	155	105	42	24%	29%	16%
Agree	275	163	105	43%	45%	41%
Neutral	127	56	63	20%	15%	25%
Disagree	71	35	36	11%	10%	14%
Strongly disagree	17	7	9	3%	2%	4%
Total	645	366	255	100%	100%	100%

Here male barristers have a greater sense of being involved in these decisions than female barristers. This is most prevalent in the strongly agree category, with males at 29% versus females at 16%. For the neutral category females are higher at 25% and for the disagree category at 14%.

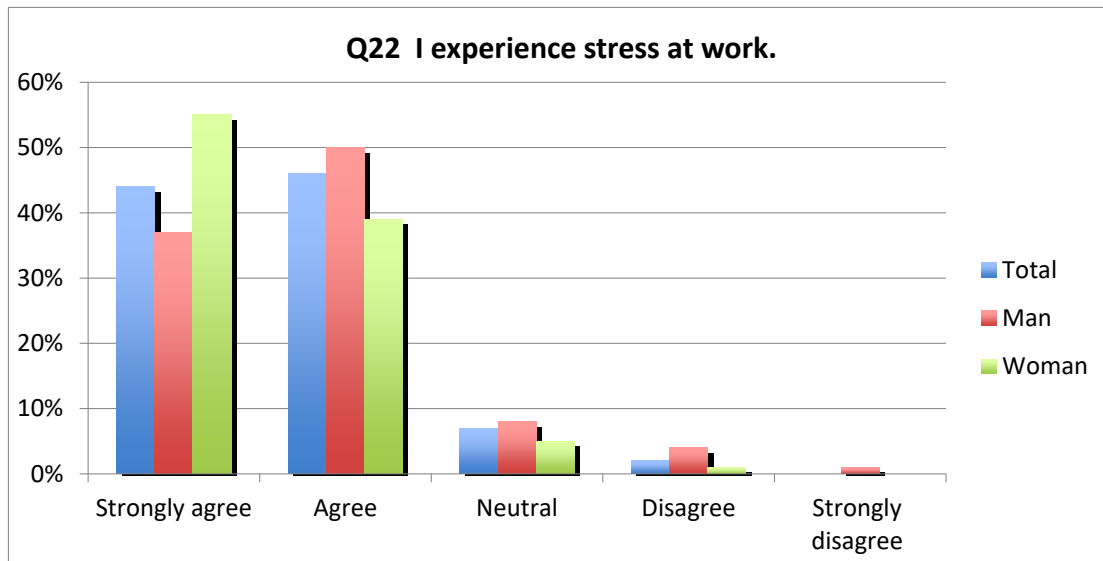
Q 21 I am happy with my work conditions.

Answer	Total	Male	Female	Total	Male	Female
Strongly agree	159	118	33	25%	32%	13%
Agree	314	172	133	49%	47%	52%
Neutral	87	43	40	14%	12%	16%
Disagree	70	24	43	11%	7%	17%
Strongly disagree	13	8	5	2%	2%	2%
Total	643	365	254	100%	100%	100%

Here male barristers are clearly happier with their work conditions than female barristers. This is most prevalent in the strongly agree category, with males at 32% versus females at 13%. For the neutral category females are higher at 16% and for the disagree category at 17%.

Q 22 I experience stress at work.

Answer	Total	Male	Female	Total	Male	Female
Strongly agree	284	134	142	44%	37%	55%
Agree	297	184	99	46%	50%	39%
Neutral	45	31	13	7%	8%	5%
Disagree	16	13	2	2%	4%	1%
Strongly disagree	3	3	0	0%	1%	0%
Total	645	365	256	100%	100%	100%



Female barrister strongly agreed with this statement. A majority of 55% was recorded here. When combined with agree, the total is 94%.

Male barristers are also feeling the stress, but to a slightly lesser degree. With a combined total of 87%.

When we look at age groups compared with experiencing stress at work.

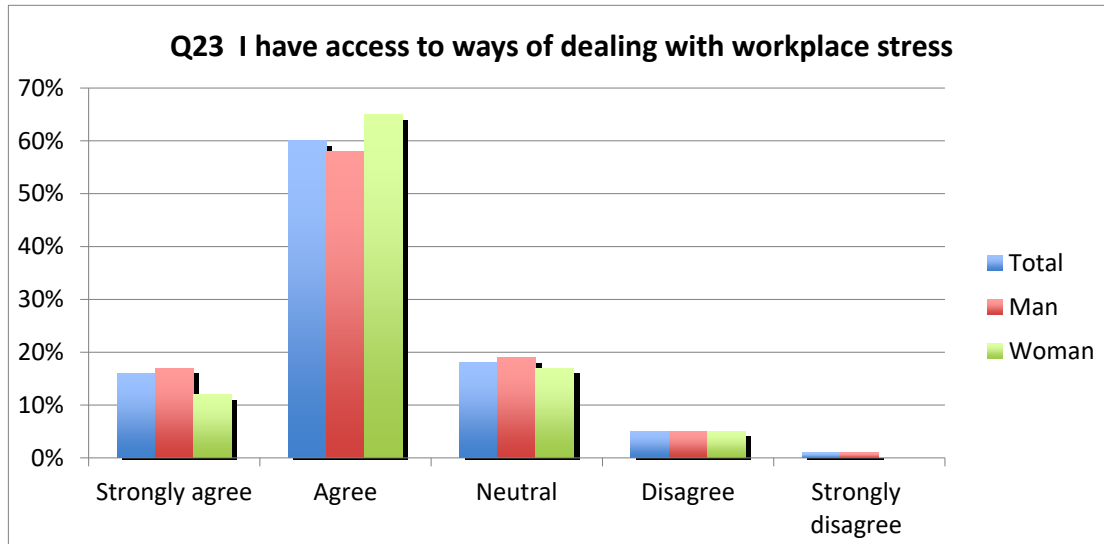
Answer	Total	Under 30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	66-70	71 +
Strongly agree	44%	40%	54%	58%	54%	47%	49%	22%	19%	30%	8%
Agree	46%	40%	44%	34%	40%	44%	47%	62%	69%	59%	40%
Neutral	7%	7%	2%	7%	4%	10%	4%	10%	6%	8%	32%
Disagree	2%	13%	0%	1%	1%	0%	0%	6%	3%	3%	20%
Strongly disagree	0%	0%	0%	0%	1%	0%	0%	0%	3%	0%	0%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

The highest levels of stress are being experienced across the younger barristers. So those aged 31 - up to 45 years. These all recorded “strongly agree” scores of 50% or higher. That said, when we combine agree with agree strongly, all barristers aged over 30 years have experienced stress at work of some kind.

The strongest scores for agree strongly (scores over 50%) were received from barristers at 10 years call or less. Stress is still an issue for the rest of the barristers as well. This issue only starts to abate with barristers as they get older, more experienced and more confident.

Q 23 I have access to ways of dealing with workplace stress.

Answer	Total	Male	Female	Total	Male	Female
Strongly agree	102	63	31	16%	17%	12%
Agree	388	212	167	60%	58%	65%
Neutral	117	68	44	18%	19%	17%
Disagree	32	18	12	5%	5%	5%
Strongly disagree	6	5	1	1%	1%	0%
Total	645	366	255	100%	100%	100%



There appears to be a range of options available for dealing with workplace stress.

Q 24 I am satisfied with the overall quality of my working life.

Answer	Total	Male	Female	Total	Male	Female
Strongly agree	150	107	36	23%	29%	14%
Agree	339	182	145	53%	50%	57%
Neutral	76	35	39	12%	10%	15%
Disagree	69	35	31	11%	10%	12%
Strongly disagree	11	8	3	2%	2%	1%
Total	645	367	254	100%	100%	100%

Overall satisfaction here is high, with combined agree and agree strongly scores of:
 Total: 76% Male: 79% Female: 71%

Q 25 Given my experience I am paid fairly for the job that I do.

Answer	Total	Male	Female	Total	Male	Female
Strongly agree	245	158	76	38%	43%	30%
Agree	237	132	98	37%	36%	38%
Neutral	61	32	24	9%	9%	9%
Disagree	69	29	39	11%	8%	15%
Strongly disagree	36	17	19	6%	5%	7%
Total	648	368	256	100%	100%	100%

Combined agree and strongly agree scores here are:

Total: 75% Male: 79% Female: 68%. With a combined 22% of female barristers either disagreeing or disagreeing strongly on this. So payment dissatisfaction is an issue here.

Q 26 I enjoy my work.

Answer	Total	Male	Female	Total	Male	Female
Strongly agree	243	149	87	38%	41%	34%
Agree	316	169	132	49%	46%	52%
Neutral	59	28	29	9%	8%	11%
Disagree	21	14	7	3%	4%	3%
Strongly disagree	8	7	1	1%	2%	0%
Total	647	367	256	100%	100%	100%

Overall job satisfaction is high. With combined agree and agree strongly scores of: Total 87%, Male 87% and Female 86%.

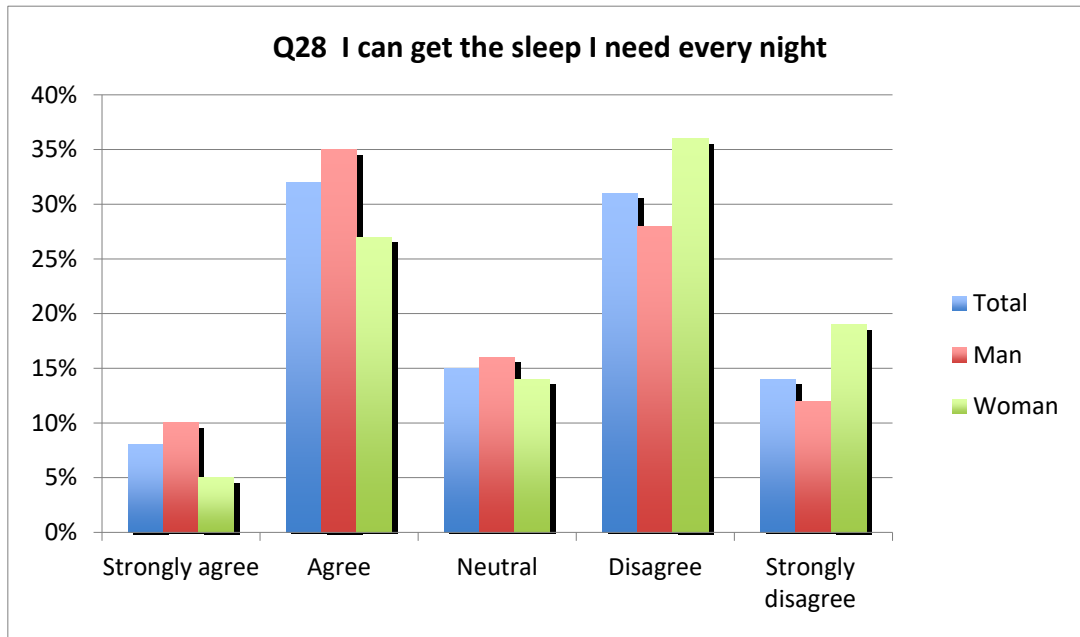
Q 27 I get a sense of achievement from doing my job

Answer	Total	Male	Female	Total	Male	Female
Strongly agree	273	165	100	42%	45%	39%
Agree	304	164	127	47%	45%	50%
Neutral	52	26	23	8%	7%	9%
Disagree	14	9	5	2%	2%	2%
Strongly disagree	3	3	0	0%	1%	0%
Total	646	367	255	100%	100%	100%

Overall sense of achievement is high. With combined agree and agree strongly scores of: Total 89%, Male 90% and Female 89%.

Q 28 I can get the sleep I need every night.

Answer	Total	Male	Female	Total	Male	Female
Strongly agree	52	36	12	8%	10%	5%
Agree	204	127	69	32%	35%	27%
Neutral	96	57	36	15%	16%	14%
Disagree	201	102	91	31%	28%	36%
Strongly disagree	91	42	48	14%	12%	19%
Total	644	364	256	100%	100%	100%



Here the combined agree and disagree categories are more evenly divided. With the disagree scoring higher, especially for female barristers.

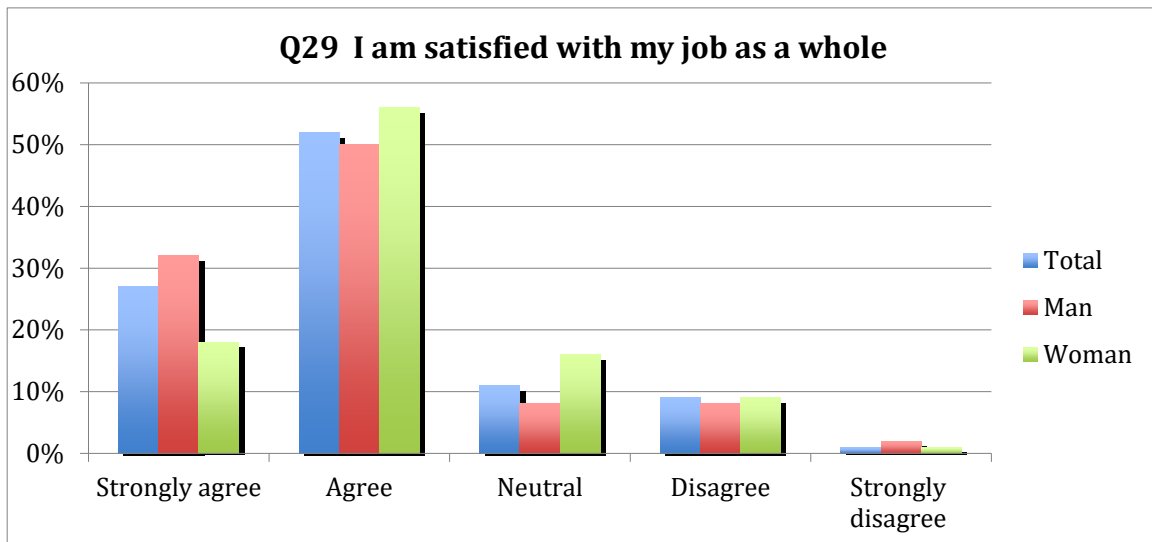
For the agree and agree strongly, the scores are: Total 40%, Male 45% and Female 32%. A significantly lower figure for female barristers.

For the disagree and disagree strongly, the scores are: Total 45%, Male 40% and Female 55%. With the female barristers being over 50%.

This suggests that there are some sleep / health issues in play here.

Q 29 I am satisfied with my job as a whole.

Answer	Total	Male	Female	Total	Male	Female
Strongly agree	172	116	47	27%	32%	18%
Agree	337	183	144	52%	50%	56%
Neutral	73	30	41	11%	8%	16%
Disagree	55	30	22	9%	8%	9%
Strongly disagree	9	7	2	1%	2%	1%
Total	646	366	256	100%	100%	100%



Overall satisfaction was very high. With combined agree and agree strongly scores of: Total 79%, Male 82% and Female 74%. The female barristers recorded the lowest combined satisfaction score, and the highest neutral score at 16%, which suggests that there is work to be done to improve their job satisfaction levels.

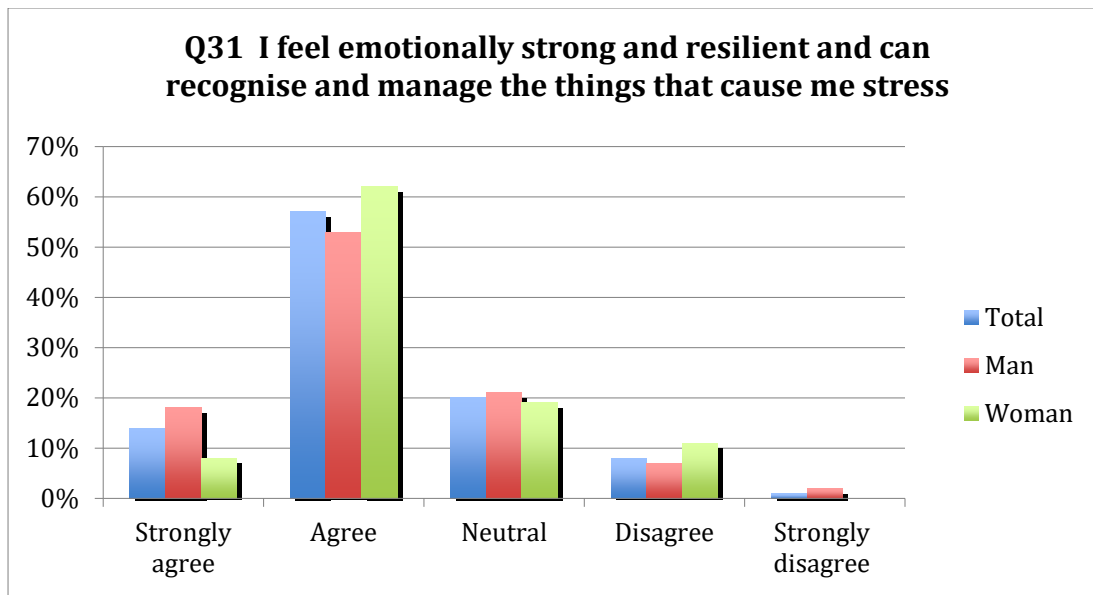
Q 30 I am strongly self-critical.

Answer	Total	Male	Female	Total	Male	Female
Strongly agree	187	88	90	29%	24%	35%
Agree	281	165	105	43%	45%	41%
Neutral	109	74	34	17%	20%	13%
Disagree	65	39	24	10%	11%	9%
Strongly disagree	5	2	2	1%	1%	1%
Total	647	368	255	100%	100%	100%

There is a tendency to be self-critical here. With the combined agree and agree strongly scores of: Total 72%, Male 69% and Female 76%.

Q 31 I feel emotionally strong and resilient and can recognise and manage the things that cause me stress.

Answer	Total	Male	Female	Total	Male	Female
Strongly agree	90	65	21	14%	18%	8%
Agree	365	193	158	57%	53%	62%
Neutral	132	78	48	20%	21%	19%
Disagree	52	25	27	8%	7%	11%
Strongly disagree	7	6	1	1%	2%	0%
Total	646	367	255	100%	100%	100%



Here the combined agree and agree strongly scores are: Total 71%, Male 71% and Female 70%. So the majority feel in control of their stress levels.

It should be noted that the neutral answer category scored in double figures. With the total at 20%, males at 21% and females at 19%. This number is higher than the neutral scores recorded in some of the other survey questions regarding the well being of barristers. This could be due to the barristers not wishing to admit to us (or to themselves) that stress is a problem for them.

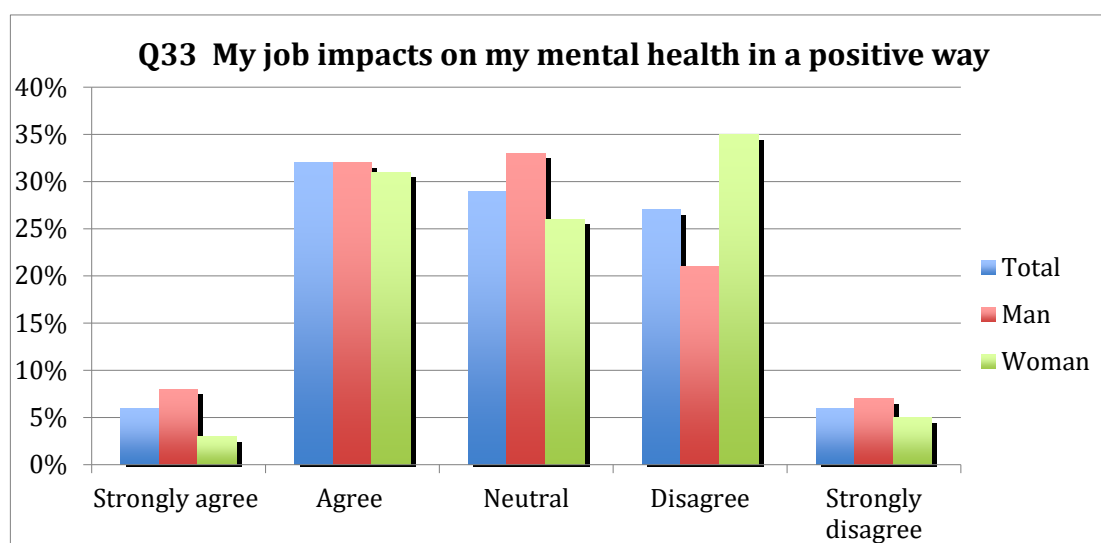
Q 32 I have confidence in my work and can be trusted to deliver work.

Answer	Total	Male	Female	Total	Male	Female
Strongly agree	237	150	76	37%	41%	30%
Agree	346	185	151	54%	50%	59%
Neutral	49	22	24	8%	6%	9%
Disagree	12	8	4	2%	2%	2%
Strongly disagree	2	2	0	0%	1%	0%
Total	646	367	255	100%	100%	100%

For confidence in their work, the combined agree and agree strongly scores are: Total 91%, Male 91% and Female 80%. So the majority feel in control of their stress levels.

Q 33 My job impacts on my mental health in a positive way.

Answer	Total	Male	Female	Total	Male	Female
Strongly agree	41	31	8	6%	8%	3%
Agree	205	116	79	32%	32%	31%
Neutral	190	119	67	29%	33%	26%
Disagree	174	76	90	27%	21%	35%
Strongly disagree	36	24	12	6%	7%	5%
Total	646	366	256	100%	100%	100%



Here there is a clear difference based on gender. A combined total of disagree and disagree strongly for female barristers scores 40%. With a neutral score of 26%. So 66% do not agree that their job impacts on their mental health in a positive way.

This contrasts with male barristers where 28% either disagree or disagree strongly. It should be noted that they have a higher neutral score at 33%. So the combined score of male barristers that did not select either agree, or agree strongly, is 61%. So only 5% behind the female barristers. This may indicate that the male barristers are less willing to acknowledge how their job impacts on their mental health.

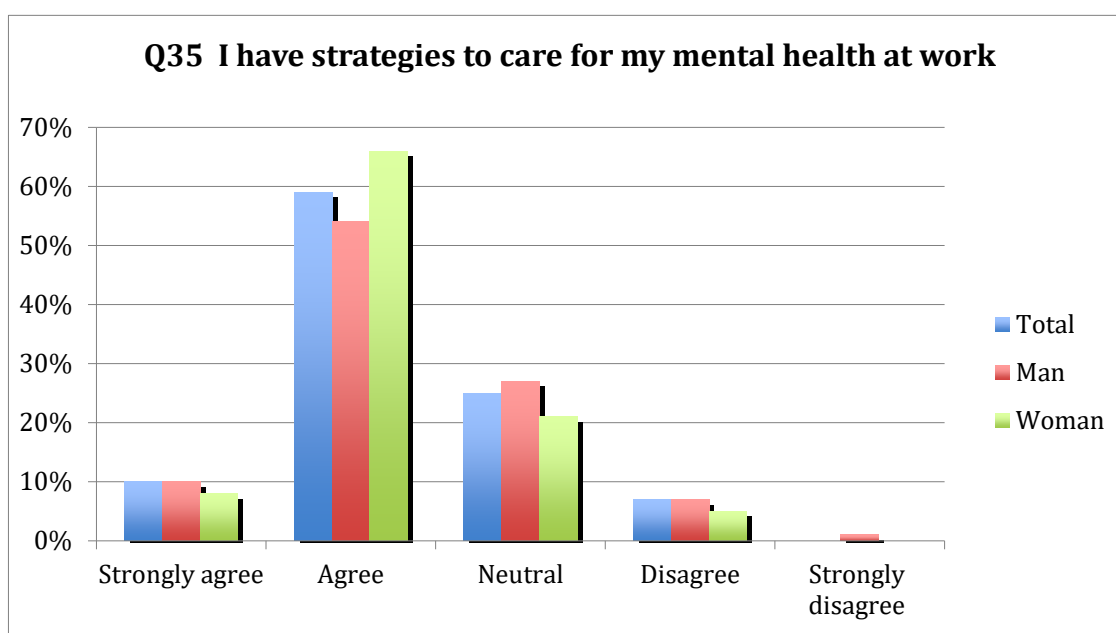
Q34. Can you please elaborate on this answer for us?

The key takeout words from this question (so mentioned multiple times) were:

- Stress
- Stimulating mentally
- Achievement
- Self esteem

Q 35 I have strategies to care for my mental health at work.

	Total	Male	Female	Total	Male	Female
Strongly agree	62	37	20	10%	10%	8%
Agree	378	197	169	59%	54%	66%
Neutral	158	100	53	25%	27%	21%
Disagree	43	27	14	7%	7%	5%
Strongly disagree	3	3	0	0%	1%	0%
Total	644	364	256	100%	100%	100%



The barristers surveyed were clearly aware of the need to look after their mental health.

Overall 69% either agreed or agreed strongly on this. With males scoring 64% and females scoring 74%. This 10% difference may reflect any of the following:

Female barristers may be more self aware, so they monitor their mental health better.
 Female barristers may be using various peer group related support mechanisms.

The neutral category also scored above 20% overall. With males scoring higher at 27% Than females at 21%.

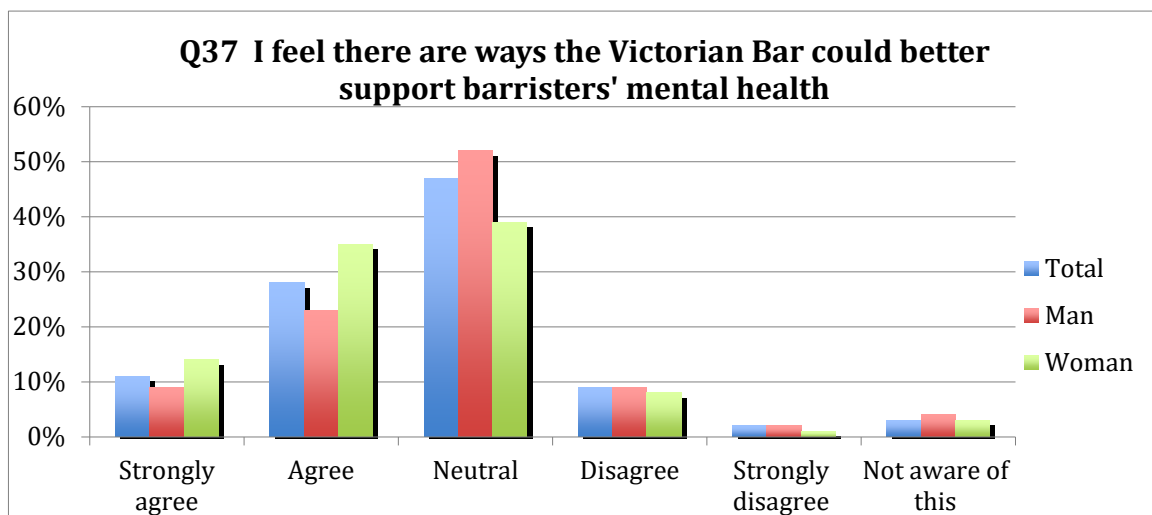
Q36 Can you please elaborate on this?

The key takeout words from this question (so mentioned multiple times) were:

- Exercise regularly
- Maintain a work life balance
- Having a support network

Q 37 I feel there are ways the Victorian Bar could better support barristers' mental health.

	Total	Male	Female	Total	Male	Female
Strongly agree	70	32	35	11%	9%	14%
Agree	176	85	87	28%	23%	35%
Neutral	298	190	98	47%	52%	39%
Disagree	57	34	20	9%	9%	8%
Strongly disagree	14	8	3	2%	2%	1%
Not aware of this	21	13	8	3%	4%	3%
Total	636	362	251	100%	100%	100%



The neutral answer scored highest here. With the total 47%, males 52% and females 39%. This is an important difference. It suggest that males may believe that they need more support, but are unsure on how to articulate their needs or concerns.

An example of this is demonstrated by the combined agree and agree strongly scores. For females it is 49% but it is only 32% for males.

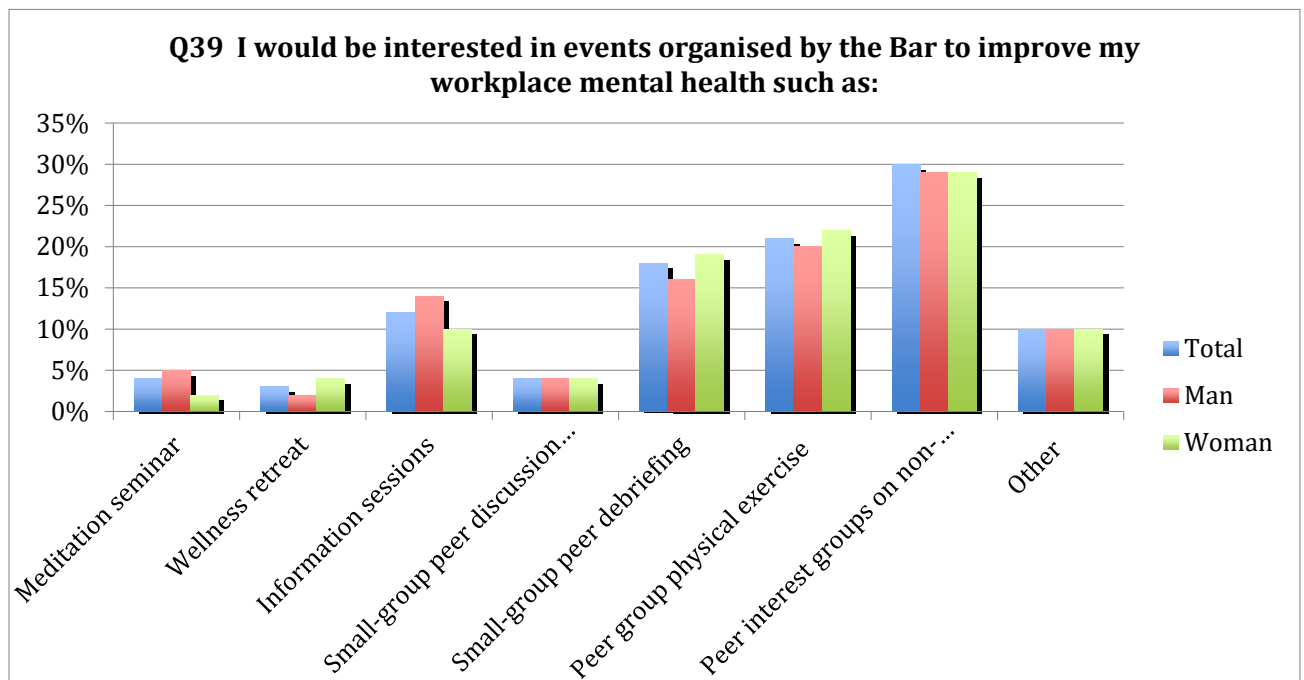
Q38 Can you please elaborate on this?

The key takeout words from this question (so mentioned multiple times) were:

- Better access to professional mental health support services
- Advocacy against judicial bullying and bullying in general
- More functions/events to improve collegiality
- Work to improve the overall Bar culture

Q 39 I would be interested in participating in events organised by the Bar to improve my workplace mental health such as:

	Total	Male	Female	Total	Male	Female
Meditation seminar	14	10	4	4%	5%	2%
Wellness retreat	12	4	8	3%	2%	4%
Information sessions	46	27	18	12%	14%	10%
Small-group peer discussion on work topics	14	7	7	4%	4%	4%
Small-group peer debriefing	69	30	36	18%	16%	19%
Peer group physical exercise	83	38	42	21%	20%	22%
Peer interest groups on non-work topics e.g. book club philosophical discussion	117	55	55	30%	29%	29%
Other	38	19	18	10%	10%	10%
Total	393	190	188	100%	100%	100%



Peer group focussed events are the most popular here. With peer interest groups being the most popular, ahead of physical exercise and small group de-briefing.

Q40. How could your quality of work life be improved?

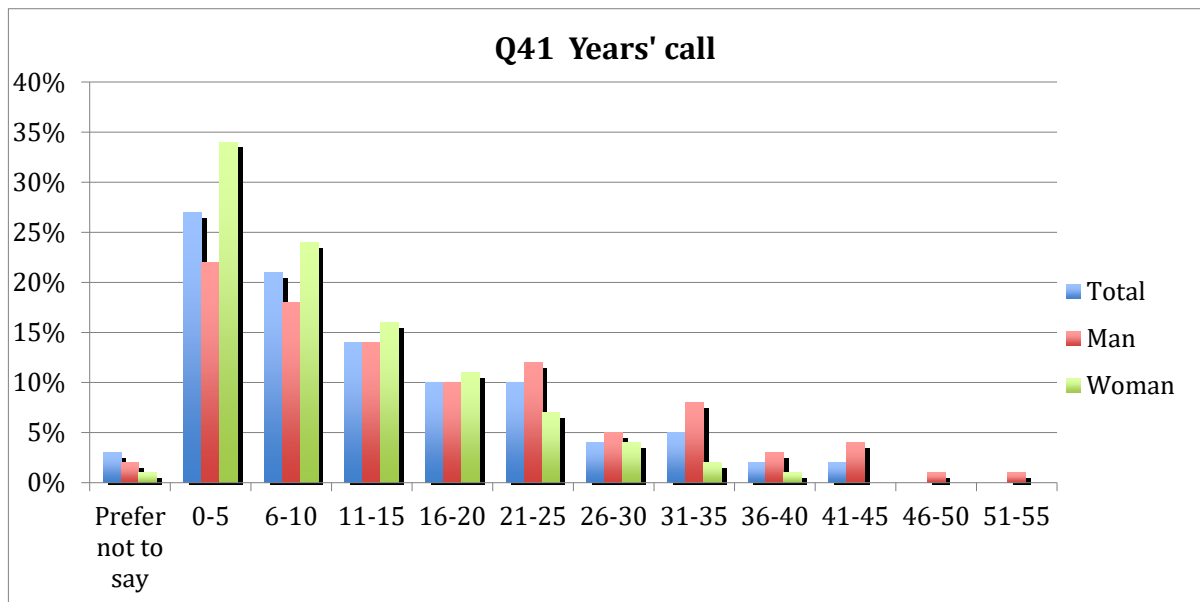
The key takeout words from this question (so mentioned multiple times) were:

- Better organization of their work flow
- The bar taking a greater interest in their well being
- More briefs and more time to respond to them
- Better on time payment of fees

Section 3 - Demographics

Q41. Year's call at the bar

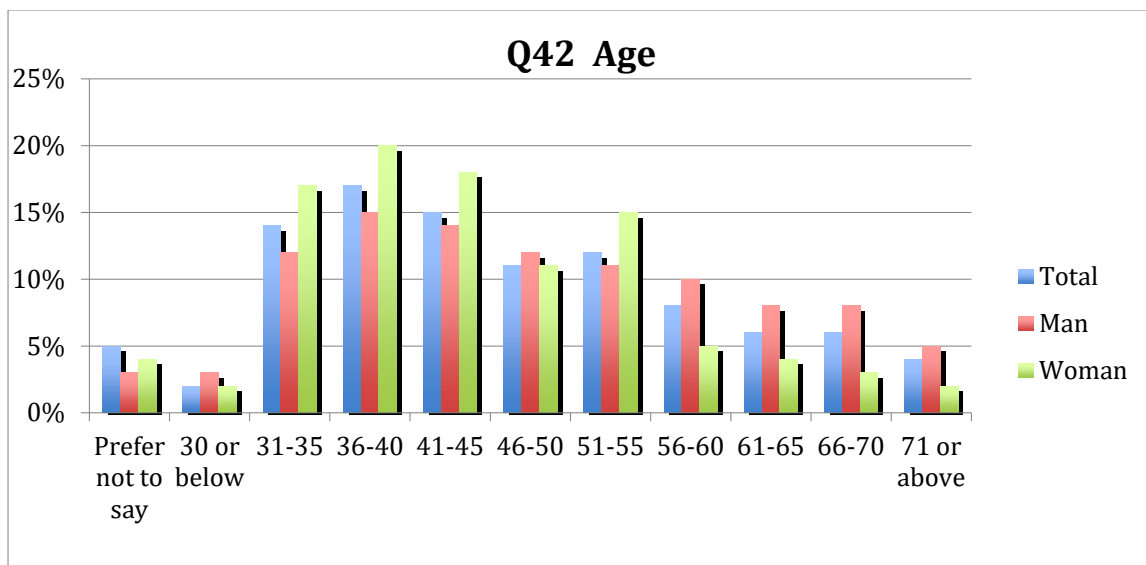
Call / Gender	Total	Male	Female
Prefer not to say	3%	2%	1%
0-5	27%	22%	34%
6-10	21%	18%	24%
11-15	14%	14%	16%
16-20	10%	10%	11%
21-25	10%	12%	7%
26-30	4%	5%	4%
31-35	5%	8%	2%
36-40	2%	3%	1%
41-45	2%	4%	0%
46-50	0%	1%	0%
51-55	0%	1%	0%
Total	100%	100%	100%



Based on the survey results, there is a growing influx of younger barristers. The largest cohort have been at the bar for five years or less, followed by those who have been at the bar for ten years or less. When we combine these two totals, we get: Overall 48%, Male 40% and Female 58%. This indicates an encouraging growth in the number of female barristers.

Q 42 Age

	Total	Male	Female	Total	Male	Female
Prefer not to say	21	11	10	5%	3%	4%
30 or below	16	11	5	2%	3%	2%
31-35	87	44	43	14%	12%	17%
36-40	105	55	50	17%	15%	20%
41-45	97	51	46	15%	14%	18%
46-50	73	44	29	11%	12%	11%
51-55	78	40	38	12%	11%	15%
56-60	49	37	12	8%	10%	5%
61-65	37	28	9	6%	8%	4%
66-70	36	28	8	6%	8%	3%
71 or above	25	20	5	4%	5%	2%
Total	624	369	255	100%	100%	100%



The age grouping of the barristers surveyed is strongest in the 45 years and under category. In all the age groupings under 45 years, females are the predominant gender.

Q 43 How do you identify:

	Total	Male	Female	Total	Male	Female
Prefer not to say	17	0	0	3%	0%	0%
Male	370	370	0	57%	100%	0%
Female	256	0	256	39%	0%	100%
Transgender Male/trans Male	2	0	0	0%	0%	0%
Non-binary nonconforming or neither exclusively male nor female	5	0	0	1%	0%	0%
Total	650	370	256	100%	100%	100%

Nearly all respondents identified as either male or female.

Q 44 I identify as LGBTQI:

	Total	Male	Female	Total	Male	Female
Prefer not to	28	10	9	4%	3%	4%
Yes	68	38	24	11%	11%	10%
No	535	310	217	85%	87%	87%
Total	631	358	250	100%	100%	100%

Some 11% identified as LGB

Q 45 If yes I do so on the basis of:

	Total	Male	Female	Total	Male	Female
Prefer not to say	14	4	3	16%	9%	11%
Sexuality	62	39	22	72%	85%	81%
Gender identity	3	1	0	3%	2%	0%
Other	7	2	2	8%	4%	7%
Total	86	46	27	100%	100%	100%

Based on sexuality.

Q 46 I am of Aboriginal and/or Torres Strait Islander heritage:

	Total	Male	Female	Total	Male	Female
Prefer not to say	20	7	0	3%	2%	0%
No	616	354	251	96%	97%	99%
Yes Aboriginal	7	4	3	1%	1%	1%
Total	643	365	254	100%	100%	100%

Very low representation here.

Q 47 I was born in

	Total	Male	Female	Total	Male	Female
Prefer not to say	18	4	4	3%	1%	2%
Australia	539	311	215	84%	84%	86%
New Zealand	10	6	4	2%	2%	2%
UK	23	15	7	4%	4%	3%
Ireland	1	1	0	0%	0%	0%
Scandinavia	1	0	1	0%	0%	0%
North-Western Europe	7	5	2	1%	1%	1%
Southern and Eastern Europe	9	8	1	1%	2%	0%
North Africa and Middle East	1	1	0	0%	0%	0%
South-East Asia	7	4	3	1%	1%	1%
North-East Asia	5	1	4	1%	0%	2%
Southern and Central Asia	5	3	2	1%	1%	1%
North America	5	4	1	1%	1%	0%
South America	1	1	0	0%	0%	0%
Sub-Saharan Africa	1	0	1	0%	0%	0%
Other	10	5	5	2%	1%	2%
Total	643	369	250	100%	100%	100%

Australia is the principal country of birth. Followed by the UK.

Q 48 My parent(s) guardian(s) or caregiver(s) were born in

	Total	Male	Female	Total	Male	Female
Prefer not to say	27	7	8	4%	2%	3%
Australia	380	224	147	60%	62%	59%
New Zealand	11	7	4	2%	2%	2%
UK	58	39	19	9%	11%	8%
Ireland	5	3	2	1%	1%	1%
Scandinavia	1	0	1	0%	0%	0%
North-Western Europe	31	18	13	5%	5%	5%
Southern and Eastern Europe	57	34	21	9%	9%	8%
North Africa and Middle East	12	5	7	2%	1%	3%
South-East Asia	15	7	8	2%	2%	3%
North-East Asia	5	1	4	1%	0%	2%
Southern and Central Asia	9	6	2	1%	2%	1%
North America	4	2	2	1%	1%	1%
South America	1	1	0	0%	0%	0%
Sub-Saharan Africa	3	1	2	0%	0%	1%
Pacific Islands	1	0	1	0%	0%	0%
Other	18	9	9	3%	2%	4%
Total	638	364	250	100%	100%	100%

Australia predominates, followed by the UK, then Southern and Eastern Europe, followed by North West Europe.

Q 49 I identify culturally as

	Total	Male	Female	Total	Male	Female
Prefer not to say	28	11	6	4%	3%	2%
Australian	522	303	207	81%	83%	83%
New Zealand	5	2	3	1%	1%	1%
UK	15	9	6	2%	2%	2%
Ireland	7	5	2	1%	1%	1%
North-Western European	8	5	3	1%	1%	1%
Southern and Eastern European	25	12	12	4%	3%	5%
North Africa and Middle Eastern	2	0	2	0%	0%	1%
South-East Asian	4	3	1	1%	1%	0%
North-East Asian	3	1	2	0%	0%	1%
Southern and Central Asian	2	2	0	0%	1%	0%
North American	1	1	0	0%	0%	0%
South American	0	0	0	0%	0%	0%
Sub-Saharan African	1	0	1	0%	0%	0%
Other	18	13	5	3%	4%	2%
Total	641	367	250	100%	100%	100%

They identified as predominately Australian.

Q 50 I speak the following languages at home:

	Total	Male	Female	Total	Male	Female
Prefer not to say	26	10	4	4%	3%	2%
English	557	324	223	90%	92%	92%
Mandarin	3	1	2	0%	0%	1%
Vietnamese	1	1	0	0%	0%	0%
Greek	11	7	4	2%	2%	2%
Punjabi	1	0	1	0%	0%	0%
Italian	10	6	4	2%	2%	2%
Arabic	3	1	1	0%	0%	0%
Cantonese	5	2	3	1%	1%	1%
Spanish	0	0	0	0%	0%	0%
Turkish	0	0	0	0%	0%	0%
Tamil	0	0	0	0%	0%	0%
Macedonian	1	0	1	0%	0%	0%
Malayalam	1	1	0	0%	0%	0%
Gujarati	0	0	0	0%	0%	0%
Croatian	0	0	0	0%	0%	0%
French	0	0	0	0%	0%	0%
Russian	1	1	0	0%	0%	0%
Indonesian	0	0	0	0%	0%	0%
Serbian	0	0	0	0%	0%	0%
Total	620	354	243	100%	100%	100%

English is the main language spoken at home.

Q 51 My religion is

	Total	Male	Female	Total	Male	Female
Prefer not to say	58	25	19	9%	7%	8%
No religion	322	177	136	50%	48%	54%
Catholic	110	72	38	17%	20%	15%
Anglican	40	29	11	6%	8%	4%
Islam	2	1	1	0%	0%	0%
Christianity	33	15	17	5%	4%	7%
Uniting Church	6	3	3	1%	1%	1%
Buddhism	4	3	1	1%	1%	0%
Eastern Orthodox	11	7	4	2%	2%	2%
Presbyterian and Reformed	1	1	0	0%	0%	0%
Baptist	1	1	0	0%	0%	0%
Lutheran	1	0	1	0%	0%	0%
Other Protestant	3	2	1	0%	1%	0%
Judaism	39	24	15	6%	7%	6%
Other	9	6	3	1%	2%	1%
Total	640	366	250	100%	100%	100%

An overall majority (54%) of female barristers said no religion, with 48% of males saying the same. Catholicism, Anglican and Judaism were the main religions mentioned.

Q 52 Attended the following schooling:

	Total	Male	Female	Total	Male	Female
Prefer not to say	22	6	4	3%	2%	2%
State school	179	101	73	28%	27%	29%
Private school	302	173	122	47%	47%	48%
Catholic school	136	83	53	21%	22%	21%
Home schooling	1	1	0	0%	0%	0%
Other	7	5	2	1%	1%	1%
Total	647	369	254	100%	100%	100%

Non-government schools predominate here. With the combined totals for private and catholic schools being: Overall 68%, male barristers 74% and female barristers 69%.

Q 53 Taxable personal income range for the financial year ending 30 June 2023 was:

	Total	Male	Female	Total	Male	Female
Prefer not to say	54	29	15	8%	8%	6%
0-\$18200	7	4	3	1%	1%	1%
\$18200-\$45000	3	2	1	0%	1%	0%
\$45001-\$120000	67	30	36	10%	8%	14%
\$120000-\$180001	70	35	34	11%	9%	13%
\$180001+	449	270	167	69%	73%	65%
Total	650	370	256	100%	100%	100%

The clear majority of the barristers surveyed are in the top income tax bracket of \$180,000 and upwards. Of these, 73% are male barristers and 65% are female barristers.

Q 54 I am financially responsible for persons outside my household.

	Total	Male	Female	Total	Male	Female
Prefer not to say	37	16	14	6%	4%	6%
Yes	177	104	66	28%	28%	26%
No	428	247	171	67%	67%	68%
Total	642	367	251	100%	100%	100%

A noticeable minority are financially responsible for persons outside their household.

Q 55 I was the first person in my family (including parents adoptive parents or guardians step-parents siblings grandparents) to have:

	Total	Male	Female	Total	Male	Female
Prefer not to say	26	12	5	4%	4%	2%
A university degree	10	3	7	2%	1%	3%
A law degree	18	13	4	3%	4%	2%
Been admitted as a lawyer	7	5	2	1%	1%	1%
Been a barrister	529	301	214	90%	90%	92%
Total	590	334	232	100%	100%	100%

The majority are first generation barristers.

Q 56 I have caring responsibilities described as: (You can choose more than 1 answer)

	Total	Male	Female	Total	Male	Female
Prefer not to say	63	41	12	13%	16%	6%
Childcare	228	130	95	48%	50%	50%
Elder care	91	43	43	19%	17%	23%
Care for a person with a disability	49	22	24	10%	8%	13%
Other	40	23	17	8%	9%	9%
Total	471	259	191	100%	100%	100%

Childcare is the main area of responsibility, followed by elder care and care of a disabled person.

Q 57 I identify as a person with a disability that is: (You can choose more than 1 answer)

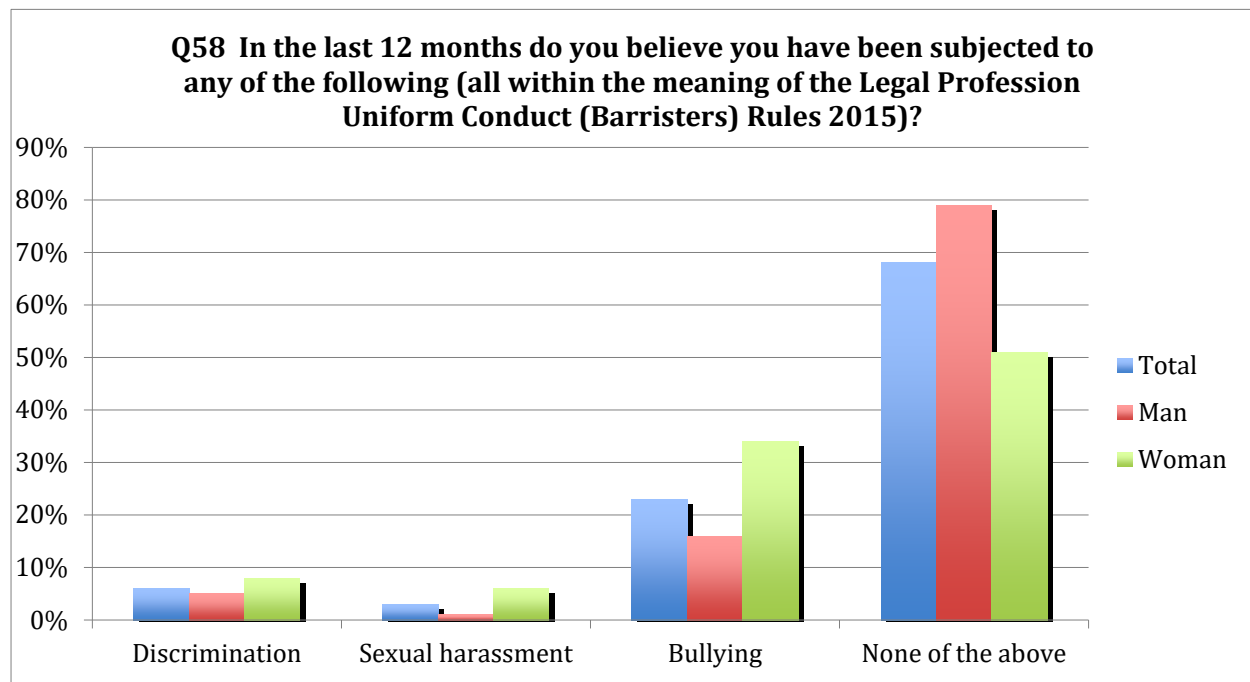
	Total	Male	Female	Total	Male	Female
No disability	494	285	193	87%	89%	86%
Prefer not to say	24	7	11	4%	2%	5%
Physical	11	5	6	2%	2%	3%
Learning	1	0	1	0%	0%	0%
Mental health	19	12	6	3%	4%	3%
Visual	5	3	2	1%	1%	1%
Hearing	7	3	4	1%	1%	2%
Other	6	4	2	1%	1%	1%
Total	567	319	225	100%	100%	100%

A small number of barristers identified as having a disability of some kind, with mental health being the largest response here, followed by having a physical disability. The remaining categories were hearing and visual disabilities.

Section 5 - Discrimination, Sexual Harassment, and Workplace Bullying.

Q 58 In the last 12 months do you believe you have been subjected to any of the following (all within the meaning of the Legal Profession Uniform Conduct (Barristers) Rules 2015)? (multiple answers chosen)

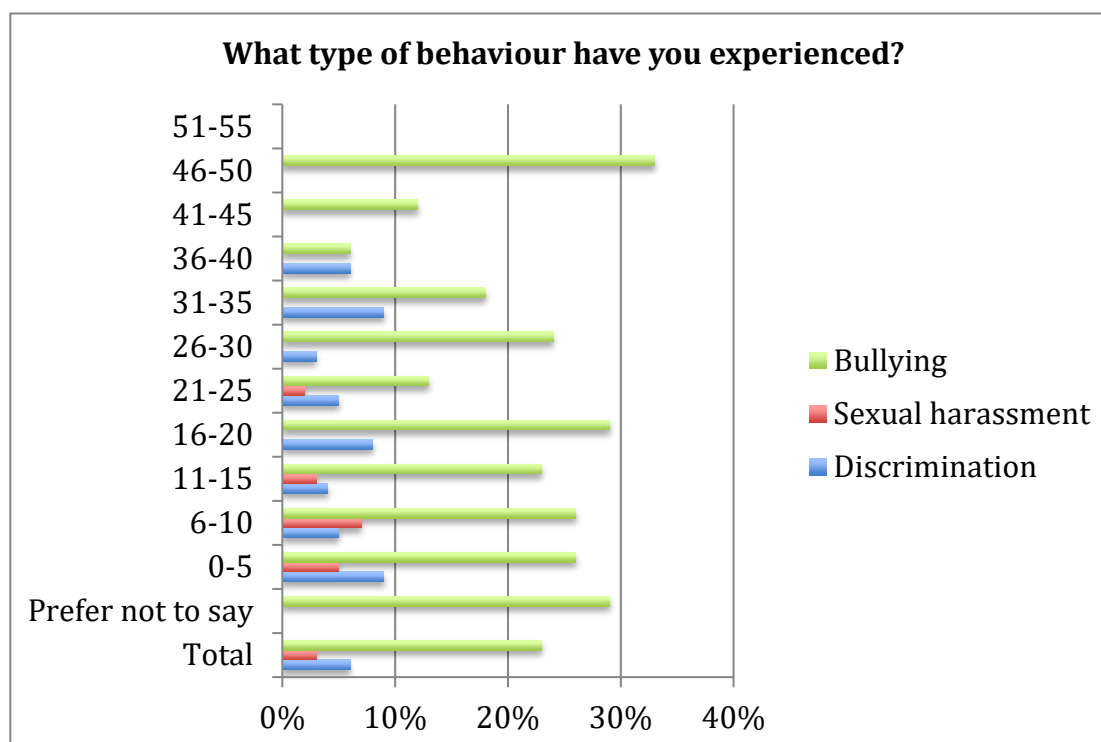
	Total	Male	Female	Total	Male	Female
Discrimination	38	17	20	6%	5%	8%
Sexual harassment	21	3	16	3%	1%	6%
Bullying	147	56	86	23%	16%	34%
None of the above	428	285	129	68%	79%	51%
Total	634	361	251	100%	100%	100%



While a 2/3 majority of barristers (428/634 or 67%) have not experienced any form of discrimination, sexual harassment or bullying, one third (33%) have had such an adverse experience. Of these barristers, 147/634 or 23%, said that they had experienced bullying of some kind.

The size of this number (actual count 147 or 23%) should be of concern to the Victorian Bar.

Comparing the type of behaviour (specifically bullying) by years call at the Bar.



Junior barristers emerged as the more vulnerable cohort here. With the largest numbers recorded for those who had been at the Bar for 20 years or less. Bullying was the main issue raised.

Comparing the type of behaviour (specifically bullying) by age group

Answer	Total	30 or below	31-35	36-40	41-45	46-50	51-55	56-60	61-65	66-70	71 +
Discrimination	6%	13%	9%	7%	4%	3%	9%	4%	0%	3%	4%
Sexual harassment	3%	0%	6%	7%	3%	1%	3%	0%	6%	0%	0%
Bullying	23%	20%	27%	16%	37%	26%	17%	22%	22%	14%	12%
None of these	68%	67%	58%	69%	56%	70%	72%	74%	72%	83%	84%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

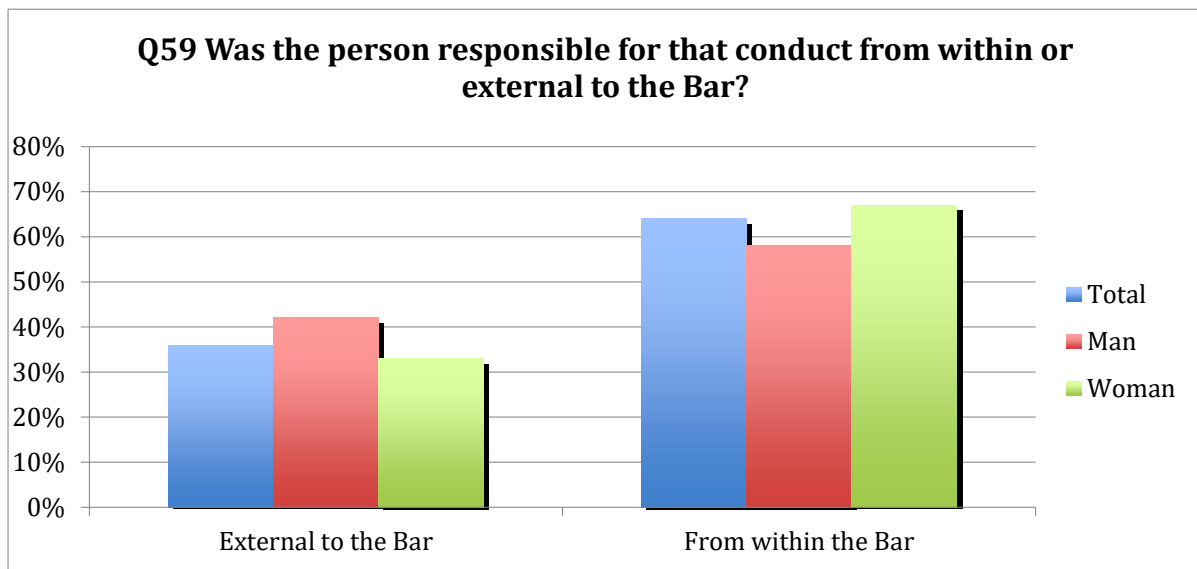
While the majority have not experienced bad behaviour, especially bullying. Of those who did, these barristers were aged mainly from less than 30 up to 50 years. There was still a relatively high percentage of barristers aged over 50. But the actual numbers recorded here were smaller in comparison to the relatively younger cohort.

This matched up with the “years call at the bar” mentioned above.

So a pattern has emerged of younger / junior barristers being bullied. While female barristers are more vulnerable here, younger male barristers are also having to deal with this problem as well.

Q 59 If you chose more than one answer please refer to the most recent example here. Was the person responsible for that conduct from within or external to the Bar?

Answer	Total	Male	Female	Total	Male	Female
External to the Bar	80	34	44	36%	42%	33%
From within the Bar	144	47	89	64%	58%	67%
Total	224	81	133	100%	100%	100%

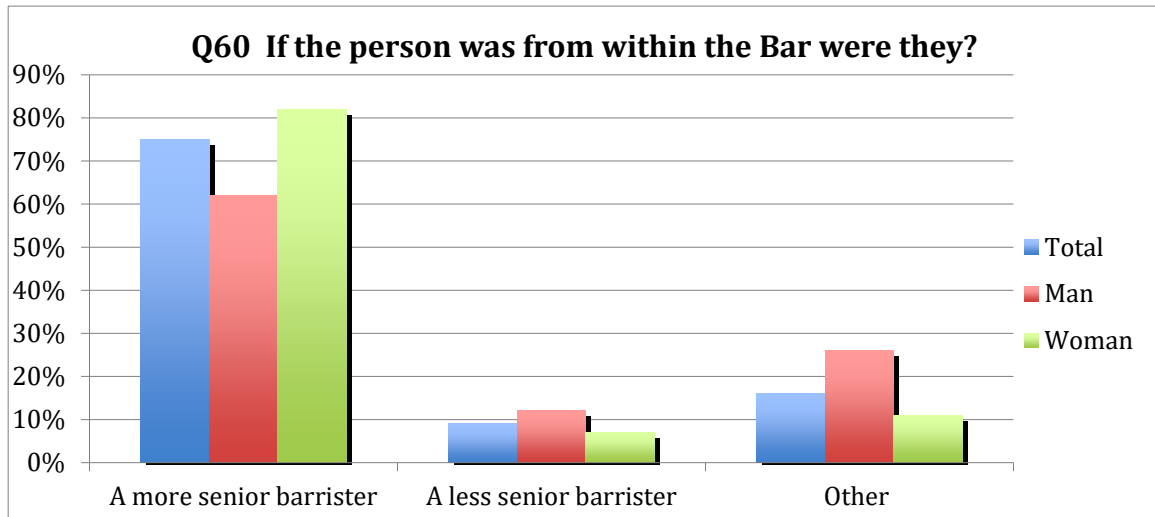


The bad conduct (in most cases bullying) experienced was more likely to be from within the bar. Especially for female barristers (67%) as compared with male barristers (58%).

That said, externally driven bad conduct (bullying) was also a feature here. With male barristers (42%) more likely to experience external bullying than female barristers (33%).

Q 60 If the person was from within the Bar were they

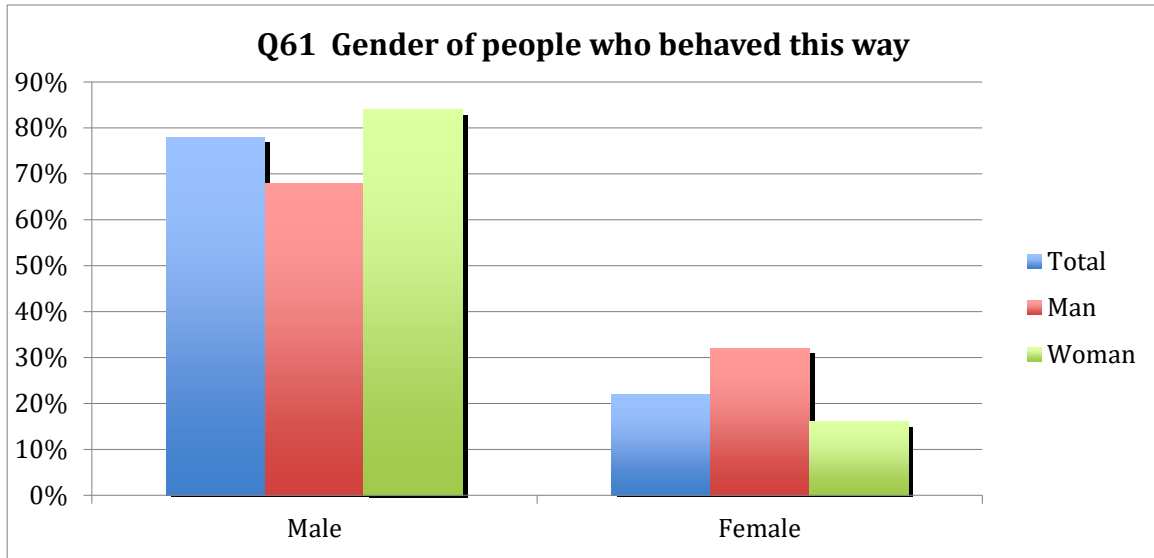
	Total	Male	Female	Total	Male	Female
A more senior barrister	117	36	75	75%	62%	82%
A less senior barrister	14	7	6	9%	12%	7%
Other	25	15	10	16%	26%	11%
Total	156	58	91	100%	100%	100%



Senior barristers were more likely to be the source of the problem. Especially for junior female barristers (82%). That said, 62% of male barristers had this problem as well.

Q 61 Gender

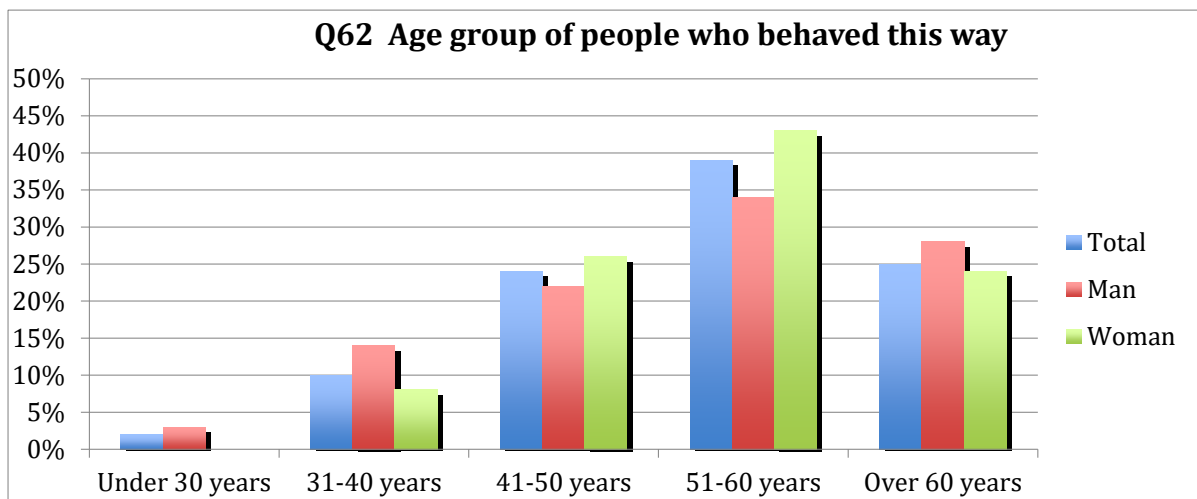
	Total	Male	Female	Total	Male	Female
Male	164	54	103	78%	68%	84%
Female	47	25	20	22%	32%	16%
Total	211	79	123	100%	100%	100%



This is clearly a male driven problem. Specifically for the older / more senior barristers.

Q 62 Age group

	Total	Male	Female	Total	Male	Female
Under 30 years	4	2	0	2%	3%	0%
31-40 years	20	10	9	10%	14%	8%
41-50 years	49	16	31	24%	22%	26%
51-60 years	80	25	51	39%	34%	43%
Over 60 years	50	21	28	25%	28%	24%
Total	203	74	119	100%	100%	100%



The bad behaviour is driven by a cohort that is aged 51 and older and is predominately male.

Q 63 If yes what did you experience? (multiple answers chosen)

Answer category	Total	Male	Female	Total	Male	Female
Incivility	25	10	15	13%	14%	13%
Verbal abuse	25	14	11	13%	20%	9%
Intimidation and/or threats	38	10	26	19%	14%	22%
Exclusion or isolation	23	9	12	12%	13%	10%
Withholding essential information for me to do my job	13	5	7	7%	7%	6%
Being assigned meaningless tasks unrelated to my job	1	0	1	1%	0%	1%
Being given impossible assignments	10	5	5	5%	7%	4%
Denied work	25	9	16	13%	13%	13%
Sexually suggestive comments or jokes that made me feel offended	4	0	4	2%	0%	3%
Intrusive questions about my private life or physical appearance	5	1	3	3%	1%	3%
Unwelcome touching hugging cornering or kissing	3	0	3	2%	0%	3%
Inappropriate physical contact	3	2	1	2%	3%	1%
Repeated or inappropriate invitations to go out on dates	2	0	1	1%	0%	1%
Repeated or inappropriate advances on email social networking websites or internet chat rooms	1	0	1	1%	0%	1%
Sexually explicit email or SMS message	1	1	0	1%	1%	0%
Request or pressure for sex or other sexual act	0	0	0	0%	0%	0%
Sexually explicit pictures posters or gifts that made me feel offended	1	0	1	1%	0%	1%
Inappropriate staring or leering that made me feel intimidated	5	0	5	3%	0%	4%
Other	12	5	7	6%	7%	6%
Total	197	71	119	100%	100%	100%

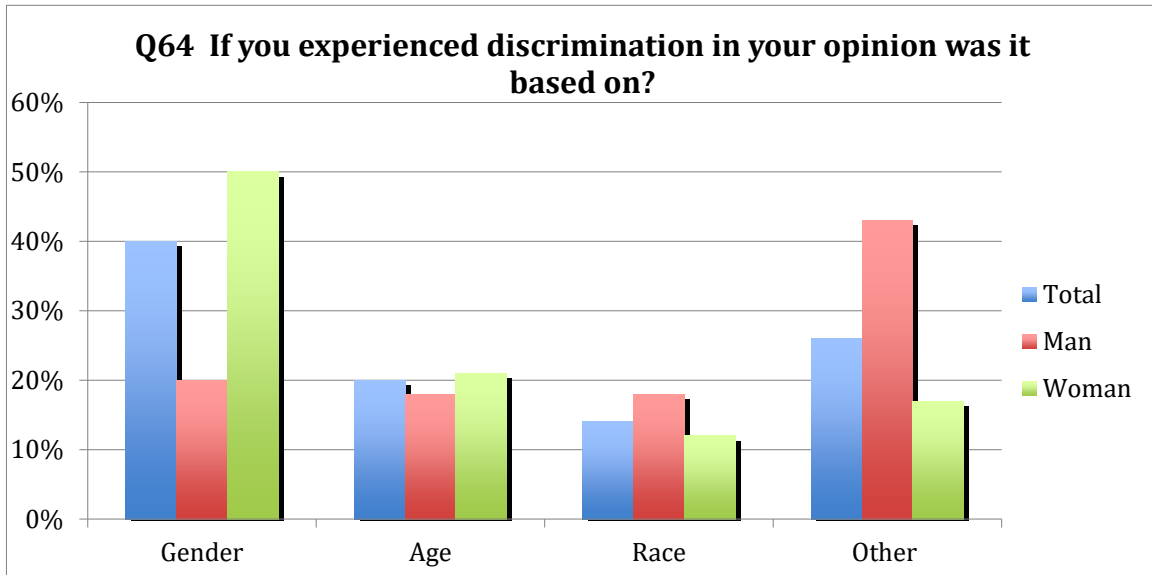
Verbal abuse (20% mentioned by male barristers) and intimidation/threats (22% mentioned by female barristers) were the stand out problem areas here.

Other examples included (by total):

- Being denied work 13%
- Incivility 13%
- Exclusion / isolation 12%

Q 64 If you experienced discrimination in your opinion was it based on? (multiple answers chosen)

	Total	Male	Female	Total	Male	Female
Gender	55	9	43	40%	20%	50%
Age	27	8	18	20%	18%	21%
Race	19	8	10	14%	18%	12%
Other	35	19	15	26%	43%	17%
Total	136	44	86	100%	100%	100%

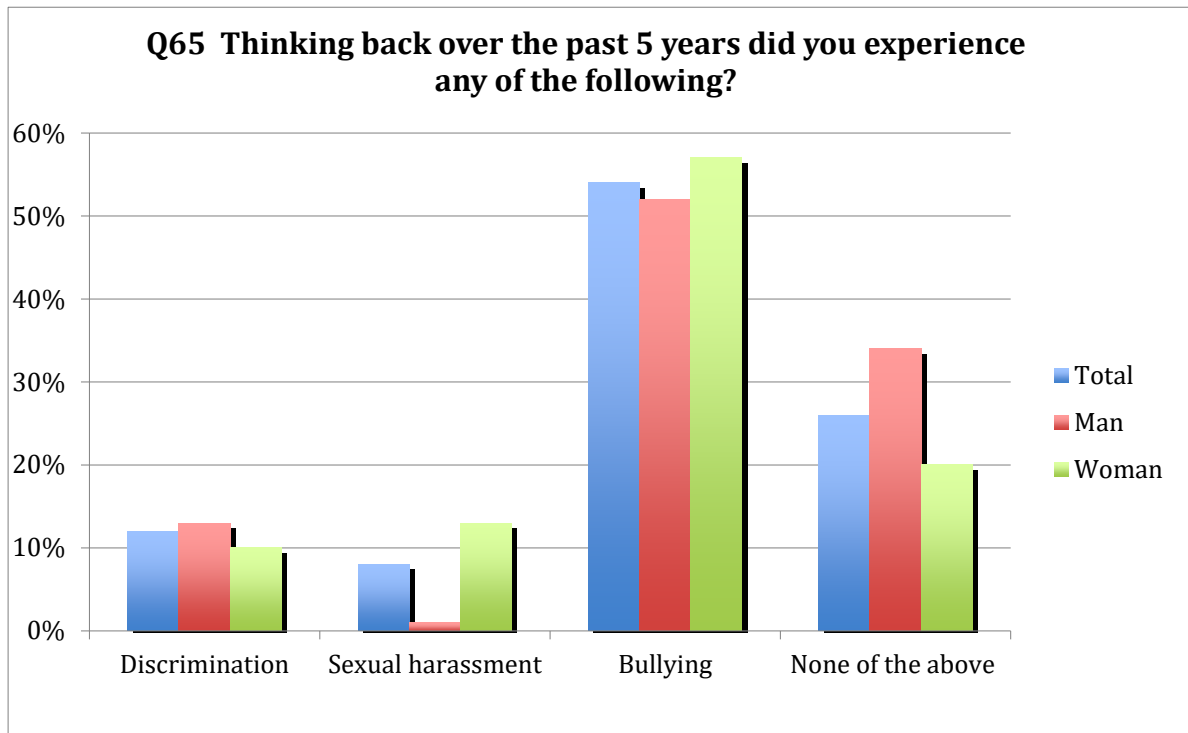


Female barristers answered that they saw this as being mainly influenced by their gender. They felt more vulnerable as a result.

Ageism was also an issue; both male and female barristers mentioned this evenly. It was sad to see a small number of barristers also saw race as an issue here. With male barristers being more likely to mention this.

Q 65 Thinking back over the past 5 years did you experience any of the following?
(multiple answers chosen)

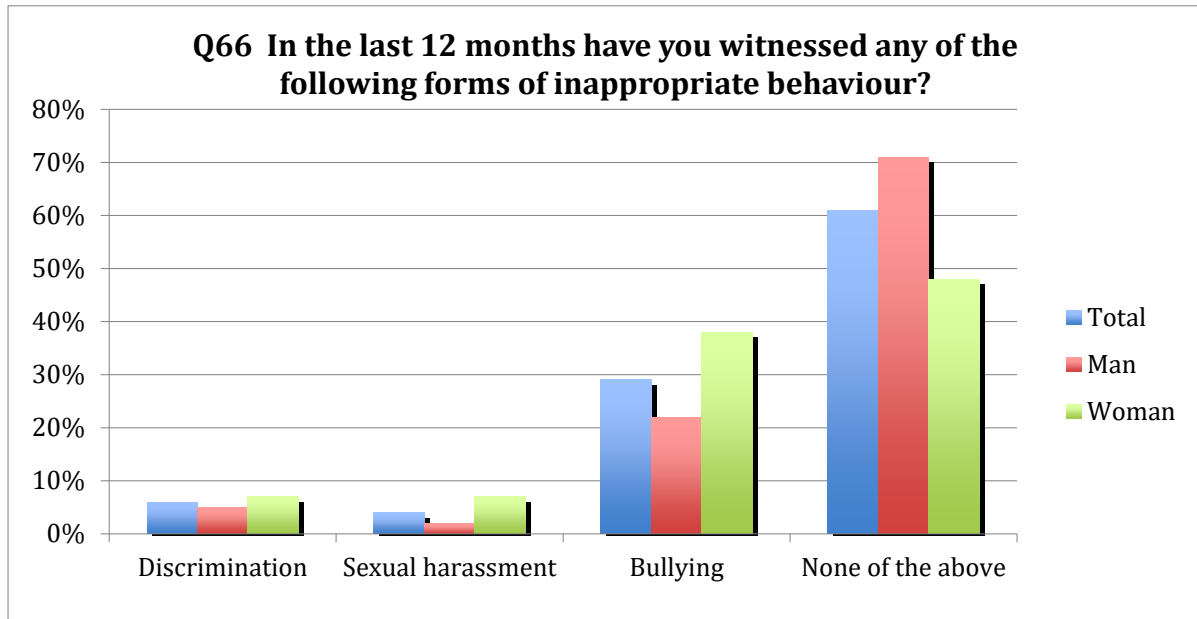
	Total	Male	Female	Total	Male	Female
Discrimination	35	17	16	12%	13%	10%
Sexual harassment	24	1	20	8%	1%	13%
Bullying	159	66	91	54%	52%	57%
None of the above	78	44	32	26%	34%	20%
Total	296	128	159	100%	100%	100%



Bullying has emerged as the major issue here. It exceeds 50% across all categories. Discrimination is the second ranked problem area for male barristers. Sexual harassment is the second ranked problem area for female barristers.

Q 66 In the last 12 months have you witnessed any of the following forms of inappropriate behaviour? (multiple answers chosen)

	Total	Male	Female	Total	Male	Female
Discrimination	33	16	15	6%	5%	7%
Sexual harassment	24	7	17	4%	2%	7%
Bullying	173	76	88	29%	22%	38%
None of the above	367	247	109	61%	71%	48%
Total	597	346	229	100%	100%	100%

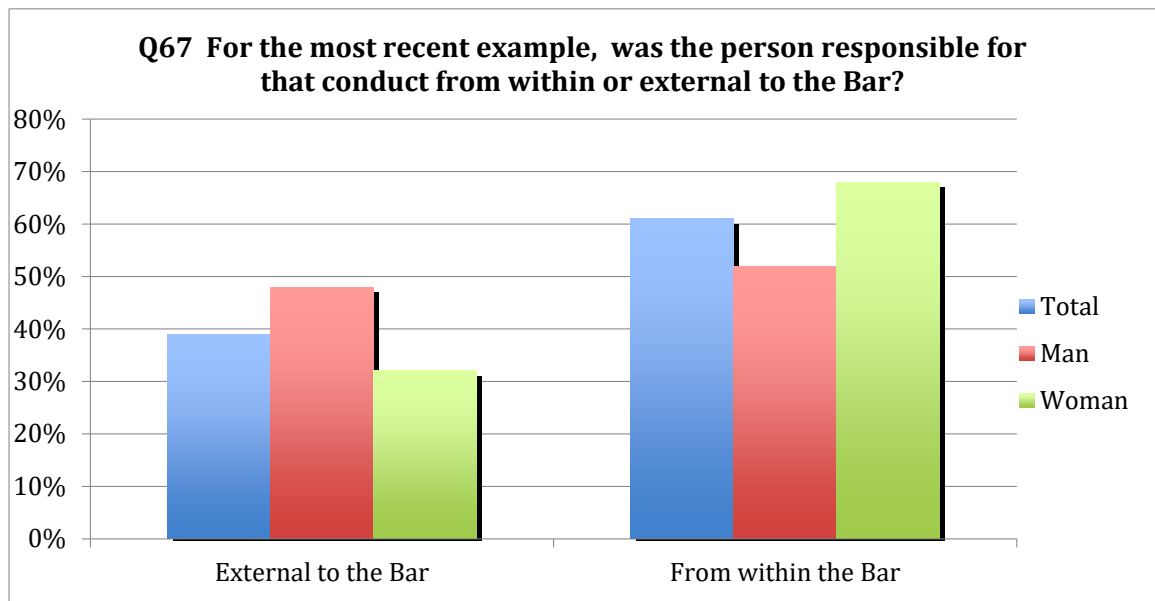


Most barristers said they had not witnessed any form of inappropriate behaviour.

For those who did witness inappropriate behaviour, the most frequent example given was bullying. With female barristers (38%) more likely to say that they has witnessed bullying that male barristers (22%).

Q 67 Was the person responsible for that conduct from within or external to the Bar?

Location	Total	Male	Female	Total	Male	Female
External to the Bar	98	53	41	39%	48%	32%
From within the Bar	153	57	89	61%	52%	68%
Total	251	110	130	100%	100%	100%

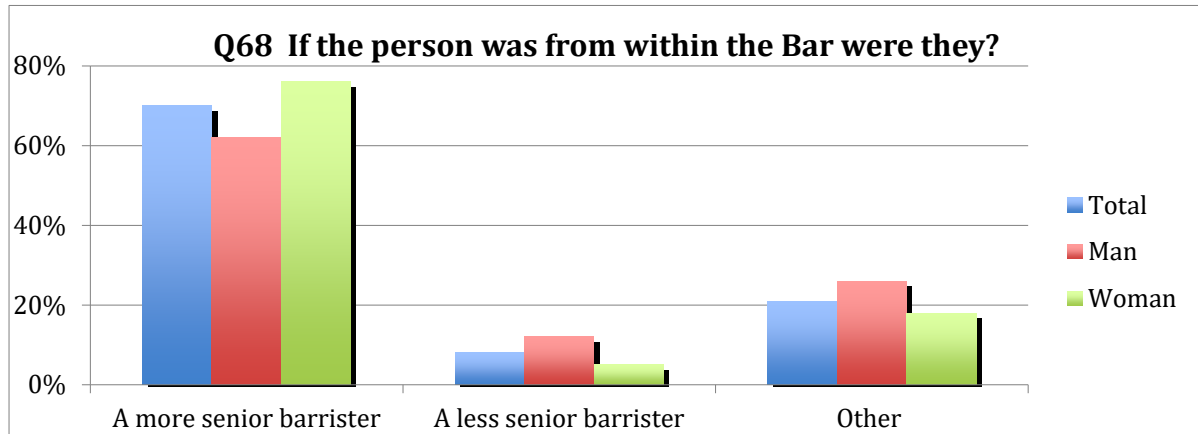


The perpetrator of the bullying event witnessed, was more likely to be from within the Bar. With female barristers scoring at 68% compared with male barristers at 58%. That said, the fact that both genders identified the issue as internal to the Bar is a concern. The overall total figure for identifying bullying as origination from within the Bar was 61%.

This still raises the issue of external bullying, which was identified by 48% of male barristers and 32% of female barristers. The overall total was 39%.

Q 68 If the person was from within the Bar were they?

	Total	Male	Female	Total	Male	Female
A more senior barrister	118	41	71	70%	62%	76%
A less senior barrister	14	8	5	8%	12%	5%
Other	36	17	17	21%	26%	18%
Total	168	66	93	100%	100%	100%



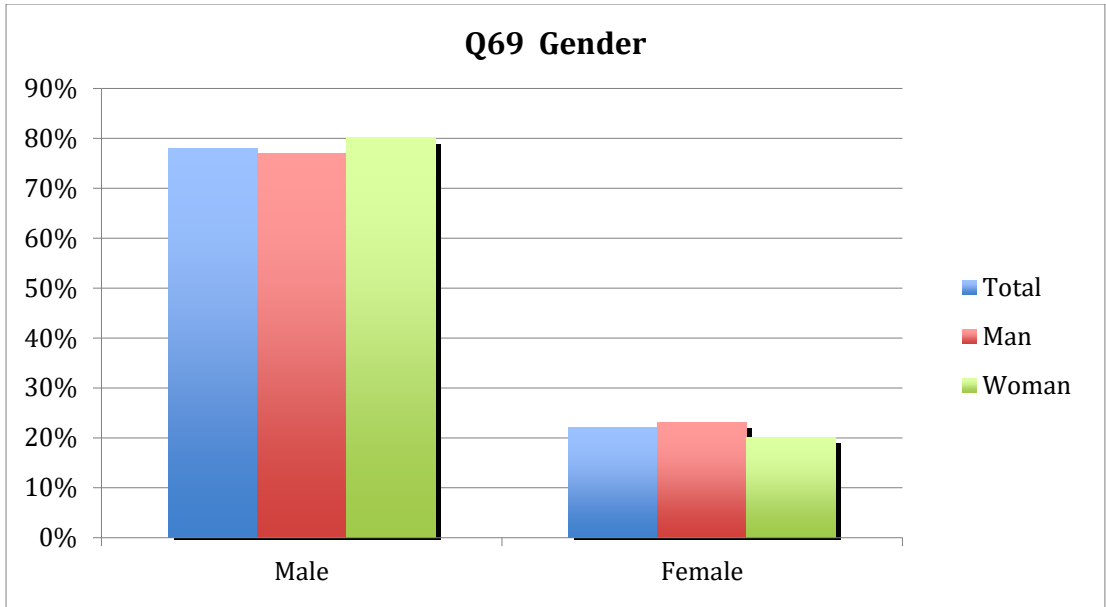
In terms of bullying, a more senior barrister was typically identified here. With the total responses being 70%, male barristers responded with 62% and female barristers responded with 76%.

It should be noted that 12% of the male barristers we surveyed also identified a less senior barrister as the source of the bullying.

Q69 Gender of the person responsible for the bullying

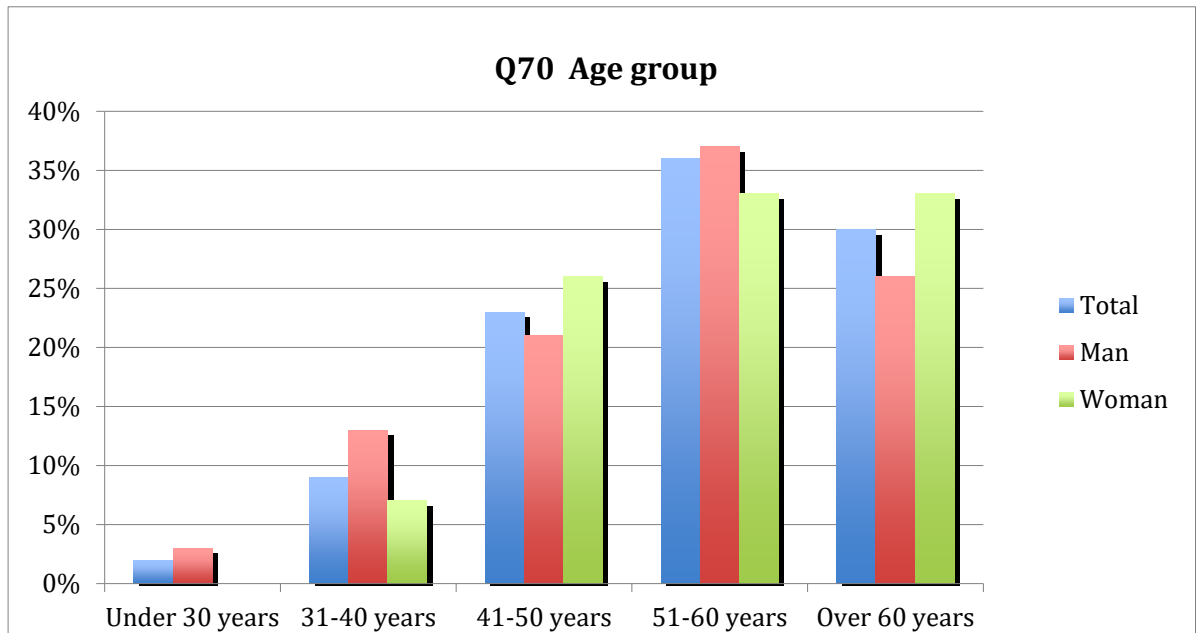
Gender	Total	Male	Female	Total	Male	Female
Male	189	82	98	78%	77%	80%
Female	52	25	24	22%	23%	20%
Total	241	107	122	100%	100%	100%

The gender of the bullying person was overwhelmingly male, and aged over 50. Please see data from the next question, Q70.



Q 70 Age group

	Total	Male	Female	Total	Male	Female
Under 30 years	4	3	0	2%	3%	0%
31 - 40 years	22	13	9	9%	13%	7%
41 - 50 years	55	22	32	23%	21%	26%
51- 60 years	86	38	41	36%	37%	33%
Over 60 years	71	27	41	30%	26%	33%
Total	238	103	123	100%	100%	100%



The age group of people who are bullying others at the Bar trends to the older demographic. With the largest single age group being 51 – 60 years of age. Female barristers observed more bullying from barristers aged over 60 years. Male barristers observed more bullying from barristers aged 51 – 60 years. There is also an issue with barristers aged 41-50 years.

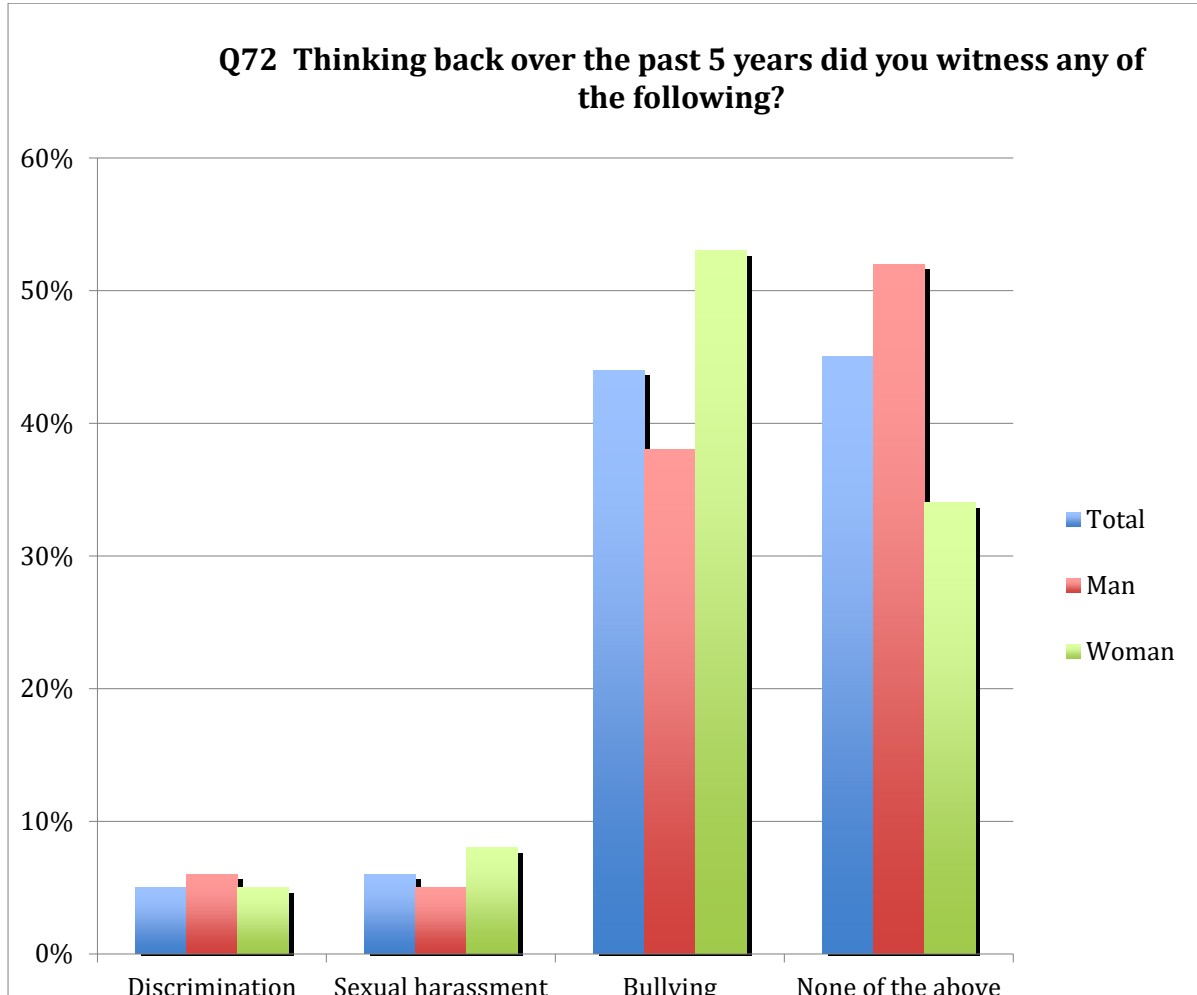
Q 71 If yes what did you witness? (Multiple answer chosen)

Answer	Total	Male	Female	Total	Male	Female
Incivility	28	13	14	13%	14%	12%
Verbal abuse	36	18	16	16%	19%	14%
Intimidation and/or threats	48	22	22	22%	23%	19%
Exclusion or isolation	34	13	20	15%	14%	17%
Interference with my personal property and/or work equipment	1	0	1	0%	0%	1%
Withholding essential information for me to do my job	6	1	4	3%	1%	3%
Being assigned meaningless tasks unrelated to my job	4	1	3	2%	1%	3%
Being given impossible assignments	8	2	6	4%	2%	5%
Denied work	17	10	6	8%	11%	5%
Sexually suggestive comments or jokes that made me feel offended	6	4	2	3%	4%	2%
Intrusive questions about my private life or physical appearance	4	0	4	2%	0%	3%
Unwelcome touching hugging cornering or kissing	2	1	1	1%	1%	1%
Inappropriate physical contact	0	0	0	0%	0%	0%
Repeated or inappropriate invitations to go out on dates	4	0	4	2%	0%	3%
Sexual gestures indecent exposure or inappropriate display of the body	1	1	0	0%	1%	0%
Repeated or inappropriate advances on email social networking websites or internet chat rooms	2	0	2	1%	0%	2%
Sexually explicit email or SMS message	2	0	2	1%	0%	2%
Request or pressure for sex or other sexual act	1	1	0	0%	1%	0%
Sexually explicit pictures posters or gifts that made me feel offended	0	0	0	0%	0%	0%
Inappropriate staring or leering that made me feel intimidated	2	1	1	1%	1%	1%
Other	9	4	4	4%	4%	3%
Total	222	95	116	100%	100%	100%

Intimidation and threats was the stand out example here, closely followed by verbal abuse. Exclusion or isolate was another clear problem issue raised, followed by incivility. Being denied work was mentioned as well, particularly by the male barristers.

Q 72 Thinking back over the past 5 years did you witness any of the following? (Multiple answers chosen)

	Total	Male	Female	Total	Male	Female
Discrimination	30	20	10	5%	6%	5%
Sexual harassment	33	15	17	6%	5%	8%
Bullying	249	126	112	44%	38%	53%
None of the above	254	172	72	45%	52%	34%
Total	566	333	211	100%	100%	100%



While a substantial number of barrister have not witness bad behaviour over the past five years, a substantial number did witness it. With female barristers recalling it more often than male barristers. As with the previous answers provided, bullying is again the main example here. With 53% of female barristers having seen it.

Q 73 Have you experienced and/or witnessed judicial bullying over the course of your career?

Answer	Total	Male	Female	Total	Male	Female
Prefer not to say	22	14	8	4%	4%	3%
Yes I have been a victim of judicial bullying	162	83	73	26%	24%	30%

Yes I have witnessed judicial bullying	132	88	42	21%	25%	17%
Yes I have been a victim of judicial bullying and witnessed judicial bullying	158	77	75	26%	22%	31%
No	104	65	32	17%	19%	13%
I honestly cannot recall	40	24	15	6%	7%	6%
Total	618	351	245	100%	100%	100%

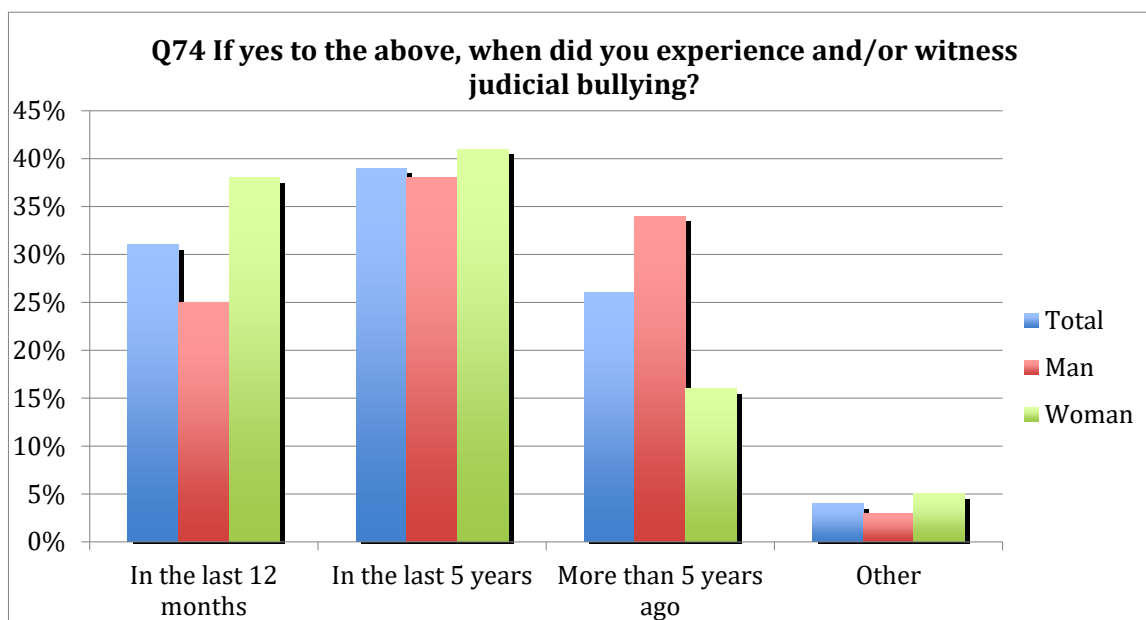
Judicial bullying appears to be a problem issue here. With around one in four barristers having either experienced it themselves, witnessed it happen to others, or both.

Female barristers experienced this slightly more than males. But both gender groups were clearly affected by this.

Q74. If yes to the above, when did you experience and/or witness judicial bullying?

	Total	Male	Female	Total	Male	Female
In the last 12 months	143	62	73	31%	25%	38%
In the last 5 years	179	95	80	39%	38%	41%
More than 5 years ago	118	85	31	26%	34%	16%
Other:	16	7	9	4%	3%	5%
Total	456	249	193	100%	100%	100%

This type of bullying behaviour starts within the past 12 months and then goes back up to five years ago.



Q75. What was the jurisdiction where the conduct occurred?

Jurisdiction	Total	Male	Female	Total	Male	Female
Magistrates Court	90	51	37	20%	21%	19%
County Court	98	49	44	22%	20%	23%

Supreme Court and Court of Appeal	83	54	26	18%	22%	14%
Federal Circuit and Family Court of Australia	82	44	35	18%	18%	18%
Federal Court	54	31	22	12%	13%	12%
High Court	7	6	1	2%	2%	1%
Other includes VCAT AAT Coroners Court and Fair Work Australia	37	11	26	8%	4%	14%
Total	451	246	191	100%	100%	100%

The two main jurisdictions where bullying has occurred are the two lower courts, the magistrates court and the county court. Here the numbers for both gender are very closely matched.

While some judicial bullying happens within the supreme court, this is more likely to impact on male barristers.

That may be due to male barristers being more likely to appear before the supreme court.

The federal circuit and family court also recorded bullying numbers in double figures. As did the federal court. The high court and other tribunals (eg. VCAT et al) recorded very little in terms of judicial bullying.

Q 76 Are there are other comments you would like to make regarding the state of the Victorian Bar?

The key takeout words from this question (so mentioned multiple times) were:

- The Bar is going in the right direction regarding diversity, but can do more.
- The Bar can help barristers more to cope with their work environment.
- The Bar is the main advocacy organization for barristers. Therefore it must not only advocate, but be seen to advocate.
- The Bar has a role to play in improving the overall workplace culture. Starting with addressing bullying, both internally, and from within the judiciary.

Appendix 1 Comparing The Trend Data from 2018 to 2023.

The historical 2018 data for this trend analysis was drawn from two reports:

- The Quality of Working Life Survey 2018.
- The State of The Victorian Bar Report 2018.

The recent 2023 State of the Bar Survey provided all the 2023 data for this analysis.

Please note:

1. The income data for 2018 was sourced from The Bar Roll's Database.
2. Comparison of the two income data sets has been approximately calculated. As the income ranges do not exactly match.
3. As the highest income range in the 2023 survey was \$180,000, this has been used as the basis for comparison here.
4. The various 2018 income ranges for \$200,000 and upwards have been consolidated into \$180,000+ range. So an approximate average income comparison can be made.
5. The "prefer not to say" category percentages for the income question have been retained for both 2018 & 2023, for the purpose of statistical calculation only.
6. The questions asking about: Discrimination, sexual harassment and bullying, were consistent across the 2018 and the 2023 surveys. So an accurate trend analysis can be constructed here.
7. The question: Have you witnessed any: Discrimination, sexual harassment and bullying? Was only asked in 2023, so no trend comparison with 2018 is possible.

Table 1. Average income comparison comparing 2018 with 2023.

2018 Income range	Female 2018	Male 2018	Female 2023	Male 2023	2023 Income range
Prefer not to say	6%	8%	6%	8%	Prefer not to say
Included in the <\$50,000 range, see below.	see below	see below	1%	1%	0-\$18,200
<\$50,000	5%	5%	0%	1%	\$18,200-\$45,000
\$50,000 - \$99,000	17%	12%	14%	8%	\$45,001-\$120,000
\$100,000 - \$199,000	31%	21%	13%	9%	\$120,000-\$180,000
\$200,000+	40%	59%	65%	73%	\$180,000+
	100%	100%	100%	100%	

From the above we can see that female income in the highest income bracket has grown substantially since 2018. By a factor of 25%. In contrast, male incomes in the highest income bracket have only risen by 14% over that time.

**Table 2. Incidence of: Discrimination, Sexual Harassment and Bullying.
Experienced over the past 12 months. Trending from 2018 to
2023.**

Category	Male 2018	Female 2018	Male 2023	Female 2023
Discrimination	16%	36%	5%	8%
Sexual harassment	9%	16%	1%	6%
Bullying	20%	37%	16%	34%

Discrimination fell across this time period, for both genders. With females reporting a larger decline. From 36% down to 8%.

It is a similar situation with sexual harassment, with both genders reporting a decline. Again this is greater for female barristers with a drop from 16% down to 6%.

Incidences of bullying have also declined. But while the 2023 percentages for discrimination reported by female barristers has declined substantially, with a drop of 28%, the 2023 percentages for bullying are still a concern for female barristers. Here the decline is only 3%. It is a similar situation for male barristers.

Appendix 2 The actual survey used in 2023.

2023 STATE OF THE BAR SURVEY

Once again, we sincerely appreciate your time in completing this survey. It will be in three parts and take approximately 12-15 minutes to complete. All answers are strictly confidential.

Part 1) Work practices

Part 2) Health and wellbeing

Part 3) Demographic information

If you have any difficulties completing the survey, please contact Duncan Buchanan, Director of Adept Research, by email at duncan@adeptresearch.com.au

WORK PRACTICES

Q1. Since the COVID-19 pandemic, has there been any change to the timing of when you are briefed by solicitors?

Yes, earlier in a legal matter or proceeding

Yes, later in a legal matter or proceeding

No noticeable change

Some of these questions will ask you to type in a percentage number. Please do so in the boxes provided to the right.

Q2. For 2022/23, what was the approximate percentage of days you were in and out of court? (This should amount to 100%)

In court (i.e. trials/contested hearings, including arbitrations):

Out of court (i.e. paperwork preparation, short directions hearings, mediations):

Q3. For 2022/23, what was the approximate percentage of your time spent working in regional Victoria? This can include both in court and out of court activities.

Q4. For 2022/23, what was the approximate percentage allocation of your time by practice area?(This should amount to 100%)

Commercial

Criminal

Family

Personal Injuries

Administrative/Public law

Other (please type in)

Q5. Emerging from the COVID-19 pandemic, are you currently receiving briefs at a pre-pandemic level?

More than pre-pandemic.

Yes, about the same.

Close to pre-pandemic.

No.

Unsure.

Q6. For 2022/23, what was the approximate percentage allocation of your billable time by client type? (This should amount to 100%)

Individual clients

Corporate clients

Government bodies e.g. AGS/VGSO/SRO/Work Cover authority

Legal Aid and OPP

Q7. For 2022/23, what was the approximate percentage allocation of your billable time by brief type? (This should amount to 100%)

Briefs from large law firms (top tier)

Briefs from medium to small law firms

Direct access briefs

Legal Aid and OPP

In House Corporate Counsel

Q8. Since the COVID-19 pandemic, has your ability to accept briefs increased due to the use of online video conferencing facilities and online court appearances?

Yes, locally only.

Yes, locally and interstate.

No.

Other (please type in below)

Q9. What percentage of time did you spend working from home pre- and post-pandemic?

Pre-pandemic %

Post-pandemic %

Q10. Approximately, how many hours of pro bono work for clients have you undertaken in the last 6 months?

0 to 10

11 to 20

21 to 30

31 to 40

40 plus

Q11. Approximately how many hours of volunteer work have you undertaken for either the Victorian Bar or community service organisations in the last 12 months?

0 to 10

11 to 20

21 to 30

31 to 40

40 plus

Q12. Have you given any pro bono advice with respect to section 18 (compellability) or section 128 (privilege in respect of self-incrimination) of the Evidence Act 2008 in the last 12 months? If yes, approximately how many hours have you spent on those matters?

None

0 to 5

6 to 10

11 to 20

21 to 30

31 to 40

40 plus

Q13. In the last six months, when you have been briefed to appear with a leader or junior, approximately what percentage of those barristers were: (This should amount to 100%)

Female juniors (less than 10 years' call)

Male juniors (less than 10 years' call)

Female seniors (silk or more than 10 years' call)

Male seniors (silk or more than 10 years' call)

Q14. In the last six months, by seniority and gender, what percentage of barristers did you recommend be briefed? (This should amount to 100%)

Female junior (less than 10 years' call)

Male junior (less than 10 years' call)

Female senior (silk or more than 10 years' call)

Male senior (silk or more than 10 years' call)

HEALTH AND WELLBEING

Here are a series of statements concerning health and wellbeing. We acknowledge that this is a sensitive topic. So we once again confirm the confidentiality of any answers that you may choose to provide here. Also if there are any questions that make you feel uncomfortable, then feel free to skip over them and move onto the next question.

Quality of life

Q15. I am content with my life in general.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Q16. I am content with my life as a barrister.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Q17. My colleagues understand and try to help me with pressures outside of work.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Not comfortable asking for help

Felt no need to ask

Q18. The Victorian Bar understands and tries to help me with pressures outside of work.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Not aware that help was available

Q19. I am generally happy with my ability to do my work.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Q20. I feel involved in decisions that affect me at work.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Q21. I am happy with my work conditions.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Q22. I experience stress at work.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Q23. I have access to ways of dealing with workplace stress.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Q24. I am satisfied with the overall quality of my working life.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Workplace wellbeing

Q25. Given my experience, I am paid fairly for the job that I do.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Q26. I enjoy my work.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Q27. I get a sense of achievement from doing my job.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Q28. I can get the sleep I need every night.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Q29. I am satisfied with my job as a whole.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Personal wellbeing

Q30. I am strongly self-critical.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Q31. I feel emotionally strong and resilient and can recognise and manage the things that cause me stress.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Q32. I have confidence in my work and can be trusted to deliver work.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Mental health

We acknowledge that this is a sensitive topic. We once again confirm the confidentiality of any answers that you may choose to provide here. Also, if there are any questions that make you feel uncomfortable, please feel free to skip over them and move on to the next question.

How would you respond to the following statements?

Q33. My job impacts on my mental health in a positive way.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Q34. Can you please elaborate on this answer for us?

Q35. I have strategies to care for my mental health at work.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Q36. Can you elaborate on this answer for us?

Q37. I feel there are ways the Victorian Bar could better support barristers' mental health.

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

Not aware of this

Q38. In my view, the top three things that the Victorian Bar could do to better support barristers' mental health are (can be less than three if you prefer):

Q39. I would be interested in participating in events organised by the Bar to improve my workplace mental health, such as: (you can selected more than one answer):

Meditation seminar

Wellness retreat

Information sessions

Small-group peer discussion on work topics

Small-group peer debriefing

Peer group physical exercise

Peer interest groups on non-work topics (e.g. book club, philosophical discussion)

Other

Q40. How could your quality of work life be improved?

DEMOGRAPHIC INFORMATION

Demographic information and Diversity at the Bar.

Once again, we reiterate that all answers are confidential.

Q41. Years' call

Prefer not to say

0-5

6-10

11-15

16-20

21-25

26-30

31-35

36-40

41-45

46-50

51-55

56-60

61-65

66-70

Q42. Age

Prefer not to say

30 or below

31-35

36-40

41-45

46-50

51-55

56-60

61-65

66-70

71 or above

Gender and identity

Q43. How do you identify:

Prefer not to say

Man

Woman

Transgender man/trans man

Transgender woman/trans woman

Non-binary, nonconforming or neither exclusively male nor female

Additional gender category (or other)

Q44. I identify as LGBTIQ+:

Prefer not to say - skip next question

Yes -- continue to next question

No -- skip next question

Q45. If yes, I do so on the basis of:

Prefer not to say

Sexuality

Gender identity

Cultural diversity

Other

Q46. I am of Aboriginal and/or Torres Strait Islander heritage:

Prefer not to say

No

Yes, Aboriginal

Yes, Torres Strait Islander

Yes, both Aboriginal and Torres Strait Islander

Q47. I was born in...

Prefer not to say

Australia

New Zealand

UK

Ireland

Scandinavia

North-Western Europe

Southern and Eastern Europe

North Africa and Middle East

South-East Asia

North-East Asia

Southern and Central Asia

North America

Central America

South America

Sub-Saharan Africa

Pacific Islands

Other

Q48. My parent(s), guardian(s) or caregiver(s) were born in...

Prefer not to say

Australia

New Zealand

UK

Ireland

Scandinavia

North-Western Europe

Southern and Eastern Europe

North Africa and Middle East

South-East Asia

North-East Asia

Southern and Central Asia

North America

Central America

South America

Sub-Saharan Africa

Pacific Islands

Other

Q49. I identify culturally as...

Prefer not to say

Australian

New Zealand

UK

Ireland

Scandinavian

North-Western European

Southern and Eastern European

North Africa and Middle Eastern

South-East Asian

North-East Asian

Southern and Central Asian

North American
Central American
South American
Sub-Saharan African
Pacific Islands
Other

Q50. I speak the following languages at home:

Prefer not to say

English

Mandarin

Vietnamese

Greek

Punjabi

Italian

Arabic

Cantonese

Hindi

Sinhalese

Spanish

Urdu

Turkish

Tamil

Macedonian

Tagalog

Malayalam

Telugu

Gujarati

Filipino

Persian (excluding Dari)

Nepali

Hazaraghi

Croatian
French
Russian
Indonesian
Serbian
Khmer
Korean
German
Bengali
Thai
Maltese
Polish
Samoan
Japanese
Dari
Assyrian Neo-Aramaic
Portuguese
Other

Q51. My religion is...

Prefer not to say
No religion
Catholic
Anglican
Islam
Christianity
Hinduism
Uniting Church
Buddhism
Eastern Orthodox
Presbyterian and Reformed
Baptist

Pentecostal

Sikhism

Lutheran

Other Protestant

Judaism

Other

Socio-economic diversity

Q52. I attended the following schooling: (You can choose more than 1 answer)

Prefer not to say

State school

Private school

Catholic school

Alternative school, e.g. Steiner

Home schooling

Other

Q53. My taxable personal income range for the financial year ending 30 June 2023 was:

Prefer not to say

0-\$18,200

\$18,200-\$45,000

\$45,001-\$120,000

\$120,000-\$180,001

\$180,001+

Q54. I am financially responsible for persons outside my household.

Prefer not to say

Yes

No

Q55. I was the first person in my family (including parents, adoptive parents or guardians, step-parents, siblings, grandparents) to have: (You can choose more than 1 answer)

Prefer not to say

A university degree

A law degree

Been admitted as a lawyer

Been a barrister

Caring responsibilities/disability

Q56. I have caring responsibilities described as: (You can choose more than 1 answer)

Prefer not to say

Childcare

Elder care

Care for a person with a disability

Other

Q57. I identify as a person with a disability that is: (You can choose more than 1 answer)

No disability

Prefer not to say

Physical

Learning

Mental health

Visual

Hearing

Other

Discrimination, Sexual Harassment, Workplace Bullying

Q58. In the last 12 months, do you believe you have been subjected to any of the following (all within the meaning of the Legal Profession Uniform Conduct (Barristers) Rules 2015)? (You can choose more than 1 answer)

Discrimination

Sexual harassment

Bullying

None of the above - Skip to Q 66

Q59. If you chose more than one answer, please refer to the most recent example here.
Was the person responsible for that conduct from within, or external to the Bar?

External to the Bar - Skip the next question

From within the Bar

Q60. If the person was from within the Bar, were they

A more senior barrister

A less senior barrister

Other

What was the gender and approximate age of the person who behaved that way?

Q61. Gender

Male

Female

Q62. Age group

Under 30 years

31 -- 40 years

41 -- 50 years

51- 60 years

Over 60 years

Q63. If yes, what did you experience? (You can choose more than 1 answer)

Incivility;

Verbal abuse;

Intimidation and/or threats;

Exclusion or isolation;

Interference with my personal property and/or work equipment;

Withholding essential information for me to do my job;

Being assigned meaningless tasks unrelated to my job;

Being given impossible assignments;

Denied work;

Sexually suggestive comments or jokes that made me feel offended;

Intrusive questions about my private life or physical appearance;

Unwelcome touching, hugging, cornering or kissing;

Inappropriate physical contact;

Repeated or inappropriate invitations to go out on dates;
Sexual gestures, indecent exposure or inappropriate display of the body;
Repeated or inappropriate advances on email, social networking websites or internet chat rooms;
Sexually explicit email or SMS message;
Request or pressure for sex or other sexual act;
Sexually explicit pictures, posters or gifts that made me feel offended;
Inappropriate staring or leering that made me feel intimidated;
Other

Q64. If you experienced discrimination, in your opinion was it based on? (You can choose more than 1 answer)

Gender
Age
Race
Other

Q65. Thinking back over the past 5 years, did you experience any of the following? (You can choose more than 1 answer)

Discrimination
Sexual harassment
Bullying
None of the above

As you see what happens around you.

Q66. In the last 12 months, have you witnessed any of the following forms of inappropriate behaviour? (You can choose more than answer)

Discrimination
Sexual harassment
Bullying
None of the above -- Skip to Q 72

Q67. If you chose more than one answer, please describe the most recent example here. Was the person responsible for that conduct from within, or external to the Bar?

External to the Bar -- Skip to Q 69
From within the Bar -- -- continue

Q68. If the person was from within the Bar, were they:

A more senior barrister

A less senior barrister

Other

What was the gender and approximate age of the person who behaved in that way?

Q69. Gender

Male

Female

Q70. Age group

Under 30 years

31 -- 40 years

41 -- 50 years

51- 60 years

Over 60 years

Q71. If yes, what did you witness? (You can choose more than 1 answer)

Incivility;

Verbal abuse;

Intimidation and/or threats;

Exclusion or isolation;

Interference with my personal property and/or work equipment;

Withholding essential information for me to do my job;

Being assigned meaningless tasks unrelated to my job;

Being given impossible assignments;

Denied work;

Sexually suggestive comments or jokes that made me feel offended;

Intrusive questions about my private life or physical appearance;

Unwelcome touching, hugging, cornering or kissing;

Inappropriate physical contact;

Repeated or inappropriate invitations to go out on dates;

Sexual gestures, indecent exposure or inappropriate display of the body;

Repeated or inappropriate advances on email, social networking websites or internet chat rooms;

Sexually explicit email or SMS message;

Request or pressure for sex or other sexual act;
Sexually explicit pictures, posters or gifts that made me feel offended;
Inappropriate staring or leering that made me feel intimidated;
Other (please type in below)

Q72. Thinking back over the past 5 years, did you witness any of the following? (You can choose more than 1 answer)

Discrimination
Sexual harassment
Bullying
None of the above

Q73. Have you experienced and/or witnessed judicial bullying over the course of your career?

Prefer not to say -- Skip to the end of the survey
Yes, I have been a victim of judicial bullying
Yes, I have witnessed judicial bullying
Yes, I have been a victim of judicial bullying and witnessed judicial bullying
No -- Skip to Q 76
I honestly cannot recall -- Skip to Q 76

Q74. If yes to the above, when did you experience and/or witness judicial bullying?

In the last 12 months
In the last 5 years
More than 5 years ago
Other:

Q75. What was the jurisdiction where the conduct occurred? (You can choose more than one answer)

Magistrates Court
County Court
Supreme Court and Court of Appeal
Federal Circuit and Family Court of Australia
Federal Court
High Court
Other (includes VCAT, AAT, Coroners Court and Fair Work Australia)

Q76. Are there are other comments you would like to make regarding the state of the Victorian Bar?

Thank you for taking the time to complete this survey. Once you are satisfied with your answers, please click submit.