



THE LAW SOCIETY  
OF NEW SOUTH WALES

Our ref: ELC:JBml190525

19 May 2025

The Rt Hon Baroness Harriet Harman KC  
Chair of The Independent Review of Bullying and Harassment  
Bar of England and Wales

By email: Bhreview@barcouncil.org.uk

Dear Lady Baroness Harman KC,

### **BULLYING AND HARASSMENT IN THE LEGAL PROFESSION**

Thank you for your recent letter.

We are heartened to hear about the Independent Review into Bullying, Harassment and Sexual Harassment at the Bar of England and Wales. One of my priorities as 2025 President of the Law Society of NSW is 'Building solicitors' mental health and well-being', and the Law Society has produced a number of resources in recent years to support the legal profession in navigating and eliminating discrimination and harassment in legal workplaces.

An example of a resource which demonstrates the Law Society's commitment to addressing harassment and other inappropriate behaviour in legal workplaces' is our 'Sexual Harassment in the Workplace' Information Hub. It provides step-by-step guidance to reporting sexual harassment to the Office of the NSW Legal Services Commissioner, the Australian Human Rights Commission, and Anti-Discrimination NSW. We are also undertaking an update to our *Workplace Guide and Model Discrimination and Harassment Policies*, which will support legal practices to implement model policies to address discrimination and harassment. As part of that work, we are also developing a standalone model policy on the recently introduced positive duty to prevent sexual harassment under the *Sex Discrimination Act 1984*.

We set out a list of resources in the attachment produced by the Law Society, as well as recent resources produced by bodies such as the Law Council of Australia, the NSW Bar Association, and prominent universities. We hope these will be of assistance.

If you have any queries, or would like further information, please contact Mimi Lee, Policy Lawyer, on [REDACTED]

Yours sincerely,

**Jennifer Ball**  
President



## **ATTACHMENT: Resources – bullying and harassment in the legal profession**

### **Law Society of NSW**

#### **Sexual harassment in the law – information hub**

The [‘Sexual harassment in the law’](#) information hub is a one-stop site for practitioners seeking guidance on how to report sexual harassment, resources from other jurisdictions, and support services.

#### **Complaints and discipline – Bulling, discrimination and sexual harassment**

The ‘complaints and discipline’ page sits under the ‘Practising Law in NSW’ section of our website. The Law Society's [complaints process](#) outlines the procedure for making and determining complaints about solicitors, and has been prepared to assist complainants and solicitors.

#### **CPD and events**

Law Society [training and events](#) devised to inform the profession and combat harassment in the law, including an online course on ‘Sexual harassment – changing workplace culture’.

#### **Workplace Guide and Model Discrimination and Harassment Policies**

A practical [guide](#) published by the Law Society to help identify and eliminate discriminatory practices in the workplace. The guide is currently under review to reflect legislative changes, including the positive duty to prevent sexual harassment under the *Sex Discrimination Act 1984* (Cth).

A standalone model policy for the prevention of sexual harassment is being developed in accordance with the [guidelines from the Australian Human Rights Commission](#).

#### **Other resources**

##### ***National Model Framework Addressing Sexual Harassment for the Australian Legal Profession (updated 2025), Law Council of Australia***

As part of its National Action Plan to Reduce Sexual Harassment in the Australian Legal Profession, in 2021, the Law Council developed a [National Model Framework Addressing Sexual Harassment for the Australian Legal Profession](#).

This Framework is designed to assist the legal profession to proactively prevent and respond to sexual harassment and guide firms in the development of their own sexual harassment policies.

Since 2021, there have since been a number of significant changes in the law addressing workplace sexual harassment and new obligations imposed on employers, partnerships and individuals.

The Law Council of Australia updated the Framework in May 2025 to make sure employers understand their responsibilities and amend workplace policies to reflect new laws and best practice.

##### ***Lawyer wellbeing, workplace experiences and ethics report (2024), Australian National University and the University of Melbourne***

[Lawyer wellbeing, workplace experiences and ethics](#) (the report) is a report by researchers from the Australian National University and the University of Melbourne, supported by the Victorian Legal Services Board and Commissioner, the Law Society of New South Wales and the Legal Practice Board of Western Australia. It presents findings from a survey completed in early 2024 by about 2,000 lawyers across these three Uniform Law jurisdictions.

The report examines the relationships between wellbeing, ethical climate, workplace incivility and wellbeing safeguards in legal workplaces, and explores how these factors influence individuals' intentions to leave either their current workplace, or the legal profession altogether.

Bullying and harassment in the workplace is cited as a factor in the qualitative research on "intention to leave the profession" (ref pp. 34-35).

***'Implications of high rates of bullying, harassment and discrimination' by Penny Thew in The Journal of the NSW Bar Association, Winter 2024 edition***

The [article](#) outlines bullying, harassment and discrimination data in the Australian legal profession:

***Bullying, harassment and discrimination data***

The following outlines the rates over time of bullying, harassment and discrimination in the Australian legal profession:

1. The *2014 LCA NARS report* (based on data from about 4,000 legal professionals, said to represent about 10% of the Australian legal profession) found (at 4):
  - 50% of Australian women legal professionals surveyed reported being bullied, 47% reported being discriminated against on the basis of sex and 24% had experienced sexual harassment: at 32;
  - 80% of women barristers surveyed across Australia had experienced bullying, 84% reported being discriminated against on the basis of sex and 55% had experienced sexual harassment: at 80.
2. In 2014, a survey conducted by the NSW Bar Association with practising certificate renewals showed that 64% of women barristers who responded to the survey reported being bullied and 42% reported experiencing sexual harassment in the 12 months before the survey.<sup>[13]</sup>
3. The *2019 IBA 'Us Too?' report* (based on data from 6,890 legal professionals from 135 countries, 6% of whom were from barristers' chambers) found (at 8, 26):
  - 73% of Australian women legal professionals surveyed reported being bullied and 47% reported being sexually harassed throughout their legal career: at 40 (bullying), at 53 (sexual harassment) and: at 87 (percentages);
  - globally, barristers' chambers were said to be the location second most likely for bullying and/or sexual harassment to occur, after 'government': at 51;
  - legal professionals at workplaces with policies and training were just as likely to be bullied or sexually harassed as those at workplaces without: at 9.
4. In 2022, the International Bar Association follow-up report, *Beyond Us Too? Regulatory Responses to Bullying and Sexual Harassment in the Legal Profession* ('*2022 IBA 'Beyond Us Too?' report*'), found (based on surveys of 70 legal regulatory or disciplinary bodies: at 7) that:

bullying and harassment in the legal profession was endemic, cultural and societal, that a reluctance to report was a major hurdle, that 'every member of the legal profession has an obligation to contribute' to positive change: at 50;



5. in Australia, both the Office of the NSW Legal Services Commissioner and Victorian Legal Services Board had introduced anonymous, informal reporting portals as a means of overcoming reluctance to formally complain, allowing data to be obtained with the potential for further systemic action: at 16–17.
6. In 2022, a survey conducted by the NSW Bar Association with practising certificate renewals showed that 22.5% of those responding (both women and men) reported being bullied and almost 6% reported experiencing a form of harassment in the 12 months before the survey.<sup>[14]</sup> There is no breakdown by sex available for this data, and the steep decline from the 2014 practising certificate renewal survey (by a factor of almost 3 for bullying and a factor of about 7 for harassment) could be in part due to the data containing results of both women and men, rather than only women. The 2023 and 2024 renewal survey results are not yet available.
7. In late 2023, a *Lawyers Weekly* survey found that, of the almost 800 legal professionals responding, 72% said they had been bullied. While this is not empirical data given it was an online survey, Law Council of Australia president Luke Murphy said that such surveys were ‘very important to be able to quantify and understand the extent of the problem’.<sup>[15]</sup>

***Designing Gender Equality into the Future of Law report (2023), University of Sydney and the Australian National University***

The [report](#) shows that: “Research participants agree that significant gendered inequalities remain in the legal profession, and they see this playing out across multiple dimensions, including in relation to sexual harassment, bullying, access to prestigious cases and projects, in client’s relationships, promotion opportunities, and in support for work-life balance. However, we identified substantial differences in how women and men perceived both the existence and severity of these problems, with women more likely to identify challenges and less likely to perceive that those challenges are being adequately or appropriately addressed.”