

Statistical Snapshot of Lawyers in Ontario

from the Lawyer Annual Report (LAR) 2017

RESPONSE RATES

The Law Society of Ontario has been collecting self-identification data in the Lawyer Annual Report since 2009. The structure of the survey at the time permitted the lawyer to opt to pass over the question and provide no response. This option has been modified so that, while a lawyer can still decline to self-identify, the person must now so indicate by expressly entering this response.

EQUITY SURVEY: LAWYER RESPONSE RATE BY QUESTION, 2017*

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

Indigenous	91.6%	Identify as Francophone	90.1%
Racialization	79.8%	Able to Practice in French	90.3%
Sexual orientation	80.8%	Have a Disability	84.3%
Total Number	43,660		

*There is no missing data for gender, which is obtained from administrative records

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Table 1: Indigenous and Racialized Lawyers in Ontario in 2017, Compared to the 2016 Ontario Population

Group	Lawyers		Ontario Population		
			Everyone	Persons in the Labour Force, Ages 25-69	University Graduates in the Labour Force, Ages 25-69
	Number	Percent, excluding missing	Percent		
Indigenous					
First Nations	343	0.98	1.84	1.40	0.54
Inuk	5	0.01	0.03	0.02	0.01
Metis	195	0.56	0.94	0.89	0.49
Other and Multiple Indigenous			0.10	0.07	0.04
Total Indigenous	543	1.56	2.91	2.38	1.08
Racialized					
Arab	355	1.02	1.56	1.12	1.89
Black	1,143	3.28	4.67	4.18	3.04
Chinese	1,317	3.78	5.59	5.49	9.14
Filipino	113	0.32	2.34	2.77	3.45
Japanese	70	0.20	0.19	0.18	0.29
Korean	320	0.92	0.63	0.60	1.04
Latino	209	0.60	1.42	1.59	1.29
South Asian	2,398	6.88	8.68	8.41	13.33
Southeast Asian	139	0.40	0.93	0.89	0.66
West Asian	421	1.21	1.10	1.03	1.61
Other Visible Minority			0.71	0.70	0.45
More than one Racialized Group	184	0.53	0.88	0.61	0.75
Racialized and White	553	1.59			
Total Racialized	7,222	20.73	28.70	27.57	36.94
White	27,079	77.71	68.39	70.05	61.99
Not Indigenous, Declined Racialization Question	3,669				
Declined Indigenous and Racialization Questions	5,147				
Total		100.0	100.0	100.0	100.0
Number	43,660	34,844	12,998,640	5,810,371	1,962,679

Source: 2017 Lawyer Annual Report, 2016 Canadian Census public use microdata file; analysis by Michael Ornstein

Table 1: **Representation of Indigenous and Racialized Persons** for Ontario Lawyers, 2017, compared to the Ontario Population

1. 77.7% of Ontario lawyers are White, compared to 67.8% of the 2016 Ontario population, 69.7% of the Ontario labour force age 25-69 and 61.3% of Ontario university graduates in the labour force age 25-69. These figures, however, exclude lawyers who have not answered the questions about indigeneity *or* racialization. Assuming these non-respondents were entirely White, would increase the percentage of White lawyers to around 82%.
2. Based on lawyers who answered the survey questions about both indigeneity and racialization, 1.56% of lawyers are Indigenous, compared to 2.91% of the 2017 Ontario population, 2.38% of the labour force age 25-69 and 1.08% of university graduates in the labour force age 25-69. Including lawyers who answered the question about indigeneity but not racialization gives a better and reduced estimate of 1.41% Indigenous lawyers. Further assuming that all 5,147 lawyers who refused answer both questions, about indigeneity and racialization are non-Indigenous, the estimate drops still further to 1.24%. Analysis shows that these non-respondents are not concentrated in a particular age group or sector of the profession, and so it does not appear possible to predict their answers reliably. So it seems unlikely that these respondents are entirely White. The obvious solution to this significant limitation of the data is to make the survey responses mandatory.
3. Racialized Ontarians (so *not* including Indigenous) account for 20.7% of lawyers, compared to 29.3% of the 2017 Ontario population, 28.0% of the labour force age 25-69 and 37.6% of university graduates in the labour force age 25-69. The figure for racialized lawyers, note, includes .53% who indicate their identifying with two or more racialized groups and 1.59% who are racialized and White. Counting all the non-respondents as White reduces racialized lawyers to 16.5% of all lawyers. Note that sometimes bi-racial persons, who are White and a member of a racialized group are classified with the racialized group. If this were done, the percentages in the racialized groups would, on average, be 8 percent higher.
4. Black lawyers account for 3.28% of lawyers, compared to 4.20% of the 2017 Ontario population, 4.00% of the 2011 labour force age 25-69 and 2.91% of university graduates in the labour force age 25-69. All the other racialized groups have a smaller percentage of lawyers than their proportions of Ontario university graduates in the labour force age 25 or more, but they vary radically. For example, 9.05% of Ontario university graduates in the labour force 25-69 identify as Chinese, versus 3.78% of lawyers; for Latinos the comparable figures are 1.29% and 0.60%; and for Filipinos 3.43% and 0.32%. Focussing on the comparison between lawyers and university graduates – so accounting for group differences in access to higher education (which of course may reflect economic disadvantage and discrimination) – by a wide margin the Filipino group includes very few lawyers relative to its population. Then the main under-represented groups – they have around 40 to 50 percent the number based on their university graduate population – are the Arab, Chinese, Latino and South Asian groups.

Table 2: Racialization by Age for Ontario Lawyers, 2017

	Under 35	35-44	45-54	55-64	65 or more	Under 35	35-44	45-54	55-64	65 or more
	Number					Percent, excluding missing				
Indigenous										
First Nations and Inuk	66	110	99	62	11	0.8	1.2	1.3	1.0	0.3
Métis	65	64	39	17	10	0.8	0.7	0.5	0.3	0.3
Total Indigenous	131	174	138	79	21	1.5	1.9	1.8	1.3	0.6
Racialized										
Arab	148	127	50	26	4	1.7	1.4	0.7	0.4	0.1
Black	265	386	352	110	30	3.1	4.2	4.6	1.8	0.9
Chinese	507	428	243	101	38	5.9	4.7	3.2	1.7	1.1
Filipino	23	46	29	11	4	0.3	0.5	0.4	0.2	0.1
Japanese	6	18	27	10	9	0.1	0.2	0.4	0.2	0.3
Korean	102	128	73	17	0	1.2	1.4	1.0	0.3	0.0
Latino	70	90	39	7	3	0.8	1.0	0.5	0.1	0.1
South Asian	917	820	468	149	44	10.7	8.9	6.2	2.5	1.3
Southeast Asian	46	54	29	7	3	0.5	0.6	0.4	0.1	0.1
West Asian	222	158	32	8	1	2.6	1.7	0.4	0.1	0.0
More than one Racialized Group	80	61	36	4	3	0.9	0.7	0.5	0.1	0.1
Racialized and White	224	200	95	29	5	2.6	2.2	1.2	0.5	0.1
Total Racialized	2,610	2,516	1,473	479	144	30.3	27.4	19.4	7.9	4.2
White	5,865	6,501	5,993	5,487	3,233	68.2	70.7	78.8	90.8	95.1
Not Indigenous, Declined Racialization Question	718	899	821	806	425					
Declined Indigenous and Racialization Questions	788	1,205	1,314	1,197	643					
Total	10,112	11,295	9,739	8,048	4,466	100.0	100.0	100.0	100.0	100.0

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

While providing an accurate view of the profession at one point in time, information from the 2017 LAR in this Table cannot show change over time, such as movement between sectors of employment and exit from and re-entry to the profession, which must be related to gender and racialization.

1. Suggesting they are no longer making gains within the profession, 1.5% of lawyers under 35 are Indigenous, compared to 1.9% of lawyers age 35-44 and 1.8% of lawyers 45-54, who are Indigenous. Comparing these age groups, an increase in the percentage of lawyers who are Métis is accompanied by a decline in the percentage of First Nations lawyers.
2. Racialized lawyers increased from 4.2% Ontario lawyers 65 or more to 19.4% of lawyers age 45-54 and 30.3% of lawyers under 35.
3. Comparing the 45-54, 55-64 and 65 and older groups, there is a very large increase in the representation of every racialized group; this representing the initial progress in equity about 30 years ago. For most, but not all groups, progress continues for lawyers under 45. The groups diverge, however, with the Arab, Chinese, Korean, Latino, South Asian and West Asian groups making greater progress, but not the Black and Filipino groups. Black lawyers account for 3.1% of lawyers under 35, versus 4.2% of lawyers 35-44 and 4.6% of lawyers 45-54 (*but also see the next Table*). The differences between racialized groups, could be tied to their differing age distributions, immigration patterns and enrollment in post-secondary education.

TABLE 3a: Year of Call by Racialization *by number, for Ontario Lawyers, 2017*

Year of Call	2017	2016	2013-16	2008-12	1998-2007	1988-97	1978-87	Before 1978	Total
	<i>Number</i>								
Indigenous									
First Nations and Inuk	16	14	46	55	140	54	20	3	348
Metis	22	11	30	51	47	22	8	4	195
Indigenous Total	38	25	76	106	187	76	28	7	543
Racialized									
Arab	38	37	64	80	93	30	12	1	355
Black	93	70	202	239	378	147	10	4	1,143
Chinese	109	100	266	272	343	168	52	7	1,317
Filipino	9	7	25	25	37	9	1	0	113
Japanese	0	0	2	11	23	20	9	5	70
Korean	28	17	59	74	105	32	5	0	320
Latino	23	18	46	55	51	12	4	0	209
South Asian	229	215	539	568	638	183	20	6	2,398
Southeast Asian	12	10	29	32	44	11	1	0	139
West Asian	51	43	115	127	76	8	1	0	421
More than one Racialized Group	17	24	41	49	35	16	2	0	184
Racialized and White	63	34	116	118	161	45	12	4	553
Racialized Total	672	575	1,504	1,650	1,984	681	129	27	7,222
White	1,112	1,083	2,894	3,895	6,766	5,266	4,159	1,904	27,079
Not Indigenous, Declined Racialization Question	121	145	422	504	905	745	598	229	3,669
Declined Indigenous and Racialization Questions	137	143	476	689	1,332	1,121	897	352	5,147
Total	2,080	1,971	5,372	6,844	11,174	7,889	5,811	2,519	43,660

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

TABLE 3b: Year of Call by Racialization by percent, excluding missing, for Ontario Lawyers, 2017

Year of Call	2017	2016	2013-16	2008-12	1998-2007	1988-97	1978-87	Before 1978	Total
	<i>Percent, excluding missing</i>								
Indigenous									
First Nations and Inuk	0.9	0.8	1.0	1.0	1.6	0.9	0.5	0.2	1.0
Metis	1.2	0.7	0.7	0.9	0.5	0.4	0.2	0.2	0.6
Indigenous Total	2.1	1.5	1.7	1.9	2.1	1.3	0.6	0.4	1.6
Racialized									
Arab	2.1	2.2	1.4	1.4	1.0	0.5	0.3	0.1	1.0
Black	5.1	4.2	4.5	4.2	4.2	2.4	0.2	0.2	3.3
Chinese	6.0	5.9	5.9	4.8	3.8	2.8	1.2	0.4	3.8
Filipino	0.5	0.4	0.6	0.4	0.4	0.1	0.0	0.0	0.3
Japanese	0.0	0.0	0.0	0.2	0.3	0.3	0.2	0.3	0.2
Korean	1.5	1.0	1.3	1.3	1.2	0.5	0.1	0.0	0.9
Latino	1.3	1.1	1.0	1.0	0.6	0.2	0.1	0.0	0.6
South Asian	12.6	12.8	12.0	10.1	7.1	3.0	0.5	0.3	6.9
Southeast Asian	0.7	0.6	0.6	0.6	0.5	0.2	0.0	0.0	0.4
West Asian	2.8	2.6	2.6	2.2	0.9	0.1	0.0	0.0	1.2
More than one Racialized Group	0.9	1.4	0.9	0.9	0.4	0.3	0.0	0.0	0.5
Racialized and White	3.5	2.0	2.6	2.1	1.8	0.7	0.3	0.2	1.6
Racialized Total	36.9	34.2	33.6	29.2	22.2	11.3	3.0	1.4	20.7
White	61.0	64.3	64.7	68.9	75.7	87.4	96.4	98.2	77.7
Not Indigenous, Declined Racialization Question									
Declined Indigenous and Racialization Questions									
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

Differences between Table 3, based on year of call and Table 2, based on age, can result from differences in age at which lawyers in the different groups are called. The figures for year of call lend themselves to more detailed examination because they allow finely detailed study of beginning lawyers, but not too much emphasis should be placed on variation between single years. Focussing on age, groups whose members do not follow a path from an undergraduate degree directly into law school are seen to be under-represented as entrants into the profession. However, it is also true that lawyers who begin practice at the age of 30 or 35 has a shorter presence in the profession than those entering at age 25, as it is not likely that those older entrants make up the time by retiring at older ages.

1. Table 1 shows the increasing diversity of the profession. The proportion of racialized lawyers is 36.9% for the 2017 year of call, 34.2% for 2016, 33.6% for 2013-15, 29.2% for 2008-12 and 22.2% for 1998-2007.
2. The representation of the Arab, Chinese, South Asian and West Asian groups is up substantially since 2012.
3. Consistent with the comparison of age groups in Table 2, the percentage of Indigenous lawyers has not increased in the last decade, despite an uptick in 2016. In contrast to Table 2, however, the figures for year of call show the representation of Black lawyers is quite stable. This suggests that Black lawyers tend to begin practice noticeably older than White lawyers.

TABLE 4: Gender, Sexual Orientation, Francophone Identity, Ability to Practice in French and Disability by Age *for Ontario Lawyers, 2017*

	Total	Under 35	35-44	45-54	55-64	65 or more	Total	Under 35	35-44	45-54	55-64	65 or more
	Number						Percent, excluding missing					
Gender												
Women	19,388	5,522	5,856	4,459	2,925	626	44.4	54.6	51.8	45.8	36.3	14.0
Men	24,272	4,590	5,439	5,280	5,123	3,840	55.6	45.4	48.2	54.2	63.7	86.0
Sexual Orientation												
LGBT2Q	1,316	448	356	293	183	36	3.7	5.2	3.8	3.8	3.0	1.0
Not LGBT2Q	33,916	8,108	8,981	7,437	5,931	3,459	96.3	94.8	96.2	96.2	97.0	99.0
Declined to Answer	8,428	1,556	1,958	2,009	1,934	971						
Identify as Francophone												
Yes	2,128	630	648	494	272	84	5.4	6.7	6.3	5.7	3.9	2.1
No	37,227	8,820	9,641	8,186	6,740	3,840	94.6	93.3	93.7	94.3	96.1	97.9
Declined to Answer	4,305	662	1,006	1,059	1,036	542						
Able to Practice in French												
Can Counsel and Represent	3,452	900	1,074	848	461	169	8.8	10.0	10.5	9.6	6.4	4.1
Can Counsel But Not Represent	1,916	419	598	458	322	119	4.9	4.7	5.8	5.2	4.5	2.9
Cannot	34,036	7,665	8,601	7,537	6,397	3,836	86.4	85.3	83.7	85.2	89.1	93.0
Declined to Answer	4,256	1,128	1,022	896	868	342						
Have a Disability												
Yes	1,473	304	333	335	358	143	4.0	3.4	3.4	4.2	5.5	3.9
No	35,313	8,570	9,335	7,734	6,106	3,568	96.0	96.6	96.6	95.8	94.5	96.1
Declined to Answer	6,874	1,238	1,627	1,670	1,584	755						
All Lawyers	43,660	10,112	11,295	9,739	8,048	4,466	100.0	100.0	100.0	100.0	100.0	100.0

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

1. Table 4 shows the remarkable growth in the representation of women, from 14.0% of lawyers over 65 to 51.8% of lawyers age 35-44 with a further small increase to 54.6% of lawyers under 35. These figures, note, are unaffected by non-response, because gender is field in the LSO's administrative records.
2. 5.2% of lawyers under 35 identify as LGBT2Q, 1.4% higher than for lawyers age 35-54, and compared to 3.0% of lawyers 55-64 and 1.0% age 65 or more. Fully 19.2% of lawyers did not answer this question. It seems likely that these are underestimates on the grounds that LGBT2Q lawyers concerned about disclosure are over-represented among non-respondents. Making this question mandatory to deal with this concern, however, is likely to be quite problematic.
3. Considerably more lawyers can work in French than identify as Francophone, though the age patterns are similar. There is a dramatic increase in the proportion of lawyers identifying as Francophone, from 2.1% of lawyers over 65 to 6.7% of lawyers under 35; comparing the same age groups, while the percentage for lawyers able to counsel and represent in French rose from 4.1% to 10.0%, percentages that increase by about one-third counting lawyers who indicate they can counsel in French, but not represent them at a proceeding. About 4200 lawyers do not answer either question and it seems likely they are predominantly non-Francophone and not able to practice in French – if true it would lower the percentages of Francophone and French practicing lawyers by about 10%.
4. 3.4% of lawyers entering the profession have a disability, which increases from 4.2 percent of lawyers 45-54 and 5.5% for ages 55-64. The lower proportion with a disability for ages 65 or more, 3.9%, suggests that disability leads to earlier retirement. These must be considered underestimates, in part in light of the 15.7 percent who do not answer the question. About 10% of lawyers do not respond to the question, but there is no evidence these tend to have a disability or that they do not.

TABLE 5a: Type of Licence by Racialization* for Ontario Lawyers, 2017

	Sole Practitioner	Law Firm Partner	Law Firm Associate	Law Firm Employee	Legal Clinic	In House	Government	Education	Other Employment	Retired or Not Working	Total	Number
	Percent											
Indigenous												
First Nations and Inuk	25	7	12	3	6	8	21	2	7	10	100	345
Métis	22	7	21	2	2	7	24	2	5	8	100	190
Indigenous Total	24	7	15	3	4	7	22	2	6	9	100	535
Racialized												
Arab	22	11	21	3	3	10	15	1	7	6	100	349
Black	33	6	13	3	3	11	17	1	6	8	100	1,113
Chinese	19	8	24	2	1	18	13	0	6	8	100	1,269
Filipino	32	9	19	4	0	12	12	1	9	3	100	113
Japanese	10	20	6	1	3	19	19	1	10	11	100	70
Korean	15	10	19	3	1	19	17	0	6	10	100	317
Latino	24	9	21	2	3	15	11	0	5	9	100	202
South Asian	30	8	18	3	2	12	12	1	6	8	100	2,328
Southeast Asian	29	10	19	4	2	8	7	1	7	14	100	136
West Asian	27	5	29	4	0	12	8	1	5	9	100	408
More than one Racialized Group	21	4	29	5	2	9	14	1	7	10	100	175
Racialized and White	11	8	25	3	3	16	18	2	7	7	100	525
Racialized Total	25	8	20	3	2	13	14	1	6	8	100	7,005
White	19	18	18	3	1	12	14	1	6	8	100	26,624
Not Indigenous, Declined Racialization Question	25	17	14	3	1	12	12	1	6	8	100	3,621
Declined Indigenous and Racialization Questions	24	19	14	3	1	11	13	1	6	8	100	5,087
Total	21	16	18	3	1	12	13	1	6	8	100	42,872

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

*excludes new licensees

TABLE 5b: Size of Law Firm by Racialization for Ontario Lawyers, 2017

	Size of Law Firm, based on Partners, Associates and Employees								Total	Number
	Fewer than 5	5-9	10-24	25-49	50-99	100-199	200 or more	Percent		
Indigenous										
First Nations and Inuk	45	12	24	9	0	4	7	100	76	
Métis	33	19	21	9	2	4	12	100	57	
Indigenous Total	40	15	23	9	1	4	9	100	133	
Racialized										
Arab	40	12	18	3	3	9	14	100	121	
Black	44	12	15	5	4	10	10	100	240	
Chinese	29	15	16	7	4	10	19	100	438	
Filipino	31	22	11	8	8	6	14	100	36	
Japanese	5	21	16	21	5	5	26	100	19	
Korean	31	11	16	8	4	17	14	100	101	
Latino	50	11	11	5	0	11	14	100	66	
South Asian	45	15	14	6	2	8	10	100	681	
Southeast Asian	32	20	14	9	2	5	18	100	44	
West Asian	36	16	21	8	3	9	7	100	154	
More than one Racialized Group	29	14	18	9	0	11	18	100	65	
Racialized and White	28	13	22	8	2	8	18	100	191	
Racialized Total	38	14	16	7	3	9	14	100	2,156	
White	25	14	16	10	5	14	15	100	10,389	
Not Indigenous, Declined Racialization Question	30	14	15	9	6	13	13	100	1,231	
Declined Indigenous and Racialization Questions	30	14	18	8	5	13	11	100	1,839	
Total	28	14	17	10	5	13	14	100	15,748	

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

TABLE 5c: Region by Racialization** for Ontario Lawyers, 2017

	South West	Central South	Toronto	Durham, Halton, Peel, York	Central North	North	Ottawa	East	Total	Number
	<i>Percent</i>									
Indigenous										
First Nations and Inuk	7	11	28	9	9	16	15	5	0	334
Métis	6	4	34	9	8	10	26	3	0	187
Indigenous Total	7	8	30	9	9	14	19	4	0	521
Racialized										
Arab	8	2	50	15	1	0	24	1	0	346
Black	3	4	56	23	2	1	11	1	0	1,115
Chinese	1	2	70	20	1	0	6	0	0	1,295
Filipino	4	4	63	21	3	0	4	0	0	112
Japanese	1	3	64	13	3	0	13	3	0	69
Korean	2	3	71	17	1	1	5	0	0	317
Latino	6	5	56	18	1	2	10	1	0	203
South Asian	1	3	53	34	1	1	6	0	0	2,359
Southeast Asian	1	3	56	28	1	0	10	0	0	135
West Asian	1	1	69	18	0	0	9	0	0	415
More than one Racialized Group	2	2	72	16	1	1	5	1	0	177
Racialized and White	2	3	65	11	2	1	14	1	0	546
Racialized Total	2	3	60	24	1	1	9	1	0	7,089
White	6	6	55	12	4	2	13	3	0	26,658
Not Indigenous, Declined Racialization Question	4	6	59	16	3	2	10	1	0	3,615
Declined Indigenous and Racialization Questions	6	7	52	14	4	3	11	3	0	5,070
Total	5	6	55	14	3	2	12	2	0	42,953

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

**excludes lawyers whose address is outside Ontario

Table 5: **Type of Licence, Size of Law Firm and Region by Racialization** for Ontario Lawyers, 2017

The distribution of type of licence – especially the distinction between firm partners and lawyers, but true across the board – differs substantially between Indigenous, racialized and White lawyers. In part, this could result from age differences, as Tables 2 and 3 show that White lawyers are considerably older, on average. With regression analysis it is possible to make comparisons accounting for differences in age, but truly understanding the shape of careers requires longitudinal data that follows individuals over time. The figures for location of practice should be seen in the context of the populations in these areas: lawyers and law firms are concentrated in Toronto, but so is the Ontario population.

1. Compared to White lawyers, Indigenous lawyers are more likely, by a margin of 24 to 19%, to be in sole practice; 4 percent of Indigenous lawyers practice a legal clinic, compared to just 1% of White lawyers, in education, 2% versus 1% and to work for government, 22 versus 14%. Indigenous lawyers are much less likely to be law firm partners – 7 percent versus 18 percent for White lawyers – and somewhat less likely to be in house lawyers and firm associates. With information from only one point in time, it is impossible to tell whether the much larger proportion of Indigenous associates than partners portends change coming to a relatively youthful population of Indigenous lawyers or if many Indigenous associates do not become partners. The second panel of the table shows that Indigenous lawyers tend to be smaller firms and that 14% work in the North, compared to just 2% on non-Indigenous lawyers. What these data cannot tell us is the extent to which these are voluntary choices.
2. Compared to White lawyers, racialized lawyers are more likely to be in sole practice. While racialized lawyers are much less likely to be law firm partners, at present 20% of law firm *associates* are racialized, compared to about 18% of White lawyers, which portends growth in the percentage of racialized law firm partners. At least in part, the low percentages of racialized law firm partners must reflect their younger populations (except for the reverse pattern for the Japanese group, which is a distinctly older racialized group).
3. While there are complex differences in the employment of the eight racialized groups, Black lawyers are the most distinctive, due their low numbers of law firm partners *and associates* and very high level of sole practice.
4. Indigenous lawyers are much more likely to practice in the Central North, Eastern Ontario and Ottawa, and especially in the North; and they are less likely to practice in Toronto. Racialized lawyers are concentrated in Toronto, except for the concentration of Arab lawyers in Ottawa and South Asian lawyers in Durham, Halton, Peel and York (which are combined in the Table at are one LSO region). Chinese and East Asian lawyers are concentrated in Toronto.

TABLE 6a: Type of Licence by Gender by Age* for Ontario Lawyers, 2017

	Sole Practitioner	Law Firm Partner	Law Firm Associate	Law Firm Employee	Legal Clinic	In House	Government	Education	Other Employment	Retired or Not Working	Total	Number
	Percent											
Women												
Total	14.9	9.0	18.8	3.1	2.0	13.5	17.9	1.7	6.9	12.1	100.0	18,995
under 35	8.4	1.9	42.7	4.7	2.4	9.8	12.5	0.6	6.1	10.9	100.0	5,168
35-44	12.6	9.4	16.6	2.9	2.1	17.2	19.6	1.6	6.4	11.7	100.0	5,828
45-54	18.1	13.2	6.2	2.0	1.3	16.6	22.8	2.3	8.2	9.2	100.0	4,451
55-64	21.9	13.2	3.6	2.3	2.3	10.1	18.1	2.5	7.8	18.3	100.0	2,922
65 or more	35.9	14.7	3.7	3.0	1.6	4.6	9.6	3.8	5.6	17.4	100.0	626
Men												
Total	25.7	21.7	16.7	2.9	0.7	10.7	10.0	1.0	5.8	4.8	100.0	23,877
under 35	12.5	3.0	48.8	5.3	1.4	9.9	8.7	0.3	5.1	4.9	100.0	4,268
35-44	17.3	16.5	22.2	3.2	0.9	16.6	13.6	1.0	5.7	3.0	100.0	5,380
45-54	23.8	28.4	5.8	2.6	0.4	13.5	13.0	1.5	7.4	3.6	100.0	5,273
55-64	30.6	31.0	3.5	1.5	0.7	8.0	9.3	1.1	6.6	7.7	100.0	5,117
65 or more	48.3	28.2	6.1	1.9	0.4	2.9	3.1	0.7	3.4	4.9	100.0	3,839

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

*excludes new licensees

TABLE 6b: Size of Law Firm by Gender for Ontario Lawyers, 2017

	Size of Firm, based on Partners, Associates and Employees								Total	Number
	Fewer than 5	5-9	10-24	25-49	50-99	100-199	200 or more			
	Percent									
Women	30.1	13.7	16.4	9.6	4.2	12.1	14.0	100.0	5,878	
Men	26.3	14.6	16.7	9.5	4.7	13.7	14.5	100.0	9,870	
Total	27.7	14.3	16.6	9.6	4.5	13.1	14.3	100.0	15,748	

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

TABLE 6c: Region by Gender** for Ontario Lawyers, 2017

	South West	Central South	Toronto	Durham, Halton, Peel, York	Central North	North	Ottawa	East	Total	Number
	Percent									
Women	4.9	4.7	56.4	13.5	3.3	2.0	13.3	2.1	100.0	18,632
Men	5.5	6.6	54.5	14.8	3.6	2.5	10.3	2.3	100.0	23,589
Total	5.2	5.8	55.3	14.2	3.4	2.3	11.6	2.2	100.0	42,221

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

**excludes lawyers whose address is outside Ontario

Table 6: **Gender by Type of Employment, Size of Law Firm and Region** for Ontario Lawyers, 2017

1. Men are more likely to be in sole practice, 25.7% versus 14.9% for women, and men more likely to be law firm partners, 21.7% versus 9.0% for women. There is a higher proportion of women in all the other categories, including employment in house, at clinics, for government and in university
2. While male lawyers are older on average, this cannot account for the gender difference in type of employment, since *in each age group* men are more likely to be in sole practice and law firm partners. Up to age 44, there is a rather small preponderance of men among law firm *associates*, showing women are considerably less likely to become partners. Also evident is the tendency for women to leave law firms in their 30's for employment in government, education and in house. This well-known pattern is best understood with over-time data, preferable including evidence of the women lawyers' intent and their views of the structural barriers to continuing in law firms.
3. Gender differences in geographical location are small.

TABLE 7a: Type of Licence by Francophone Identity and Ability to Practice in French* for Ontario Lawyers, 2017

	Sole Practitioner	Law Firm Partner	Law Firm Associate	Law Firm Employee	Legal Clinic	In House	Government	Education	Other Employment	Retired or Not Working	Total	Number
	<i>Percent</i>											
Identify as Francophone												
Yes	15.2	10.6	15.1	2.6	2.3	10.6	26.3	2.1	7.7	7.5	100.0	2,087
No	20.8	16.1	18.4	3.0	1.3	12.1	12.8	1.3	6.3	8.0	100.0	36,537
Total	20.5	15.8	18.2	3.0	1.3	12.0	13.6	1.3	6.3	8.0	100.0	38,624
Able to Provide Service in French?												
Yes, Represent and Counsel	16.4	10.6	13.1	2.5	2.7	11.3	27.5	1.9	6.5	7.5	100.0	3,385
Counsel, but not Represent	18.7	12.0	15.8	2.5	2.9	12.0	24.6	1.6	3.8	6.1	100.0	1,887
Neither	22.6	17.5	18.6	3.1	1.2	12.0	11.1	1.1	5.6	7.1	100.0	33,447
Total	21.9	16.7	18.0	3.1	1.4	12.0	13.2	1.2	5.6	7.1	100.0	38,719

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

*excludes new licensees

TABLE 7b: Size of Law Firm by Francophone Identity and Ability to Practice in French *for Ontario Lawyers, 2017*

	Size of Firm, based on Partners, Associates and Employees								Total	Number
	Fewer than 5	5-9	10-24	25-49	50-99	100-199	200 or more			
	Percent									
Identify as Francophone										
Yes	35.5	12.9	16.1	8.8	1.9	8.6	16.2	100.0	591	
No	27.1	14.4	16.3	9.7	4.6	13.3	14.6	100.0	13,673	
Total	27.5	14.3	16.3	9.7	4.5	13.2	14.6	100.0	14,264	
Able to Provide Service in French?										
Counsel	33.1	15.0	16.6	9.1	2.5	8.8	15.0	100.0	888	
Represent	27.6	15.6	17.8	8.4	3.5	11.9	15.2	100.0	572	
Neither	27.4	14.4	16.6	9.8	4.6	13.3	13.8	100.0	13,141	
Total	27.8	14.5	16.7	9.7	4.5	13.0	14.0	100.0	14,601	

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

 TABLE 7c: Region by Francophone Identity and Ability to Practice in French** *for Ontario Lawyers, 2017*

	South West	Central South	Toronto	Durham, Halton, Peel, York	Central North	North	Ottawa	East	Total	Number
	Percent									
Identify as Francophone										
Yes	2.5	2.1	27.1	5.8	0.9	7.4	48.5	5.7	100.0	2,014
No	5.2	5.8	57.3	14.8	3.5	2.0	9.6	1.9	100.0	36,706
Total	5.1	5.6	55.7	14.3	3.3	2.2	11.6	2.1	100.0	38,720
Able to Provide Service in French?										
Yes, Represent and Counsel	2.4	2.1	33.3	6.0	1.1	5.3	45.4	4.3	100.0	3,263
Counsel, but not Represent	2.9	2.9	48.3	8.4	1.6	2.6	30.8	2.4	100.0	1,850
Neither	5.8	6.4	57.3	15.4	3.8	2.1	7.1	2.0	100.0	33,683
Total	5.4	5.9	54.9	14.3	3.5	2.4	11.4	2.2	100.0	38,796

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

**excludes lawyers whose address is outside Ontario

1. The main distinction between Francophone and non-Francophone lawyers, as well as between lawyers able and unable to practice in French, is that the former are roughly twice as likely to be in government and more than five times more likely to work in Ottawa, where 48.5% of Francophones are found versus 9.6% of non-Francophones. Francophone lawyers and lawyers able to practice in French are also more likely to work in Eastern Ontario.
2. Their concentration in government is such that Francophones and lawyers able to work in French are less likely to be in all the other sectors, except for education and legal clinics.

TABLE 8a: Type of Licence by Disability* for Ontario Lawyers, 2017

	Sole Practitioner	Law Firm Partner	Law Firm Associate	Law Firm Employee	Legal Clinic	In House	Government	Education	Other Employment	Retired or Not Working	Total	Number
	<i>Percent</i>											
Has a Disability	24.5	7.4	11.3	1.9	3.2	6.3	20.5	2.5	7.4	14.9	100.0	1,451
No Disability	20.2	16.3	18.6	3.0	1.3	12.3	13.2	1.2	6.3	7.6	100.0	34,646
Total	20.4	15.9	18.3	3.0	1.3	12.0	13.4	1.3	6.4	7.9	100.0	36,097

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

*excludes new licensees

TABLE 8b: Size of Law Firm by Disability for Ontario Lawyers, 2017

	Size of Firm, based on Partners, Associates and Employees								Total	Number
	Fewer than 5	5-9	10-24	25-49	50-99	100-199	200 or more	Total	Number	
	<i>Percent</i>									
Has a Disability	32.7	16.0	14.3	10.3	4.3	13.0	9.3	100.0	300	
No Disability	27.2	14.2	16.4	9.6	4.5	13.2	14.9	100.0	13,145	
Total	27.3	14.2	16.3	9.6	4.5	13.2	14.8	100.0	13,445	

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

TABLE 8c: Region by Disability** for Ontario Lawyers, 2017

	South West	Central South	Toronto	Durham, Halton, Peel, York	Central North	North	Ottawa	East	Total	Number
	<i>Percent</i>									
Has a Disability	5.8	5.8	52.6	11.0	3.7	2.6	15.5	3.0	100.0	1,445
No Disability	5.1	5.5	55.9	14.5	3.3	2.2	11.5	2.0	100.0	34,730
Total	5.1	5.6	55.7	14.3	3.3	2.2	11.6	2.1	100.0	36,175

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

**excludes lawyers whose address is outside Ontario

This tabulation of the current employment of lawyers with a disability, but does not account for age. Very likely, lawyers with a disability can be divided into two groups, according to whether it had effect when they were called. Lawyers affected by disability only in mid-career may not receive accommodation and may change employment or be forced into retirement, but this is different from the barriers to the initial employment lawyers with a disability. To gain insight into the experience of disability and its impact on the profession requires more detailed information than is available from the LAR.

The low percentage of lawyers indicating a disability casts doubt on the validity of these figures.

1. Disability is significantly related to sector of employment. Most notably, 20.5% of lawyers with a disability work for government, compared to 13.2% without a disability, and the corresponding figures for law firm partners are 16.3% and 7.4% and for law firm associates 18.6% and 11.3%. Nearly one-sixth of lawyers with a disability are "retired or not working", versus 7.7% for all other lawyers.

TABLE 9a: Type of Licence by Sexual Orientation* for Ontario Lawyers, 2017

	Sole Practitioner	Law Firm Partner	Law Firm Associate	Law Firm Employee	Legal Clinic	In House	Government	Education	Other Employment	Retired or Not Working	Total	Number
	<i>Percent</i>											
LGBTQ	15.0	8.5	19.1	2.8	3.6	11.8	20.9	3.4	6.6	8.4	100.0	1,266
Not LGBTQ	20.3	16.1	18.4	2.9	1.3	12.2	13.1	1.3	6.4	8.0	100.0	33,287
Total	20.1	15.8	18.5	2.9	1.3	12.2	13.4	1.3	6.4	8.0	100.0	34,553

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

*excludes new licensees

TABLE 9b: Size of Law Firm by Sexual Orientation for Ontario Lawyers, 2017

	Size of Firm, based on Partners, Associates and Employees								Total	Number
	Fewer than 5	5-9	10-24	25-49	50-99	100-199	200 or more	Total	Number	
	<i>Percent</i>									
LGBTQ	31.0	11.5	14.3	7.3	4.4	14.8	16.7	100.0	384	
Not LGBTQ	26.9	14.3	16.6	9.6	4.4	13.3	14.9	100.0	12,459	
Total	27.0	14.3	16.5	9.5	4.4	13.4	14.9	100.0	12,843	

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

TABLE 9c: Region by sexual orientation** for Ontario Lawyers, 2016

	South West	Central South	Toronto	Durham, Halton, Peel, York	Central North	North	Ottawa	East	Total	Number
	<i>Percent</i>									
LGBTQ	2.9	2.8	68.2	7.5	2.2	2.4	12.1	2.0	100.0	1,269
Not LGBTQ	5.3	5.6	55.4	14.7	3.3	2.2	11.6	2.0	100.0	33,373
Total	5.2	5.5	55.9	14.4	3.2	2.2	11.6	2.0	100.0	34,642

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

**excludes lawyers whose address is outside Ontario

1. LGBTQ lawyers face some of the same cultural and institutional forces affecting other minorities. LGBTQ lawyers are about three times more likely to be employed in education – 3.4% versus 1.3% of non-LGBTQ lawyers, to work in a legal clinic – 3.6% compared to 1.3% non-LGBTQ lawyers, and to practice in government – 20.9% compared to 13.1% non-LGBTQ lawyers. They are less slightly less likely to be sole practitioners and half as likely to be law firm partners.
2. LGBTQ lawyers are concentrated in Toronto and Ottawa.

TABLE 10: Area of Practice by Racialization and gender* for Ontario Lawyers, 2017

	Indigenous	ADR	Administrative	Bankruptcy	Civil Litigation – Plaintiff	Civil Litigation – Defendant	Construction	Corporate	Criminal	Employment and Labour	Environmental	Family
	<i>Percentage with 30% or more of their practice in this area</i>											
First Nations and Inuk	31	2	7	0	5	6	0	9	18	4	0	21
Metis	8	0	12	1	11	11	1	9	18	9	1	14
Arab	1	0	6	0	13	10	2	20	14	6	1	11
Black	1	0	8	0	8	9	2	14	15	5	1	22
Chinese	0	0	5	1	9	10	1	27	5	4	1	6
Filipino	0	0	4	0	6	10	0	21	6	8	0	13
Japanese	0	0	6	0	8	25	2	28	9	6	2	4
Korean	0	0	5	2	12	11	0	25	9	3	0	5
Latino	0	1	6	1	14	9	1	16	14	7	1	16
South Asian	1	0	5	0	12	11	1	17	8	5	1	12
Southeast Asian	0	0	5	0	10	12	0	16	7	6	0	11
West Asian	1	1	5	1	18	14	2	18	8	4	0	9
More than one Racialized Group	0	0	6	0	11	12	2	16	10	8	0	13
Racialized and White	2	0	9	1	8	13	1	22	15	5	1	9
White	1	1	7	1	10	13	2	19	11	7	1	10
Not Indigenous, Declined Racialization Question	1	1	6	1	13	12	1	20	11	5	1	10
Declined Indigenous and Racialization Questions	1	0	5	1	11	12	1	21	12	5	1	10
Women	1	1	8	1	8	12	1	17	11	7	1	14
Men	1	1	5	1	13	13	2	21	11	5	1	8
Total	1	1	6	1	11	13	2	19	11	6	1	10

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

*excludes the category for "other" areas of practice and for franchise law

continued >

TABLE 10: Area of Practice by Racialization and gender* for Ontario Lawyers, 2017 (continued)

	Immi- gration	Intell- ectual Property	Real Estate	Secur- ities	Taxa- tion	Wills	Work- place	NO area 30% or more	ONE area 30% or more	MORE THAN ONE area 30% or more	Total	Number
	Percentage with 30% or more of their practice in this area							Percentage				
First Nations and Inuk	0	0	5	1	2	2	0	3	82	15	100.0	268
Metis	3	1	8	2	2	4	0	0.0	100.0	0.0	100.0	153
Arab	9	5	14	4	1	4	0	5.9	73.9	20.3	100.0	281
Black	9	2	11	3	1	4	1	3.9	75.4	20.6	100.0	929
Chinese	3	7	22	6	3	5	0	5.4	74.3	20.3	100.0	1082
Filipino	15	2	22	4	0	7	0	3.5	76.5	20.0	100.0	99
Japanese	2	4	6	2	4	6	2	4.0	73.7	22.2	100.0	53
Korean	4	3	15	11	3	2	0	7.5	71.7	20.8	100.0	257
Latino	7	2	11	3	3	3	2	6.6	77.8	15.6	100.0	174
South Asian	5	2	24	3	2	3	1	1.7	79.3	19.0	100.0	1987
Southeast Asian	4	2	26	4	4	5	0	4.0	79.1	17.0	100.0	114
West Asian	9	2	13	3	2	2	0	4.4	78.9	16.7	100.0	354
More than one Racialized Group	8	6	13	3	1	2	1	4.8	78.8	16.4	100.0	144
Racialized and White	3	4	5	5	3	3	1	9.7	70.1	20.1	100.0	461
White	2	3	14	4	2	6	1	6.3	77.2	16.5	100.0	22363
Not Indigenous, Declined Racialization Question	2	3	15	4	2	6	1	5.9	74.1	20.0	100.0	3027
Declined Indigenous and Racialization Questions	2	4	16	4	2	6	0	6.4	73.7	20.0	100.0	4300
Women	3	3	10	4	2	5	1	6.6	77.0	16.4	100.0	15,002
Men	2	3	18	5	3	6	0	5.2	72.6	22.2	100.0	21,044
Total	2	3	15	4	2	6	1	5.8	74.5	19.8	100.0	36,046

Source: 2017 Lawyer Annual Report; analysis by Michael Ornstein

*excludes the category for "other" areas of practice and for franchise law

Table 10: **Area of Practice by Racialization and Gender** for Ontario Lawyers, 2017

As measured in this Table, specializing in an area practice is based on lawyers indicating at least 30% of their work was in the area. While many lawyers have 50%, and up to 100%, of their work in one area, 20.1% of lawyers spend at least 30% of their time in two or more areas. This is likely aided by the similarities between some of the categories, for example civil litigation is divided into two categories according to whether a lawyer acts for the plaintiff or defendant. Other categories, for example in business law, must also have affinities. These areas of specialization are bound up with differences in the location of practice.

1. 31% of First Nations and 8% of Metis lawyers specialize in Aboriginal law, compared to just one percent of lawyers overall. First Nations lawyers are also more likely to specialize in criminal and family law and less likely to specialize in civil litigation, corporate law and real estate.
2. One cannot generalize about racialized lawyers. For example, while Black lawyers are more likely to practice in family and immigration law, while Chinese lawyers are concentrated in corporate, real estate and securities law. Lawyers from communities with higher income gravitate towards real estate and business law, while lawyers from poorer communities gravitate towards criminal, family and immigration law.
3. There are notable gender differences in specialization. Civil litigation representing plaintiffs accounts for 8% of women lawyers versus 13% of men (but there is no difference for civil litigation representing defendants); 14% of women and 8% of men specialize in family law; and 10% of women and 18% of men specialize in real estate.

NOTE: The 2017 Snapshots include all lawyers except those whose licence is suspended, revoked, surrendered, in abeyance or those who have a status of “not in Ontario” (meaning their business address is listed outside of Ontario) or a status of “Retired” (meaning lawyers who are over 65 years of age and qualify for exemption under By-Law 5).