



Statistical Snapshot of Lawyers in Ontario

from the Lawyer Annual Report (LAR) 2016

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, 2016*

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

Indigenous	92.2%
Racialization	80.9%
Sexual orientation	81.5%
Identify as Francophone	90.3%
Able to Practice in French	90.2%
Have a Disability	85.4%
Total Number	42,434

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

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TABLE I: REPRESENTATION OF INDIGENOUS AND RACIALIZED PERSONS

for Ontario Lawyers, 2016, compared to the Ontario Population

Group	Lawyers		Ontario Population		
			Everyone, 2016	Persons in the Labour Force, Age 25 or more, 2011	University Graduates in the Labour Force, Age 25 or more, 2011
	Number	Percent, excluding missing	Percent		
Indigenous					
First Nations	330	1.0	1.8	1.2	0.5
Inuk	6	0.02	0.03	0.02	0.01
Métis	177	0.5	0.9	0.6	0.3
Multiple Indigenous			0.04	0.02	0.01
Total Indigenous	513	1.5	2.8	1.9	0.8
Racialized					
Arab	302	0.9	1.6	0.9	1.5
Black	1,083	3.2	4.7	3.8	2.7
Chinese	1,161	3.4	5.7	5.1	8.5
East Asian (includes Japanese, Korean)	430	1.3			
Filipino + Japanese + Korean			3.3	3.2	4.7
Latino	198	0.6	1.5	1.5	1.2
South Asian	2,244	6.5	8.7	7.2	10.8
Southeast Asian	237	0.7	1.0	1.1	0.9
West Asian	373	1.1	1.2	0.8	1.3
Other Visible Minority			0.7	0.6	0.4
Other Indigenous			0.1	0.1	0.1
More than one Racialized Group	168	0.5	1.0	0.5	0.7
Racialized and White	414	1.2			
Total Racialized	6,610	19.3	29.4	24.8	32.7
White	27,192	79.2	67.8	73.4	66.4
Not Indigenous, Declined Racialization Question	3,314				
Declined Indigenous and Racialization Questions	4,805				
Total		100.0	100.0	100.0	100.0
Number	42,434	34,315	13,242,160	5,812,410	1,778,891

Source: 2016 Lawyer Annual Report, 2016 Statistics Canada Census Profiles, 2011 National Household Survey public use microdata file; analysis by Michael Ornstein

While 2016 Census "profile" information is available for the entire province, the micro-data file needed to obtain figures for subgroups has not been released. Comparisons for labour force members age 25 or more are therefore based on the somewhat dated 2011 National Household Survey. Merging data from the LAR with 2016 Census microdata – once they become available – would allow analysis of the impact of differential access to higher education and other factors on representation in the profession.

- 79.2% of Ontario lawyers are White, compared to 67.8% of the 2016 Ontario population, 73.4% of the 2011 Ontario labour force age 25 or more and 66.4% of the 2011 Ontario university graduates in the labour force age 25 or more.
- 1.5% of lawyers are Indigenous, compared to 2.8% of the 2016 Ontario population, 1.9% of the 2011 labour force age 25 or more and 0.8% of 2011 university graduates in the labour force age 25 or more.
- Racialized Ontarians (so not including Indigenous) account for 19.3% of lawyers, compared to 29.4% of the 2016 Ontario population, 24.8% of the 2011 labour force age 25 or more and 32.7% of 2011 university graduates in the labour force age 25 or more.
- Black lawyers account for 3.2% of lawyers, compared to 4.7% of the 2016 Ontario population, 3.8% of the 2011 labour force age 25 or more and 2.7% of 2011 university graduates in the labour force age 25 or more. 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. For example, 8.5% of 2011 Ontario university graduates in the labour force 25 or older identify as Chinese, versus 3.4% of lawyers; and for Latinos the comparable figures are 1.2% and 0.6%.

TABLE 2: DETAILED RACIALIZATION BY AGE
for Ontario Lawyers, 2016

	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	68	101	106	51	10	0.8	1.1	1.4	0.8	0.3
Métis	54	58	37	20	8	0.7	0.6	0.5	0.3	0.3
Total Indigenous	122	159	143	71	18	1.5	1.7	1.9	1.2	0.6
Racialized										
Arab	117	112	52	19	2	1.4	1.2	0.7	0.3	0.1
Black	249	381	331	97	25	3.0	4.2	4.3	1.6	0.8
Chinese	433	387	220	89	32	5.3	4.2	2.9	1.4	1.0
East Asian	130	167	100	24	9	1.6	1.8	1.3	0.4	0.3
Latino	66	89	38	4	1	0.8	1.0	0.5	0.1	0.0
South Asian	846	800	434	123	41	10.3	8.7	5.7	2.0	1.3
Southeast Asian	78	92	48	15	4	0.9	1.0	0.6	0.2	0.1
West Asian	202	130	33	6	2	2.5	1.4	0.4	0.1	0.1
More than one Racialized Group	89	49	25	4	1	1.1	0.5	0.3	0.1	0.0
Racialized and White	169	162	65	16	2	2.1	1.8	0.9	0.3	0.1
Total Racialized	2,501	2,528	1,489	468	137	30.4	27.6	19.5	7.6	4.4
White	5,724	6,617	6,152	5,692	3,007	69.6	72.4	80.5	92.4	95.6
Not Indigenous, Declined Racialization Question	647	833	741	726	367					
Declined Indigenous and Racialization Questions	697	1,023	1,255	1,155	675					
Total	9,569	11,001	9,637	8,041	4,186	100.0	100.0	100.0	100.0	100.0

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

While providing an accurate view of the profession at one point in time, “cross-sectional” information from the 2016 LAR in this Table cannot show “longitudinal” changes, such as movement between sectors of employment and exit from the profession, which are likely related to gender and racialization.

1. Suggesting they are no longer making gains in the profession, 1.5% of lawyers under 35 are Indigenous, compared to 1.7% of lawyers age 35-44 are and 1.9% 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 4.4% Ontario lawyers 65 or more to 27.6% of lawyers age 35-44 and 30.4% of lawyers under 35.
3. Each of the eight racialized groups is better represented among lawyers 55-64 than among lawyers 65 or more, representing the initial progress in equity about 30 years ago. Under the age of 55, however, the groups diverge, with the Arab, Chinese, Latino, South Asian and West Asian groups making greater progress. The differences between racialized groups, could be tied to their differing age distributions, immigration patterns and enrollment in post-secondary education.
4. The relative progress of Black lawyers appears stalled: they account for 3.0% of lawyers under 35, versus 4.2% of lawyers 35-44 and 4.3% of lawyers 45-54 (but also see the next Table). All seven other racialized groups have more representation in the 35-44 age group than in the 45-54 age group and for a number of groups the percentage doubles or nearly doubles.

TABLE 3a: DETAILED RACIALIZATION BY YEAR OF CALL

by number, for Ontario Lawyers, 2016

Year of Call	2016	2015	2012-14	2007-11	1997-2006	1986-96	1977-86	Before 1977	Total
	<i>Number</i>								
Indigenous									
First Nations and Inuk	16	19	44	53	133	53	14	4	336
Métis	12	14	31	40	48	22	6	4	177
Indigenous Total	28	33	75	93	181	75	20	8	513
Racialized									
Arab	31	21	56	71	85	27	10	1	302
Black	79	74	193	232	374	115	14	2	1,083
Chinese	97	96	205	255	313	145	46	4	1,161
East Asian	28	26	73	102	139	44	14	4	430
Latino	16	17	58	45	49	10	3	0	198
South Asian	218	201	502	513	632	152	22	4	2,244
Southeast Asian	18	29	39	66	67	16	2	0	237
West Asian	45	41	111	94	70	9	2	1	373
More than one Racialized Group	23	23	41	38	37	5	1	0	168
Racialized and White	29	54	84	97	105	38	6	1	414
Racialized Total	584	582	1,362	1,513	1,871	561	120	17	6,610
White	1,134	1,065	2,870	3,821	6,854	5,483	4,246	1,719	27,192
Not Indigenous, Declined Racialization Question	147	136	352	443	842	665	513	216	3,314
Declined Indigenous and Racialization Questions	115	150	423	576	1,189	1,090	888	374	4,805
Total	2,008	1,966	5,082	6,446	10,937	7,874	5,787	2,334	42,434

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

TABLE 3b: DETAILED RACIALIZATION BY YEAR OF CALL

by percent, excluding missing, for Ontario Lawyers, 2016

Year of Call	2016	2015	2012-14	2007-11	1997-2006	1986-96	1977-86	Before 1977	Total
	Percent, excluding missing								
Indigenous									
First Nations and Inuk	0.9	1.1	1.0	1.0	1.5	0.9	0.3	0.2	1.0
Métis	0.7	0.8	0.7	0.7	0.5	0.4	0.1	0.2	0.5
Indigenous Total	1.6	2.0	1.7	1.7	2.0	1.2	0.5	0.5	1.5
Racialized									
Arab	1.8	1.3	1.3	1.3	1.0	0.4	0.2	0.1	0.9
Black	4.5	4.4	4.5	4.3	4.2	1.9	0.3	0.1	3.2
Chinese	5.6	5.7	4.8	4.7	3.5	2.4	1.0	0.2	3.4
East Asian	1.6	1.5	1.7	1.9	1.6	0.7	0.3	0.2	1.3
Latino	0.9	1.0	1.3	0.8	0.6	0.2	0.1	0.0	0.6
South Asian	12.5	12.0	11.7	9.5	7.1	2.5	0.5	0.2	6.5
Southeast Asian	1.0	1.7	0.9	1.2	0.8	0.3	0.0	0.0	0.7
West Asian	2.6	2.4	2.6	1.7	0.8	0.1	0.0	0.1	1.1
More than one Racialized Group	1.3	1.4	1.0	0.7	0.4	0.1	0.0	0.0	0.5
Racialized and White	1.7	3.2	2.0	1.8	1.2	0.6	0.1	0.1	1.2
Racialized Total	33.4	34.6	31.6	27.9	21.0	9.2	2.7	1.0	19.3
White	64.9	63.4	66.6	70.4	77.0	89.6	96.8	98.6	79.2
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: 2016 Lawyer Annual Report; analysis by Michael Ornstein

Differences between the figures in this Table 3 based on year of call and those in Table 2, based on age, can result from differences in age at call. While the figures for year of call lend themselves to more detailed examination because they allow finely detailed study of beginning lawyers, not too much emphasis should be placed on year-to-year variation.

1. Table 1 shows the increasing diversity of the profession. The proportion of White lawyers is 64.9% for the 2016 year of call, 63.4% for 2015, 66.6% for 2012-14, 70.4% for 2007-11 and 77.0% for 1997-2006.
2. The representation of the Chinese, South Asian and West Asian groups is up substantially since 2011.
3. Consistent with the comparison of age groups in Table 2, the percentage of Indigenous lawyers has not increased in the last decade. In contrast to Table 2, these figures for year of call show that the representation of Black lawyers is quite stable.

TABLE 4: GENDER, SEXUAL ORIENTATION, FRANCOPHONE IDENTITY, ABILITY TO PRACTICE IN FRENCH AND DISABILITY BY AGE

for Ontario Lawyers, 2016

	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	18,566	5,198	5,725	4,309	2,815	519	43.8	54.3	52.0	44.7	35.0	12.4
Men	23,868	4,371	5,276	5,328	5,226	3,667	56.2	45.7	48.0	55.3	65.0	87.6
Sexual Orientation												
LGBTQ	1,056	378	279	259	112	28	3.1	4.2	3.1	3.5	1.9	1.1
Not LGBTQ	32,815	8,527	8,783	7,087	5,849	2,569	96.9	95.8	96.9	96.5	98.1	98.9
Declined to Answer	7,498	1,400	1,698	1,934	1,700	766						
Identify as Francophone												
Yes	1,975	555	639	471	239	71	5.2	6.2	6.3	5.5	3.4	2.0
No	36,342	8,406	9,501	8,099	6,818	3,518	94.8	93.8	93.7	94.5	96.6	98.0
Declined to Answer	4,117	608	861	1,067	984	597						
Able to Practise in French												
Can Counsel and Represent	3,375	901	1,058	806	462	148	8.8	10.6	10.6	9.3	6.4	3.8
Can Counsel But Not Represent	1,895	421	585	443	327	119	5.0	5.0	5.8	5.1	4.5	3.1
Cannot	32,995	7,178	8,374	7,416	6,401	3,626	86.2	84.4	83.6	85.6	89.0	93.1
Declined to Answer	4,169	1,069	984	972	851	293						
Have a Disability												
Yes	1,297	252	287	331	317	110	3.6	3.0	3.0	4.1	4.8	3.2
No	34,930	8,273	9,336	7,773	6,247	3,301	96.4	97.0	97.0	95.9	95.2	96.8
Declined to Answer	6,207	1,044	1,378	1,533	1,477	775						
All Lawyers	42,434	9,569	11,001	9,637	8,041	4,186	100.0	100.0	100.0	100.0	100.0	100.0

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

1. Table 4 shows the remarkable growth in the representation of women, from 12.4% of lawyers over 65 to 52.0% of lawyers age 35-44 with a further small increase to 54.3% of lawyers under 35.
2. Nearly 5% of lawyers under 35 identify as LGBT, about one percent higher than for lawyers age 35-54, and compared to 2.6% of lawyers 55-64 and 1.2% age 65 or more.
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 2.4% of lawyers over 65 to 6.3% of lawyers age 35-44, while the corresponding percentage for lawyers able to practice in French rose from 3.8% to 10.6%.
4. 3% of lawyers entering the profession have a disability, which increases from 3.0 percent of lawyers under the age of 45 to 4.8% by ages 55-64. The lower proportion with a disability for ages 65 or more, 3.2%, suggests that disability leads to earlier retirement.

TABLE 5a: TYPE OF LICENCE BY RACIALIZATION*
for Ontario Lawyers, 2016

	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>											
Indigenous												
First Nations and Inuk	24	9	13	2	3	7	22	3	7	10	100	334
Métis	22	7	18	3	2	9	25	2	6	6	100	175
Indigenous Total	24	8	14	3	3	8	23	3	6	8	100	509
Racialized												
Arab	20	12	20	4	3	11	13	1	8	10	100	297
Black	31	6	14	3	3	10	18	1	6	9	100	1,050
Chinese	18	8	23	2	2	18	13	0	6	10	100	1,132
East Asian	15	11	19	2	2	18	17	0	7	10	100	425
Latino	22	10	20	4	3	15	14	1	4	8	100	192
South Asian	29	8	19	3	2	12	11	1	6	9	100	2,202
Southeast Asian	28	10	21	2	2	10	10	1	6	9	100	232
West Asian	28	6	26	4	1	15	9	1	3	8	100	363
More than One Group	24	6	24	5	3	8	12	1	8	10	100	157
Racialized and White	12	6	25	4	4	15	20	2	5	9	100	400
Racialized Total	24	8	20	3	2	13	13	1	6	9	100	6,450
White	19	18	18	3	1	12	14	1	6	8	100	26,805
Not Indigenous, Declined Racialization Question	24	17	15	3	1	12	12	1	6	8	100	3,262
Declined Indigenous and Racialization Questions	24	21	14	3	1	10	13	1	6	8	100	4,769
Total	21	17	17	3	1	12	13	1	6	8	100	41,795

*excludes new licensees

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

TABLE 5b: SIZE OF LAW FIRM BY RACIALIZATION

for Ontario Lawyers, 2016

	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		
Indigenous										
First Nations and Inuk	47	11	24	6	0	4	8	100	79	
Métis	35	18	27	8	0	4	8	100	49	
Indigenous Total	42	14	25	7	0	4	8	100	128	
Racialized										
Arab	40	8	19	6	7	12	9	100	104	
Black	45	13	13	6	4	7	11	100	232	
Chinese	29	15	14	9	5	12	16	100	372	
East Asian	34	13	12	9	6	13	13	100	134	
Latino	48	9	9	8	3	12	11	100	66	
South Asian	45	15	14	5	2	8	10	100	667	
Southeast Asian	44	19	6	10	4	4	12	100	77	
West Asian	31	22	20	7	2	7	10	100	126	
More than One Group	37	15	13	6	2	9	19	100	54	
Racialized and White	28	14	22	11	1	10	13	100	140	
Racialized Total	39	15	15	7	3	9	12	100	1,972	
White	26	14	16	11	5	14	14	100	10,361	
Not Indigenous, Declined Racialization Question	30	14	15	9	5	13	14	100	1,146	
Declined Indigenous and Racialization Questions	30	15	16	12	5	11	10	100	1,778	
Total	29	14	16	10	5	13	14	100	15,385	

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

TABLE 5c: REGION BY RACIALIZATION**
for Ontario Lawyers, 2016

	South West	Central South	Toronto	Durham, Halton, Peel, York	Central North	North	Ottawa	East	Total	Number
	Percent									
Indigenous										
First Nations and Inuk	6	12	31	10	9	14	14	4	100	321
Métis	8	2	36	5	9	11	25	5	100	168
Indigenous Total	7	9	32	9	9	13	18	4	100	489
Racialized										
Arab	9	2	50	15	0	0	22	2	100	295
Black	3	4	56	22	2	1	12	1	100	1,055
Chinese	1	2	68	21	1	0	7	0	100	1,138
East Asian	1	3	72	16	1	0	7	0	100	424
Latino	6	5	54	18	2	1	13	1	100	196
South Asian	2	4	54	34	1	0	6	0	100	2,207
Southeast Asian	2	3	59	24	3	0	9	0	100	232
West Asian	0	2	66	20	1	0	10	1	100	369
More than One Group	3	1	76	14	0	1	4	1	100	161
Racialized and White	3	3	65	12	2	1	13	1	100	405
Racialized Total	2	3	60	24	1	0	9	1	100	6,482
White	6	6	55	12	4	2	12	2	100	26,801
Not Indigenous, Declined Racialization Question	4	6	60	15	2	2	9	2	100	3,276
Declined Indigenous and Racialization Questions	6	7	51	14	4	3	12	3	100	4,723
Total	5	6	55	14	3	2	12	2	100	41,771

**excludes lawyers whose address is outside Ontario

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

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. At least 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 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.

1. Compared to White lawyers, Indigenous lawyers are more likely to be in sole practice or practice a legal clinic, in education or for government; they are much less likely to be law firm partners and somewhat less likely to be in house lawyers and firm associates.
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.
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). Chinese and East Asian lawyers are concentrated in Toronto.

TABLE 6a: TYPE OF LICENCE BY GENDER BY AGE*

for Ontario Lawyers, 2016

	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	14.5	9.3	19.0	2.9	2.1	13.4	18.1	1.8	6.8	12.2	100.0	18,243
under 35	8.0	2.0	43.5	4.4	2.7	10.1	11.9	0.6	5.8	11.0	100.0	4,909
35-44	11.6	9.6	16.8	2.7	2.0	16.7	20.5	1.7	6.6	11.8	100.0	5,704
45-54	18.5	13.3	6.1	2.0	1.5	16.2	22.9	2.4	7.9	9.3	100.0	4,298
55-64	21.1	13.6	3.2	2.2	2.0	9.8	18.2	2.9	8.0	18.9	100.0	2,813
65 or more	38.7	16.6	3.1	2.3	1.3	5.4	10.0	3.1	4.2	15.2	100.0	519
Men												
Total	25.8	22.3	16.3	2.8	0.7	10.5	9.9	0.9	5.8	5.0	100.0	23,552
under 35	12.5	3.5	49.6	4.6	1.5	9.5	8.1	0.3	5.0	5.4	100.0	4,105
35-44	17.0	17.7	20.9	3.2	0.8	16.6	13.8	0.9	5.7	3.5	100.0	5,238
45-54	24.3	28.6	5.5	2.7	0.4	13.5	12.8	1.4	7.3	3.6	100.0	5,324
55-64	30.4	31.0	3.7	1.6	0.6	7.7	9.3	1.1	6.6	8.0	100.0	5,220
65 or more	48.9	28.3	5.9	1.9	0.4	2.7	2.9	0.8	3.4	4.7	100.0	3,665

*excludes new licensees

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

TABLE 6b: SIZE OF LAW FIRM BY GENDER

for Ontario Lawyers, 2016

	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	31.0	13.5	16.2	10.3	4.4	11.4	13.1	100.0	5,666	
Men	27.3	14.7	15.9	10.1	4.8	13.5	13.8	100.0	9,719	
Total	28.6	14.2	16.0	10.2	4.7	12.7	13.5	100.0	15,385	

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

TABLE 6c: REGION BY GENDER**

for Ontario Lawyers, 2016

	South West	Central South	Toronto	Durham, Halton, Peel, York	Central North	North	Ottawa	East	Total	Number
	Percent									
Women	4.9	4.9	56.7	13.1	3.2	1.8	13.3	2.1	100.0	17,904
Men	5.7	6.7	54.4	14.6	3.5	2.6	10.2	2.3	100.0	23,270
Total	5.4	5.9	55.4	13.9	3.4	2.3	11.5	2.2	100.0	41,174

**excludes lawyers whose address is outside Ontario

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

Table 6: Gender by Type of Employment, Size of Law Firm and Region for Lawyers, 2016

1. Men are more likely to be in sole practice, 25.8% versus 14.5% for women, and more likely to be law firm partners, 22.3% versus 9.3% 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. Moreover, there are large differences in the practice of women and men at every age.
2. While male lawyers are older on average, this cannot account for the gender difference, since in each age group men are more likely to be in sole practice and law firm partners. Up to age 44, there is only a small preponderance of men among law firm associates.
3. Also evident is the pattern of women leaving law firms in their 30's for employment in government, education and in house.
4. Gender differences in geographical location are small.

TABLE 7a: TYPE OF LICENCE BY FRANCOPHONE IDENTITY AND ABILITY TO PRACTICE IN FRENCH*
 for Ontario Lawyers, 2016

Group	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	14.6	11.1	14.3	2.8	2.5	10.1	26.8	2.4	7.4	8.0	100.0	1,948
No	20.7	16.5	18.1	2.8	1.3	12.1	12.8	1.3	6.2	8.2	100.0	35,761
Total	20.4	16.2	17.9	2.8	1.4	12.0	13.5	1.3	6.3	8.2	100.0	37,709
Able to Provide Service in French?												
Yes, Represent and Counsel	15.5	10.6	13.6	2.6	2.5	11.5	27.8	1.8	6.2	7.9	100.0	3,325
Counsel, but not Represent	18.8	12.9	15.3	2.2	3.0	12.1	23.9	1.7	3.8	6.3	100.0	1,871
Neither	22.6	18.2	18.3	3.0	1.1	11.7	11.2	1.0	5.4	7.3	100.0	32,495
Total	21.8	17.3	17.7	2.9	1.4	11.7	13.3	1.1	5.4	7.3	100.0	37,691

*excludes new licensees

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

TABLE 7b: SIZE OF LAW FIRM BY FRANCOPHONE IDENTITY AND ABILITY TO PRACTICE IN FRENCH
 for Ontario Lawyers, 2016

Group	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		
<i>Percent</i>									
Identify as Francophone									
Yes	35.2	13.5	16.9	10.7	2.4	8.0	13.3	100.0	549
No	28.2	14.1	15.8	10.2	4.7	13.2	13.8	100.0	13,366
Total	28.4	14.1	15.8	10.2	4.6	13.0	13.8	100.0	13,915
Able to Provide Service in French?									
Yes, Represent and Counsel	33.6	14.8	15.7	10.9	3.0	8.9	13.1	100.0	892
Counsel, but not Represent	29.6	14.6	14.7	9.5	5.1	11.8	14.7	100.0	570
Neither	28.5	14.4	16.3	10.1	4.6	12.7	13.3	100.0	12,826
Total	28.9	14.4	16.2	10.2	4.6	12.4	13.4	100.0	14,288

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

TABLE 7c: REGION BY FRANCOPHONE IDENTITY AND ABILITY TO PRACTICE IN FRENCH**
for Ontario Lawyers, 2016

	South West	Central South	Toronto	Durham, Halton, Peel, York	Central North	North	Ottawa	East	Total	Number
	<i>Percent</i>									
Identify as Francophone										
Yes	2.2	2.0	26.7	5.6	1.1	7.4	48.8	6.1	100.0	1,882
No	5.4	6.0	57.3	14.4	3.4	1.9	9.6	2.0	100.0	35,848
Total	5.2	5.8	55.8	13.9	3.3	2.2	11.5	2.2	100.0	37,730
Able to Provide Service in French?										
Yes, Represent and Counsel	2.3	2.3	33.8	6.1	1.2	5.4	44.5	4.5	100.0	3,196
Counsel, but not Represent	3.3	3.5	48.7	7.6	1.9	2.7	29.6	2.7	100.0	1,835
Neither	5.9	6.6	57.1	15.3	3.9	2.1	7.1	2.1	100.0	32,681
Total	5.5	6.1	54.7	14.1	3.5	2.4	11.4	2.3	100.0	37,712

**excludes lawyers whose address is outside Ontario

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

1. The main distinction between Francophone and non-Francophone lawyers, as well as between lawyers able and not able to practice in French, is that the former are roughly twice as likely to practice in government and more than five times more likely to work in Ottawa, 48.8 of Francophones versus 9.6% of non-Francophones. Francophone lawyers and lawyers able to practice in French are 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 PRESENCE OF A DISABILITY*

for Ontario Lawyers, 2016

Group	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											
Has a Disability	23.2	8.9	10.3	1.4	3.2	7.4	20.0	2.7	6.4	16.3	100.0	1,279
No Disability	20.4	16.6	18.4	2.9	1.3	12.2	13.1	1.3	6.3	7.7	100.0	34,371
Total	20.5	16.3	18.1	2.8	1.4	12.0	13.3	1.3	6.3	8.0	100.0	35,650

*excludes new licensees

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

TABLE 8b: SIZE OF LAW FIRM BY PRESENCE OF A DISABILITY

for Ontario Lawyers, 2016

	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									
Has a Disability	31.2	16.3	14.8	9.1	6.1	11.4	11.0	100.0	263	
No Disability	28.2	14.0	15.8	10.2	4.6	13.0	14.1	100.0	12,983	
Total	28.3	14.1	15.8	10.2	4.6	13.0	14.0	100.0	13,246	

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

TABLE 8c: REGION BY PRESENCE OF A DISABILITY**

for Ontario Lawyers, 2016

	South West	Central South	Toronto	Durham, Halton, Peel, York	Central North	North	Ottawa	East	Total	Number
	Percent									
Has a Disability	5.8	5.7	51.8	11.5	3.5	2.8	16.0	2.9	100.0	1,266
No Disability	5.2	5.7	55.9	14.2	3.3	2.1	11.4	2.2	100.0	34,395
Total	5.2	5.7	55.7	14.1	3.3	2.2	11.5	2.2	100.0	35,661

**excludes lawyers whose address is outside Ontario

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

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, 20.0% of lawyers with a disability work for government, compared to 13.1% without a disability, and the corresponding figures for law firm partners are 16.6% and 8.9% and for law firm associates 18.4% and 10.3%. 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, 2016

Group	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	15.8	9.5	17.8	2.7	3.2	11.6	20.3	3.3	6.8	9.1	100.0	1,199
Not LGBTQ	20.2	16.5	18.2	2.8	1.3	12.1	13.2	1.3	6.3	8.1	100.0	32,849
Total	20.0	16.3	18.2	2.8	1.3	12.1	13.4	1.3	6.3	8.1	100.0	34,048

*excludes new licensees

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

TABLE 9b: SIZE OF LAW FIRM BY SEXUAL ORIENTATION

for Ontario Lawyers, 2016

Group	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			
	<i>Percent</i>									
LGBTQ	29.2	13.1	15.9	7.2	5.0	11.1	18.4	100.0	359	
Not LGBTQ	28.2	14.0	16.1	10.2	4.5	13.1	13.9	100.0	12,309	
Total	28.2	13.9	16.1	10.1	4.6	13.1	14.1	100.0	12,668	

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

TABLE 9c: REGION BY SEXUAL ORIENTATION**

for Ontario Lawyers, 2016

Group	South West	Central South	Toronto	Durham, Halton, Peel, York	Central North	North	Ottawa	East	Total	Number
	<i>Percent</i>									
LGBTQ	2.7	3.3	68.1	7.0	1.9	1.9	13.0	2.0	100.0	1,202
Not LGBTQ	5.4	5.7	55.5	14.4	3.3	2.2	11.4	2.1	100.0	32,857
Total	5.3	5.6	55.9	14.1	3.3	2.2	11.5	2.1	100.0	34,059

**excludes lawyers whose address is outside Ontario

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

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 – 3.3% versus 1.3% of non-LGBTQ lawyers, to work in a legal clinic – 3.2% compared to 1.3% non-LGBTQ lawyers, and to practice in government – 20.3% compared to 13.2% 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 10a: AREA OF PRACTICE BY RACIALIZATION AND GENDER*
for Ontario Lawyers, 2016

	Indigenous	ADR	Admin- istrative	Bank- ruptcy	Civil Litigation – Plaintiff	Civil Litigation – Defendant	Constr- uction	Corp- orate	Criminal	Employ- ment and Labour	Environ- mental	Family
	<i>Percentage with 30% or more of their practice in this area</i>											
First Nations	28	0	0	0	0	6	0	10	18	5	0	24
Métis	5	0	5	0	14	14	2	9	18	8	1	11
Arab	5	0	5	0	14	12	2	20	14	6	0	8
Black	1	1	5	0	14	10	1	13	17	6	0	23
Chinese	1	1	8	1	9	10	1	27	5	3	1	6
East Asian	0	0	6	1	8	13	2	25	8	2	0	6
Latino	0	0	4	2	11	11	0	16	16	5	1	15
South Asian	0	1	5	1	12	11	1	17	10	4	0	12
Southeast Asian	0	1	6	1	13	14	1	20	8	5	0	13
West Asian	1	1	5	2	7	16	0	17	9	3	0	11
More than One Racialized Group	0	0	3	1	23	18	1	22	11	4	0	9
Racialized and White	0	0	10	0	10	17	0	17	18	6	1	10
White	1	1	9	1	11	14	2	20	11	6	1	10
Women	1	1	8	1	8	13	1	18	11	7	1	15
Men	1	1	5	1	13	13	2	21	12	5	1	8
Total	1	1	6	1	11	13	1	20	12	6	1	11

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

continued >

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

TABLE 10b: AREA OF PRACTICE BY RACIALIZATION AND GENDER*
for Ontario Lawyers, 2016 (continued)

	Immigration	Intellectual Property	Real Estate	Securities	Taxation	Wills	Workplace	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											
First Nations	0	1	6	1	2	1	0	5.1	79.1	15.8	100.0	234
Métis	5	2	10	2	2	5	0	5.3	78.8	15.9	100.0	132
Arab	6	4	11	5	0	5	0	5.6	75.6	18.8	100.0	213
Black	8	1	11	3	1	3	1	5.9	71.9	22.1	99.9	791
Chinese	3	7	21	8	3	3	0	4.7	77.8	17.6	100.1	860
East Asian	3	6	15	10	3	2	0	6.9	73.5	19.6	100.0	321
Latino	7	2	10	6	3	3	1	3.9	77.3	18.8	100.0	154
South Asian	5	2	23	3	2	3	0	4.2	77.7	18.1	100.0	1,660
Southeast Asian	4	4	23	3	1	5	0	3.3	78.8	17.9	100.0	184
West Asian	7	3	15	7	1	1	1	2.9	77.8	19.3	100.0	275
More than One Racialized Group	6	5	10	4	3	1	1	7.9	70.2	21.9	100.0	114
Racialized and White	4	4	4	6	4	4	1	4.6	74.0	21.4	100.0	304
White	1	3	14	5	2	6	1	5.6	74.2	20.3	100.1	21,340
Women	3	3	9	4	2	5	1	6.5	76.6	16.9	100.0	13,341
Men	2	3	19	5	2	6	1	4.8	72.9	22.3	100.0	19,744
Total	2	3	15	5	2	6	1	5.5	74.4	20.1	100.0	33,085

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

Source: 2016 Lawyer Annual Report; analysis by Michael Ornstein

As measured in this Table, specializing in an area practice is based on a lawyer indicating at least 30% of her 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 similarity of 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. First Nations lawyers are much more likely to specialize in Aboriginal law – 28% do so, compared to just one percent of lawyers overall. They are also more likely to specialize in criminal law and they are 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 criminal, 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); 15% of women and 8% of men specialize in family law; and 9% of women and 19% of men specialize in real estate.

NOTE: The 2016 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).