

PORTIA 2018



The annual journal and report of Victorian Women Lawyers

ABOUT THIS EDITION OF PORTIA

IN THIS EDITION OF *PORTIA*, WE CELEBRATE ANOTHER IMPORTANT YEAR FOR VWL.

Our theme for *Portia* 2018 is leadership, which draws upon one of VWL's key objectives: encouraging and providing for the entry and retention and advancement of women in the legal profession.

We have been privileged to speak with amazing and inspiring women leaders in the law. We met with The Honourable Chief Justice Anne Ferguson in Her Honour's chambers to discuss leadership and Her Honour's views on what makes a good leader. We were also delighted to obtain perspectives on leadership from Jennifer Batrouney QC, Marlo Baragwanath, Janet Whiting AM and Professor Gillian Triggs, as well as from VWL's Patron, The Honourable Professor Marilyn Warren AC QC. It has become clear to us that a brilliant leader is someone who (somehow!) finds time to share their insights and advice to those that look up to them. We thank these women for their generous contributions to *Portia* 2018.

Since the last publication of *Portia* in 2017, there have been important developments in our society that we reflect on in this edition, including marriage equality and the #MeToo movement. The fact that these issues have been so significant this past year reminds us that, while we have come so far, we still have a long way to go. It is as important now, as ever, to have strong female voices in positions of leadership.

A particular focus for VWL continues to be the gender pay gap. This year, VWL launched a major survey of the legal profession, *Gender on the Agenda*. VWL also held its flagship event, *Gender on the Agenda: In Discussion* with Dr Anne Summers AO and Emma Alberici on 25 October 2018. Full details of the survey and VWL's initiatives are included throughout this edition.

VWL further seeks to bring intersectional issues of diversity and gender into the spotlight through its events such as *Facing the Double Ceiling and Discrimination, Human Rights and Religious Freedoms*. We are pleased to report on these events and to include articles on issues of intersectionality in our features section.

You will also find in these pages insights from the women who founded VWL, lessons from women about their endeavours beyond the law, reflections from a Male Champion of Change and tips for public speaking. VWL celebrates women in the arts in our regular arts section.

Finally, we are delighted to publish works of portraiture submitted by women artists as entries to the 2018 *Portia* Geach Memorial Award. The winning piece by Zoe Young, a portrait of Film and Opera director Bruce Beresford, titled *Drawing Storyboards*, is featured on page 4. The annual award exhibition is held at the SH Ervin Gallery, Sydney, and you can read about the history of the award in this issue.

VWL and the Communications Committee would like to thank the many people who contributed to *Portia* 2018. We hope you enjoy this edition. ■



Image (above): Gina Bruce, *Ann Thomson* (Artist) (SH Ervin Gallery)

Cover image: Joanna Braithwaite, *Bird Watcher* (Self Portrait) (SH Ervin Gallery)

Editors

Katherine Gough, Associate, Johnson Winter & Slattery

Stephanie Pasharis, Senior Consultant, Ernst & Young, Australia*

Editorial Team

Brigid Arthur, Jessica Awad, Georgia Dobbyn, Catherine Gloutnay, Alexandra Hodsman, Isabella Kelly, Amanda May, Jessica Samuel, Andrea Skinner and Hilary Taylor

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PORTIA 2018

Leadership in the legal profession

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MESSAGE FROM THE PRESIDENT

MICHELLE BERRY

WHAT A YEAR! IT HAS BEEN A PRIVILEGE TO BE THE PRESIDENT OF VICTORIAN WOMEN LAWYERS IN 2018.

FOCUS OF 2018 – GENDER PAY GAP

This year, VWL has amplified its focus on the gender pay gap. The Workplace Gender Equality Agency's (WGEA) latest figures indicate a 29.7% total remuneration gender pay gap for full time employees in the legal sector. Our aim this year was to increase the number of firms conducting their own annual pay gap analyses so that firms can understand their pay gap and commit to action.

In the first half of 2018, VWL focussed on education and engagement. In May, Libby Lyons, Director of WGEA, presented as part of a panel discussion chaired by his Honour Justice Maxwell, President of the Victorian Court of Appeal.

In September, with the support of law firms and funding from the Law Institute of Victoria (LIV), VWL launched its major survey of the legal profession, *Gender on the Agenda*.

The preliminary results of the survey will be presented at VWL's Annual General Meeting in November 2018.

In October, VWL held an event headlined by Dr Anne Summers AO and Emma Alberici who discussed the gender pay gap in professional services.

We are committed to continue our focus on the gender pay gap in 2019 and onwards.

EVENTS AND PROJECTS

I would like to recognise and commend VWL's continued efforts in undertaking a significant amount of law reform, social justice and project work.

This year, VWL has published submissions in relation to the *Review of the Family Law System* and in relation to the *Gender Equality Bill* (among others), prepared a publication on *Returning to Work after Pregnancy* (with the assistance of Maurice Blackburn, to be launched in early 2019), and raised awareness and advocated for change for older women lost in housing.

VWL has hosted a range of events which are detailed in this edition of *Portia*. Notable events included Facing the Double Ceiling, a panel



THIS YEAR, VWL HAS AMPLIFIED ITS FOCUS ON THE GENDER PAY GAP.

discussion exploring the dual barriers facing women from culturally diverse backgrounds in the workplace. In 2019, we will continue looking at issues of intersectionality, including in relation to people with disabilities and the ageing population.

SPONSORS

I would like to extend our sincere gratitude for the ongoing support of project sponsor: the LIV and VWL's major sponsors: Allens, Clayton Utz, K&L Gates, Maddocks, Maurice Blackburn, MinterEllison and Wotton + Kearney; and associate sponsors: Nicholes Family Lawyers, Justitia, Svenson Barristers, Law In Order, KHQ Lawyers, Keypoint Law and Sigma Executive.

In addition to our major and associate sponsors, I would like to recognise VWL's friends and supporters who have sponsored events in 2018.

Sincere thanks and gratitude also goes to our Patron, the Honourable Professor Marilyn Warren AC QC. Her Honour is one of VWL's great champions and we are grateful for all of her encouragement, guidance and support.

Thank you also to former VWL convenors/founders, including Stephanie Milione and Kriss Wills, for assisting VWL with our strategic planning.

EXECUTIVE COMMITTEE

I would like to congratulate and thank the incredible 2018 Executive Committee. You can read about their amazing achievements in this edition of *Portia*. Particular kudos goes to the Voting Executive Committee: Ella van der Schans, Natalie Plumridge, Bianca Quan, Elizabeth Cooper, Jackie Gillies, Julianna Marshall, Vanessa Shambrook, Deborah Kliger and Charlie Brumby-Rendell.

Finally, I would like to thank our dedicated administrator, Judy Nutter, who after six years, will be retiring.

I hope that you will be inspired and motivated by this edition of *Portia*. ■

MESSAGE FROM OUR PATRON

THE HONOURABLE MARILYN WARREN AC QC

IT IS NOW ONE YEAR SINCE MY STEPPING DOWN FROM MY CHIEF JUSTICE OF VICTORIA ROLE (I DISLIKE THE WORD “RETIREMENT”). THE YEAR HAS BEEN FASCINATING AS I HAVE HAD MORE TIME TO RESEARCH, STUDY AND REFLECT ON THE DEMANDS AND CHALLENGES WOMEN FACE IN THE WORKPLACE.

Of course the #MeToo outpouring has had a seismic impact in the Western world. I hope indeed anticipate that inappropriate, unlawful and intimidating behaviour against women in the workplace will be called out. For our VWL employment lawyers involved in sex discrimination claims it is a challenging and demanding time. I would encourage our women lawyers in the employment jurisdiction to educate, inform and promote gender awareness across the legal profession especially through VWL.

All of us might commit to greater alertness and empathy when seeing or hearing of wrongful, discriminatory conduct in the workplace. I have reflected on the important role senior women in the legal profession can play by applying their firm mature voice to support and advocate for the next generation of women lawyers. Let us all commit to protecting and supporting our sisters.

In 2002 I made a speech for VWL entitled *Keeping Gender on the Agenda*. In the years since, women have dominated the numbers of admitted lawyers in Victoria. We have seen some numbers of women progress through the law practices of the state yet we

still do not see the numbers represented in positions of leadership and management commensurate with the numbers of women studying law and being admitted to practice. To be frank, the progress of women in the legal profession in the last decade has been much slower than I anticipated in 2002. Wisely VWL has highlighted equal pay and flexibility in workplace arrangements as essential conditions which women need to work and manage their family circumstances. I have been impressed by the opportunities being offered through technology, innovation and

artificial intelligence. There are opportunities opening up constantly providing mobility and convenience to the workplace which readily suit women who are also managing the demands of a family.

I urge women lawyers to maximize their technological skills, to be embracing of and highly adaptive towards technology – whole new areas of practice and ways of providing legal services are coming.

My other observation has been the important role “Male Champions of Change” can bring to the workplace. For example the President of the Court of Appeal of the Supreme Court of Victoria, the Honourable Justice Maxwell, has been a “Champion” particularly with gender pay equality. I strongly encourage women lawyers to engage male colleagues to join with us and support women in the workplace. It is for the betterment of legal practice and in fact for society. There is an old Chinese saying ‘women hold up half the sky’, taking that recognition it will be a brighter sky if women are supported.

I acknowledge and congratulate my former colleague the Honourable Chief Justice Anne Ferguson on completing her first year as Chief Justice. Her Honour’s appointment was important, among other things, in that the replacement of a woman Chief Justice by another woman meant having a woman in the role became part of the norm and not an isolated event. Chief Justice Ferguson is featured in this edition of *Portia*. Her Honour’s thoughts are an inspiration to all women lawyers.

Lastly may I encourage everyone to remind themselves to ‘Keep Gender on the Agenda’, the job is not yet done. ■

Image courtesy of the Supreme Court of Victoria



I HAVE REFLECTED ON THE IMPORTANT ROLE SENIOR WOMEN IN THE LEGAL PROFESSION CAN PLAY BY APPLYING THEIR FIRM MATURE VOICE TO SUPPORT AND ADVOCATE FOR THE NEXT GENERATION OF WOMEN LAWYERS. LET US ALL COMMIT TO PROTECTING AND SUPPORTING OUR SISTERS.

ABOUT THE PORTIA GEACH MEMORIAL AWARD

S.H. ERVINE GALLERY

IN THIS EDITION WE ARE DELIGHTED TO REPRODUCE WORKS OF PORTRAITURE SUBMITTED BY WOMEN ARTISTS AS ENTRIES FOR THE PORTIA GEACH MEMORIAL AWARD 2018.

The Portia Geach Memorial Award was established by the bequest of (Florence) Kate Geach to honour her sister, artist Portia Geach who died in October 1959.

Born in Melbourne in 1873, Portia Geach studied design and painting at the National Gallery School, Melbourne from 1893 to 1896, winning a prize for her nude painting. In 1896, she won the first travelling scholarship awarded to an Australian to study at the Royal Academy of Arts in London, where she remained for four years.

In the early 1900s, Portia returned to Melbourne and began experimenting with her art. She eventually focused on figure studies, portraits and atmospheric landscapes, and later moved to Cremorne Point, Sydney in 1904. Portia painted murals for buildings in New York, and her art was exhibited at the Societe Nationale des Beaux-Arts in Paris. Portia continued to travel widely, visiting New Guinea, Noumea, Tahiti and New Zealand.

Disillusioned by the lack of support from the male dominated art world, Portia directed her energies fighting for the rights of women in Australia. Portia assisted the suffragette movement in 1905 by painting a banner for the movement. She also founded and was President of the New South Wales Housewives' Association, which was later reorganised as the Housewives' Progressive Association. Portia was also the President of the Federated Association of Australian Housewives.

Portia also regularly expressed her views on subjects such as buying Empire goods, the use of preservatives in foodstuffs, the date-stamping of eggs, the marking of lamb and the high price of milk and bread via various media outlets, including *The Sydney Morning Herald* and the radio. Armed with a strong personality, she campaigned against the closed front that she claimed had faced her when she tried to exhibit her paintings.

Often referred to as the "female Archibald Prize", the Portia Geach Memorial Award is presented annually '... for the best portraits painted from life of some man or woman distinguished in Art, Letters or the Sciences by any female artist resident in Australia during the twelve months preceding the closing date for entries'. The Portia Geach Memorial Award is a fitting legacy and ensures that women artists in Australia are encouraged and supported in their endeavours.

The winner of this year's award is artist Zoe Young for her portrait entitled *Drawing Storyboards*.



Image: Zoe Young, *Drawing Storyboards* (Bruce Beresford, Film and Opera Director) (SH Ervin Gallery)

The judging panel selected Zoe Young's work from 365 entries received from women artists across Australia. The judging panel commented:

'This narrative, figurative painting gives us an insight into the working life of the sitter, film director Bruce Beresford. Beresford is the central focus of the work but is surrounded by a series of smaller scenes which show the creative process behind his work. Zoe Young has painted this tonal work with expressive brushwork enlivening the picture and giving the impression of viewing an intimate moment with the sitter as he sits deep in contemplation.'

VWL would like to thank the S.H. Ervin Gallery, Zoe Young and the finalists whose pieces appear in this year's edition of *Portia* for kindly allowing us to reproduce their works. ■



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EMPLOYERS SUPPORTING EMPLOYEES EXPERIENCING FAMILY VIOLENCE

20 MARCH 2018

VWL PARTNERED WITH NICHOLE'S FAMILY LAWYERS TO HOST A PANEL DISCUSSION ON EMPLOYERS SUPPORTING EMPLOYEES EXPERIENCING FAMILY VIOLENCE. THE PANEL DISCUSSION COVERED FAMILY LAW PROVISIONS ON PARENT AND PROPERTY MATTERS, HOW THIS INTERSECTS WITH FAMILY VIOLENCE, AND THE VARIETY OF LEGAL AVENUES OPEN TO VICTIMS OF FAMILY VIOLENCE.

Panellists included Sally Nicholes, Partner of Nicholes Family Lawyers, Clare Monger, K&L Gates Human Resources Associate Director, Julie Kun, CEO of Women's Information and Referral Exchange Inc (**WIRE**), and Fiona McCormack, CEO of Domestic Violence Victoria.

The panel was moderated by Leonie Green, an experienced employment lawyer and people manager, who facilitated fascinating discussions about how to be sensitive when

dealing with someone who has experienced family violence. The panellists also offered tips and tricks to attendees on how to identify and reach out to someone who may be experiencing family violence. Of particular note during the panel discussion was the huge amount of people suffering family violence, and how family violence is not necessarily indicated by physical wounds but can include psychological and economic blackmail.

Sally recounted how she has clients that are unsure of their rights in property settlement and are fearful of what repercussions can flow from separation. Clare explained to attendees how K&L Gates recently reviewed its human resources policies and practices, have offered training to staff and also has a family violence policy. Julie spoke on the intricacies of dealing with those that suffer family violence and the legislative framework family violence leave can take in a workplace industrial agreement.



Additionally, Fiona noted that it is important to start a cultural change where if a bad joke is made, you do not stay silent, but instead call it out as inappropriate.

Image (from left to right): Michelle Berry, Kriss Will, Elena Tsalanidis

Photograph provided to VWL

FACING THE DOUBLE CEILING

10 APRIL 2018

THE FACING THE DOUBLE CEILING EVENT WAS A THOUGHT-PROVOKING PANEL DISCUSSION ON EXPLORING THE DUAL BARRIERS FACING WOMEN FROM CULTURALLY AND LINGUISTICALLY DIVERSE (CALD) BACKGROUNDS IN THE WORKPLACE.

Hosted at Corrs Chambers Westgath, attendees had the opportunity to hear from four inspiring panel members: Maria Dimopoulos, Chairperson of the Harmony Alliance and Managing Director at Myriad International Consulting, Tasneem Chopra, author, Cross Cultural Consultant and activist, Tuanh Nguyen, Director at PwC Legal, and Shivani Pillai, Barrister. The event was moderated by Azmeena Hussain, Senior Associate at Maurice Blackburn.

The discussion centred on the "double ceiling" that is faced by women from diverse cultural backgrounds, which refers to the intersection of gender and culture that affects the progression of women in many industries. Unconscious bias and stereotyping can keep CALD women from progressing in their careers, particularly in male dominated professions.

The panel strongly encouraged each woman to take agency over their own identity. Each panel member also shared personal stories of their own experiences and offered candid advice to guests facing similar challenges in an open and supportive atmosphere. Each speaker encouraged the legal profession to become a trailblazer in tackling the issue and guests walked away eager to continue the discussion.



Image (from left to right): Azmeena Hussain, Shivani Pillai, Tasneem Chopra, Tuanh Nguyen, Maria Dimopoulos

Photography by Vanessa Shambrook

MEMBERS & GUESTS EVENING

18 APRIL 2018

AS ONE OF VWL'S MOST POPULAR EVENTS OF THE YEAR, IT WAS UNSURPRISING THAT THIS YEAR'S MEMBERS & GUESTS EVENING, A NETWORKING EVENT FOR BOTH CURRENT AND POTENTIAL VWL MEMBERS, SOLD OUT IN AN UNPRECEDENTED THREE DAYS!

With over 200 attendees, the Members and Guests Evening provided a valuable opportunity for informal networking and for non-members to learn more about VWL and the opportunities it provides for women lawyers. Held at Ms Collins, the event featured writer, presenter and commentator, Jamila Rizvi, who spoke engagingly on the challenges women face in the workplace.

Jamila described how women are likely to attribute their success to being 'lucky' or being 'in the right place at the right time', when in fact, they are really brilliant. Jamila illustrated this by drawing on her personal experience at a golf day, detailed research and case studies in a witty and



encouraging way. Attendees were also given the opportunity to ask Jamila questions and network with her after her presentation.

VWL were once again grateful for the support of the event sponsor, Taylor Root, and the generous prize donations from Aesop, Diageo and Kala Body massage. One lucky prize winner also got to take home a signed copy of Jamila's book, *Not Just Lucky*.



Images (from left to right): Jamila Rizvi (right) Sophie Lefebvre, Eleanor Weir, Elena Tsalanidis, Deborah Kliger, Michelle Berry, Jamila Rizvi, Hannah Dunai

Photography by One Shot Media

WOMEN BARRISTERS NETWORKING LUNCH SERIES

IN 2018, VWL RAN ITS WOMEN LAWYERS NETWORKING LUNCH SERIES IN PARTNERSHIP WITH THE WOMEN BARRISTERS' ASSOCIATION.

The objective of the program is to provide female barristers with the opportunity to promote their skill set and network with senior instructing solicitors in their areas of practice, to highlight their capabilities, build relationships and generate briefing of those barristers.

In the first lunch series of the year, a variety of insurance law practitioners and counsel enjoyed a fascinating introduction by Justice Elliott of the Supreme Court of Victoria who provided an insight on female appearances before him in the Commercial List.

On 8 June 2018, VWL hosted the second lunch in the series focusing on Common Law damages and negligence. Guests heard from the Honourable Justice Melinda Richards of the Common Law Division of the Supreme Court of Victoria and moderator Áine Magee QC.

The final lunch of the series was held on 21 August 2018, on the topic of Employment Law. Justice McDonald of the Supreme Court of Victoria welcomed the final lunch. VWL thanks Anna Svenson for her sponsorship and support of the series.



Image: Guests

Photography by VWL

THE FUNDING NETWORK: EMPOWERING WOMEN – BE PART OF THEIR JOURNEY CREATING A POSITIVE FUTURE 2 MAY 2018

VWL PARTNERED WITH THE FUNDING NETWORK, ALLENS AND THE WOMEN DONORS NETWORK TO HOST A LIVE CROWD-FUNDING EVENT TO RAISE MONEY FOR GRASSROOTS SOCIAL CHANGE PROGRAMS CREATING LIFE-CHANGING OUTCOMES FOR WOMEN AND GIRLS.

Sisterworks, Birth for Humankind, and Women and Mentoring were selected to pitch to the audience about the innovative ways their organisations are supporting women and girls in Victoria.

In response to the inspiring pitches, the engaged crowd pledged donations of \$90,000, raising much-needed funding for each organisation to develop and expand its programs.

Image (from left to right): Tricia Ciampa, Women and Mentoring, Jen Branscombe, Birth for Human Kind, Luz Restrepo, Sisterworks.

Photography courtesy of The Funding Network



GENDER PAY GAP – GENDER ON THE AGENDA 4 MAY 2018

IN 2018, ONE OF VWL'S KEY INITIATIVES WAS THE GENDER PAY GAP PROJECT. ON 4 MAY 2018, VWL LAUNCHED THE PROJECT AT THE THE GENDER ON THE AGENDA EVENT.

The half-day practical session held at the Queen Victoria Women's Centre was attended by managing partners and human resource managers. The event highlighted the need for pay gap analyses, the practicalities of analyses and responding productively. The session featured presentations from Justice Chris Maxwell, President of the Court of Appeal and Male Champion of Change as well as from Libby Lyons, Director of WGEA. The presentations were followed by three in-depth case studies presented by businesses committed to ongoing pay gap analysis – mining firm, St Barbara, engineering firm, AECOM and law firm, Maddocks.

Val Madsen, General Manager of St Barbara spoke about the innovations her team had put in place to close, and keep closed, the 'like for like' pay gap continuously since 2013.



Mark McManamny, Group Director of Civil Infrastructure, AECOM spoke about the need to incorporate funds for gender pay balancing in the annual budget. Diversity of leadership, visible targets, quotas, transparency and accountability, updated promotions and salary review policies and unconscious bias training were common themes. The final case study was presented by Michelle Dixon, CEO and Managing Partner of Maddocks.



Images (from left to right): (left) Guests, (right) Michelle Dixon

Photography by Charlie Kinros



Images (from left to right): (top left) Libby Lyons

(bottom left) Rosannah Healy

(top right) Julianna Marshall, Justice Chris Maxwell, Michelle Dixon, Val Madsen, Libby Lyons, Mark McManamny, Dr Matt Collins QC, Michelle Berry

(middle right) Charley Brumby-Rendell, Sanishya Fernando, Stephanie Pasharis, Justice Chris Maxwell, Nick Field

(bottom right) Elena Tsalanidis, Natalie Plumridge, Leanda Nissen, Julianna Marshall

Photography by Charlie Kinross

2018 VWL & WBA LAW STUDENT MENTORING PROGRAM LAUNCH

10 MAY 2018

IN 2018, VWL AND THE WBA RAN THE LAW STUDENT MENTORING PROGRAM FOR THE ELEVENTH CONSECUTIVE YEAR. THIS YEAR, VWL MATCHED 120 WOMEN LAW STUDENTS AND LEGAL PRACTITIONERS BASED ON THEIR SHARED INTERESTS IN THE LAW. SINCE THE PROGRAM'S INCEPTION IN 2008, OVER 1,500 MENTEE AND MENTOR PAIRS HAVE BEEN MATCHED.

VWL launched this year's program at K&L Gates. The program's co-patrons, the Honourable Marcia Neave AO, former Chair of the Royal Commission into Family Violence and Court of Appeal Judge, and the Honourable Justice Rita Zammit of the Supreme Court, joined us for a discussion moderated by VWL's Vice President, Ella van der Schans.

Their Honours candidly shared advice and anecdotes on a wide range of topics including their own mentoring experiences, the importance of communication, thinking broadly about your career and mentoring relationships in order to achieve job satisfaction, and looking after your physical and mental health.

We hope this program continues to be rewarding for our participants and provides an opportunity for women law students to gain insight into working in the law, develop valuable networks and share ideas with mentors in the legal profession. For mentors, there is the satisfaction that comes from helping to shape the career of a female law student.

VWL are grateful to K&L Gates for their long-term sponsorship of this important project.

Images: (top) Ella van der Schans, the Honourable Justice Rita Zammit, the Honourable Marcia Neave AO

(middle left) the Honourable Justice Rita Zammit, the Honourable Marcia Neave AO and Jennifer Batrouney QC

(middle right) Guests

(bottom) Ella van der Schans, the Honourable Marcia Neave AO, the Honourable Justice Rita Zammit, Sandra Karabidian

Photography by Vanessa Shambrook



GEELONG NETWORKING EVENT

17 MAY 2018

VWL CONTINUES TO EXPAND ITS REACH TO REGIONAL VICTORIA, CATERING FOR WOMEN PRACTITIONERS AND LAW STUDENTS WORKING OUTSIDE OF THE CBD.

In May 2018, the Membership Committee was joined by President of the Law Institute of Victoria (**LIV**), Belinda Wilson, to host VWL's first regional event for the year in Geelong. Local practitioners and law students came together for a night of networking, and reflected on the many and varied career paths in the law.

Belinda Wilson passionately shared her path to success (starting as a lawyer in East Gippsland before moving on to the role of CEO of Port Phillip Bay Scallops and eventually President of the LIV) and instilled in all attendees the importance of seizing opportunities and putting yourself forward for challenges that can lead to extremely rewarding outcomes.



The event was well attended and the venue, Frankie, was a lovely place to meet.

Thank you to all guests, Belinda Wilson and the Membership Committee for contributing to a delightful evening and another successful regional networking event.



Images (from left to right): (left) Belinda Wilson, Deborah Mann, (right) Guests

Photography by Stevie van der Chys

SLEEP AT THE 'G

17 MAY 2018

DUE TO THE IMPACT THAT FAMILY VIOLENCE AND INCARCERATION HAVE ON WOMEN, INCLUDING HOMELESSNESS, THIS YEAR VWL'S JUSTICE COMMITTEE SELECTED "WOMEN AND HOMELESSNESS" AS THE FOCUS AND THEME FOR THE COMMITTEE'S PANELS, PROJECTS, AND EVENTS.

In line with this theme, VWL members participated in the 2018 Sleep at the 'G hosted by Melbourne City Mission at the Melbourne Cricket Ground. This annual fundraising event is focused on gaining awareness and support for homeless youth in Melbourne.

Participants are invited to spend the night at the MCG to experience "sleeping rough" first-hand.

The VWL team, consisting of 13 VWL members, raised \$7,642 for the event. The funds raised by sleepers this year will be used to build Australia's first 24-hour youth crisis accommodation centre. VWL was amongst the top 30 fundraising teams.

Image (from left to right): Hayley Chester, Alex Dworjanyn, Mieke Matimb, Natalie Plumridge, Michelle Berry, Julianna Marshall

Photography by VWL



SEXUAL HARASSMENT & SECRECY IN THE WORKPLACE

28 MAY 2018

JUST A FEW WEEKS BEFORE THE ANNOUNCEMENT OF THE AUSTRALIAN HUMAN RIGHTS COMMISSION'S INQUIRY INTO SEXUAL HARASSMENT IN AUSTRALIAN WORKPLACES, VWL HELD A PANEL DISCUSSION FOCUSING ON THE USE OF CONFIDENTIAL SETTLEMENTS AND NON-DISCLOSURE AGREEMENTS IN SETTLING SEXUAL HARASSMENT CLAIMS.

Guests heard from Zana Bytheway, Executive Director at JobWatch, Federal Circuit Court of Australia Judge Patrizia Mercuri, Sarah Bendall, Head of Dispute Resolution at the Victorian Equal Opportunity and Human Rights Commission and Vanessa Paterson, Advice and Reporting Executive Manager at the Workplace Gender Equality Agency (WGEA). The discussion was facilitated by Josh Bornstein, a Principal Lawyer at Maurice Blackburn Lawyers.

A large focus of the panel was the tension between greater transparency in sexual harassment cases and the importance of protecting complainants through confidentiality.

Panel members made some law reform suggestions, such as the creation of standalone provisions addressing sexual harassment under the *Fair Work Act 2009* (Cth) (similar to the bullying provisions), the enactment of a positive obligation on employers to take reasonable and proportionate measures to eliminate sexual harassment and discrimination, and the creation of a uniform national legal system to avoid confusion and complexity in this area.

The panel greatly emphasised the need to change workplace cultures. For example, greater diversity on boards and in management and in changing attitudes and practices so that making a complaint will not have negative consequences for the complainant's career.

The panel agreed that a "tick the box" approach to training employees on sexual harassment is insufficient.



Images (from left to right): (top) Judge Patrizia Mercuri, Zana Bytheway, Sarah Bendall, Vanessa Paterson

(bottom) Hayley Chester, Elena Tsalanidis, Alex Dworjanyan

Photography by ZH Photography

WOMEN LEADERS IN PUBLIC DEBATE: AUTHENTIC LEADERSHIP

4 JUNE 2018

VWL, TOGETHER WITH GREENS LIST BARRISTERS, HOSTED A FASCINATING PANEL DISCUSSION ON AUTHENTIC LEADERSHIP AND HOW DIVERSE WOMEN LEADERS CAN DISRUPT THE STATUS QUO, EXCEL IN THEIR CHOSEN FIELD, AND ENCOURAGE OTHER WOMEN TO LEAD WITH INTEGRITY AND COURAGE.

Held at Monash Law Chambers and attended by over 150 VWL members and guests, the panellists provided inspirational and insightful thoughts on leadership, and practical tips for becoming a better leader in the workplace and in the wider community.

Kylie Kilgour, Deputy Secretary at the Department of Justice and Regulation, Anna Brown, Director of Legal Advocacy at the Human Rights Law Centre, and Susan Paxton, AIDS activist spoke about their leadership roles, achievements and diverse experiences. Moderator, Áine Magee QC (Greens List Barristers), facilitated the discussion and also shared her own thoughts on being an authentic and effective leader in the legal sector.



Kylie, Anna and Susan all agreed that there is more than one way to be an authentic leader and that everyone needs to find their own style of leadership.

The panellists provided invaluable feedback to the audience on how to mentor junior colleagues, support other women to progress to leadership positions, and build and maintain lasting working relationships with one's colleagues and peers.



VWL would like to thank Greens List Barristers and our remarkable panel of speakers who have inspired us to become, and continue to be, people who lead with integrity and authenticity.

Images (from left to right): (left) Áine Magee QC, Anna Brown, Kylie Kilgour

(right) Sanishya Fernando, Áine Magee QC, Anna Brown, Kylie Kilgour, Susan Paxton, Pia White

Photography by Vanessa Shambrook

VWL WELLBEING SERIES - PART 1: THE ROAD TO RESILIENCE IN LAW

13 JUNE 2018

VWL WAS PROUD TO LAUNCH ITS FLAGSHIP WELLBEING INITIATIVE, RUN JOINTLY BY THE EXECUTIVE AND NETWORKING COMMITTEES.

The first event of the initiative was an in-depth panel discussion on resilience in the law. The panel featured the Honourable Associate Justice Ierodiaconou, Mark Lee, Clinical Psychologist, and Natalie Campbell, Barrister and co-founder of the legal wellbeing podcast *Compos Mentis*.

The panel considered key wellbeing challenges facing women in the law, strategies to manage and improve resilience and wellbeing and responded to questions from the audience. The event also included reflective mediation sessions for participants.

BALLARAT NETWORKING EVENING

14 JUNE 2018

CONTINUING VWL'S FOCUS ON BUILDING REGIONAL EVENTS, AN INFORMAL NETWORKING EVENT WAS HELD IN BALLARAT ON A WINTRY NIGHT IN JUNE THIS YEAR.

The Ballarat Networking Evening built on two successful events held in 2017 and was intended to ensure that women practitioners within regional areas have the opportunity to be involved in networking.

The event allowed local practitioners to meet and network with fellow women lawyers within the area. Students were given a chance to engage with lawyers and gain insight into different career options and advice on ways to succeed in the future.



VWL is looking forward to working with Ballarat women lawyers to organise future



events and continue to build its membership in the region.

Photography by One Shot Media

OLDER WOMEN LOST IN HOUSING

28 JUNE 2018

OVER 680,000 AUSTRALIAN WOMEN AGED 45 AND OVER ARE LOST TO AFFORDABLE SECURE AND ACCESSIBLE HOUSING. HIDDEN AND UNDER-REPRESENTED, "OLDER WOMEN LOST IN HOUSING" (OWLS) ARE THE FASTEST GROWING GROUP IN OUR COMMUNITY EXPERIENCING HOMELESSNESS.

VWL welcomed Penny Leemhuis and Lucy Adams to speak at VWL's Older Women Lost in Housing event on the issues facing OWLs, hosted at Maurice Blackburn. Penny Leemhuis, a social justice activist and housing advocate for older women lost to affordable, secure, and accessible housing, welcomed guests and began the evening by screening the film made about her lived experience as an OWL.

Lucy Adams, Manager and Principal Lawyer for Homeless Law at Justice Connect, shared first-hand experiences as a lawyer responsible for assisting the homeless.



After the presentations concluded, the speakers participated in an audience led discussion examining the correlation between relationship breakdown and homelessness, the particular vulnerability of baby boomers, and issues that result in the underrepresentation of older homeless women. The speakers and guests also discussed the action that the members of the audience can take to assist this demographic of acutely at-need women.



The funds raised from the sale of tickets for the event will be donated to Housing for Aged Action Group, an organisation that works with older people to achieving housing justice and social change.

Images (from left to right): (left) Penny Leemhuis and Lucy Adams, (right) Guests

Photography by Lee Saunders

PROFESSIONAL MENTORING PROGRAM LAUNCH

25 JULY 2018

IN 2018, VWL LAUNCHED ITS INAUGURAL PROFESSIONAL MENTORING PROGRAM. THE LAUNCH EVENT PROVIDED AN OPPORTUNITY FOR MENTORS AND MENTEES TO MEET IN AN INFORMAL ENVIRONMENT.

Attendees were joined by Norah Breekveldt, Executive Advisor and Leadership Development Consultant. Norah shared her insights on successful mentoring relationships, including those she identified whilst researching her recent book, *Me and My Mentor: How Mentoring Supercharged the Careers of 11 Extraordinary Women*. The book chronicles the stories of eleven pairs of extraordinary mentors and mentees and provides insight into how to create successful mentoring relationships.

Following Norah's presentation, guests participated in an insightful discussion on different ways they can commence their new mentoring connections. Guests commented on how informative they found Norah's presentation and felt equipped to begin the journey.

It was clear from the launch that the importance of mentoring in the careers of women is widely acknowledged and accepted. Such mentoring can come in the form of both formal and informal connections and from both inside and outside of the work place. It was also observed that mentors from diverse backgrounds is extremely beneficial.

VWL thanks Russell Kennedy Lawyers for hosting and assisting in the organisation of the launch event, the mentors who graciously volunteered their time to contribute to this initiative, and the Work Practices Committee for their efforts in creating this initiative.



Image: Guests

Photography by Vanessa Shambrook

AN EVENING WITH COURT OF APPEAL JUSTICES - PAMELA TATE AND KIM HARGRAVE

6 AUGUST 2018

VWL AND THE BENDIGO LAW ASSOCIATION HELD A NETWORKING EVENING WITH JUSTICES TATE AND HARGRAVE OF THE COURT OF APPEAL AT THE BENDIGO ART GALLERY.

Their Honours spoke about their careers in the law and the growing diversity of the legal profession. Justice Tate reflected on her non traditional path to the law and the bench and the changes to the legal profession. Justice Hargrave discussed the statistics collected by the Court of Appeal on the number of speaking roles taken by women counsel in matters before them.

Guests also had the opportunity to speak with their Honours and network over canapés. This was the first VWL event in Bendigo in three years. VWL is committed to continuing to build relationships with regional practitioners.

Photography by VWL



CHANGES TO PRIVACY & INFORMATION SHARING: HOW IT AFFECTS YOU

22 AUGUST 2018

VWL, TOGETHER WITH RUSSELL KENNEDY LAWYERS, HOSTED A SEMINAR ON THE RECENT CHANGES TO PRIVACY AND INFORMATION SHARING, WITH A SPECIFIC FOCUS ON HOW THE CHANGES TO THE SCHEME OPERATE IN PRACTICE, PARTICULARLY IN THE AREAS OF FAMILY VIOLENCE AND CHILD PROTECTION.

The event began with networking over breakfast, followed by an in-depth panel discussion highlighting how recent changes in legislation have enhanced the sharing of information within government.

Tracy Beaton, Director and Chief Practitioner Human Services of the Office of Professional Practice within the Department of Health and Human Services, Elizabeth Murphy, Acting Assistant Commissioner of Family Violence Command, and Anita Courtney, Principal at Russell Kennedy Lawyers spoke about their experience and challenges when seeking to share information between government agencies within the previous and current information sharing framework.

The discussion was moderated by Rachel Dixon, Privacy and Data Protection Deputy Commissioner, who brought a different perspective to the conversation and shared her own insights into the challenges of implementing significant legislative change in the information sharing and privacy sphere.

Elizabeth described the experience of frontline Victoria Police officers and spoke about how collaborating with other government agencies and departments helps to prevent incidents of family violence. Tracy shared her knowledge of the multifaceted nature of stakeholder interaction. Anita brought her legal expertise to the conversation and explained some of the nuances involved in advising government clients on the impact of the recent legislative changes.

Although panellists agreed that it might be a number of years before we see noticeable changes, it was affirmed by all that the recent amendments in the privacy and information sharing space are a positive step in protecting the children, women, families and the community.



Image: Guests

Photography by Lee Saunders

AUSTRALIAN WOMEN LAWYERS NATIONAL CONFERENCE

24 AUGUST 2018

AUSTRALIAN WOMEN LAWYERS (AWL) PRESENTED THE 2018 AWL CONFERENCE AT THE SOFITEL WENTWORTH IN SYDNEY.

Michelle Berry, President of VWL, attended the conference as VWL's representative. It was a fantastic opportunity to meet and engage with representatives of other constituent bodies across Australia, as well as other leaders in the legal profession, including AWL Board Members and key note speakers. The theme of the AWL Conference was *Investing in the Future*.

The conference covered a diverse range of topics, including innovation and technology, new law, sustainable work practices, and issues covering cultural reform, such as equitable briefing, intersectionality and unconscious bias training.

There was a stellar line of speakers, including Professor Gillian Triggs who delivered the keynote address, Dr Kay Patterson, the Honourable Margaret Beazley AO, the Honourable Jane Mathews AO, Chief Justice (ACT) Helen Murrell, and many more.

VWL extends its congratulations to Fiona McLeod SC for winning the "Australian Women Lawyer of the Year" award. The award is richly deserved – a fitting recognition of Fiona's outstanding contribution to the legal profession and unwavering commitment to the rule of law and the administration of justice generally.

CROSS INDUSTRY NETWORKING EVENT

13 SEPTEMBER 2018

VWL'S NETWORKING COMMITTEE HOSTED A JOINT EVENT WITH THE VICTORIAN BRANCH OF THE CPA WOMEN'S COMMITTEE. THE EVENT GREW THE CROSS INDUSTRY PROFESSIONAL NETWORKS OF WOMEN LAWYERS AND ACCOUNTANTS.

The cocktail event took place at CPA's offices in Southbank, where 250 attendees gathered to meet new people, strengthen connections and share experiences.

Guest speaker, Jo Stanley, gave an incredibly empowering and inspiring recount of her personal and professional experiences within male-dominated industries. In a perfect mix of hilarity and solemnity, Jo shared her journey to becoming a member of the Ministerial Council for Women's Equality, and encouraged us all to call out inequality and to support those who do so.



Following this successful evening, VWL looks forward to continuing its cross-industry networking opportunities in the future.



Images (from left to right): (left) Jo Stanley (right) Guests

Photography by Zoe Twomey-Birks

VWL WELLBEING SERIES - PART 2: NON-DOING WORKSHOP

10 OCTOBER 2018

FOLLOWING THE SUCCESS OF VWL'S FIRST EVENT OF THE WELLBEING INITIATIVE IN JUNE 2018, ON WORLD MENTAL HEALTH DAY, VWL PARTNERED WITH PEACE LAB AND HELD A WORKSHOP ON HOW TO CULTIVATE SELF-AWARENESS AS A FIRST STEP FOR STRESS MANAGEMENT.

The Non-Doing Workshop – Cultivating Self-Awareness for Lawyers was specially designed for legal professionals, who are typically high achievers and deep thinkers, by Elva Zhang, Founder of Peace Lab and a practising Shipping lawyer. The workshop was intended to teach lawyers, who are often “doers”, how to pause, and deal with stress more effectively.

From the framework of neuroplasticity, Elva and guests explored why lawyers may be more susceptible to stress, anxiety and negative self-talk.

Elva also assisted guests put neuroplasticity into practice. Referring to the notion of “non-doing” embedded in the ancient Chinese Taoist philosophies and through experiential exercises such as reflective discussions, Elva helped guests understand how they can practically stop their daily busy “doing” from time to time, pause for more self-awareness and then take actions from a state of appreciation and solution, rather than from a state of stress.

VWL thanks Elva Zhang for presenting the workshop and MinterEllison for sponsoring and hosting the event at their office.



Image: Guests

Photography by Vanessa Shambrook

RAISING THE BAR: 2018 NETWORKING BREAKFAST & PANEL DISCUSSION

12 OCTOBER 2018

EACH YEAR, VWL'S NETWORKING COMMITTEE HOLDS A BREAKFAST PANEL DISCUSSION AIMED AT PROVIDING INFORMATION TO WOMEN LAWYERS CONSIDERING A FUTURE AT THE BAR.

This year's panel discussion was held at the Metropolitan, and featured barristers Lisa Nichols QC, Katie Stynes and Abbie Roodenburg, as well as Andrew Turner, Deputy Chief Clerk at Foley's List. The panel provided insights into their life at the Bar, and the challenges and rewards it brings, and responded to specific questions from the audience.



Images (from left to right): (left) Abbie Roodenburg, Kathryn Stynes, Lisa Nichols QC, Andrew Turner (right): Guests. Photography by VWL

DISCRIMINATION, HUMAN RIGHTS & RELIGIOUS FREEDOMS

23 OCTOBER 2018

VWL'S MEMBERSHIP COMMITTEE HELD A PANEL DISCUSSION ON PROMOTING THE HUMAN RIGHTS OF THE LESBIAN, GAY, BISEXUAL, TRANSGENDER, INTERSEX (LGBTI) COMMUNITY.

Kristen Walker QC, Solicitor-General for Victoria, facilitated a stimulating panel discussion on the interplay between discrimination, human rights and religious freedoms in light of the US Supreme Court decision of *Masterpiece Cakeshop v Colorado Civil Rights Commission*, and in particular the impact of the decision on the LGBTI community.

Panellists, Aimee Cooper, Elizabeth Bennett, and Kym Fraser, spoke of the challenges facing the LGBTI community, both in and out of the justice system, and shared their perspectives on areas of future change for LGBTI rights. Aimee Cooper, the Deputy

Managing Lawyer of the Equality Law Program at Victoria Legal Aid, and a member of the LGBTI Taskforce Justice Working Group, shared her personal experiences in engaging in policy and law reform for promoting LGBTI rights.

Elizabeth Bennett, a member of the Victorian Bar and also a member of the LGBTI Taskforce Justice Working Group, offered insight into her strong public law and discrimination law practice.

Kym Fraser, a partner in the Commercial Litigation Department of Clayton Utz, Melbourne, and a member and Partner Advocate of the Clayton Utz LGBTI Alliance, shared his personal experience in advocating for transgender rights.

Guests had the opportunity to ask questions, network and reflect on the interesting ideas raised by the panel.



VWL thanks Clayton Utz for their assistance and support in hosting this event and all speakers for facilitating an engaging and stimulating discussion.

Photography by John Hewat

GENDER ON THE AGENDA: IN DISCUSSION WITH DR ANNE SUMMERS AO AND EMMA ALBERICI

25 OCTOBER 2018

HELD AT THE STUNNING MYER MURAL HALL, VWL HOSTED ITS MAJOR EVENT FOR THE YEAR: GENDER ON THE AGENDA: IN CONVERSATION WITH EMMA ALBERICI AND DR ANNE SUMMERS AO.

The conversation was focused on the persistent gender pay gap in professional services, and the systemic issues that lead to the gap.

More than 200 attendees, including VWL sponsors, supporters and friends, joined VWL for a two-course lunch and an engaging discussion on the various issues contributing to the gender pay gap.

'It was fascinating to hear Dr Summers AO discuss the gender pay gap in the context of her advocacy for women over many years. She provided us with the impetus to keep the gap narrowing' said VWL President, Michelle Berry. Guests also commented on Emma Alberici's candidness in discussing her personal and professional challenges.

Following the lunch, guests had the opportunity to purchase Dr Summers' memoir, *Unfettered and Alive*.

VWL sincerely thanks Dr Summers AO and Emma Alberici for sharing their insights on the gender pay gap, and VWL's sponsors for their ongoing support in relation to this important issue.



Image: Guests

Photography by Jam on Your Collar

WARREN MOOT AUGUST - NOVEMBER 2018

LAUNCHED IN 2015, THE WARREN MOOT IS NOW A STAPLE IN VWL'S CALENDAR. DESIGNED TO ENCOURAGE WOMEN TO TEST THEIR ADVOCACY SKILLS IN A SUPPORTIVE ENVIRONMENT, THE WARREN MOOT AIMS TO CONTRIBUTE TO INCREASING THE NUMBER OF WOMEN AT THE BAR.

This year the Warren Moot was expanded to a total of 14 teams (53 women lawyers) competing. VWL briefed three women barristers – Amanda Carruthers, Ffiona Livingstone-Clark and Joanna Dodd – to craft moot problems covering criminal and civil law and judicial review. The competition received overwhelming support from the judiciary with each round being adjudicated by a serving or former female judge.

The Honourable Justice Marilyn Warren AC QC presided over the Grand Final and also officially launched the 2018 competition speaking to participants at an event in August.



VWL thanks the many volunteers who support this competition including members of the WBA. VWL is fortunate to have the continued support of the Supreme Court of Victoria, which this year hosted both the semi-finals and Grand Final. VWL is also grateful for the ongoing support of competition sponsor firm, Maddocks.



Photography by Vanessa Shambrook

FINANCIAL SECURITY FOR WOMEN

12 NOVEMBER 2018

WOMEN'S FINANCIAL SECURITY AND EMPOWERMENT IS INFLUENCED BY A NUMBER OF FACTORS, INCLUDING THE GENDER PAY GAP, FINANCIAL LITERACY, STRUCTURAL DISCRIMINATION AND LABOUR MARKET PARTICIPATION. THIS ISSUE HAS ALSO BEEN IDENTIFIED AS CRITICAL IN ACHIEVING GENDER EQUALITY.

To highlight the significance of this issue, VWL held a panel discussion regarding the importance of financial security for women.

Hosted by Allens, the panellists, leading women in the area of finance and financial security, shared their professional experience and expertise in the area with guests.

Sarah Buckley, Executive Officer for Women in Super, Esther Althaus, financial adviser and founder of Perspective Financial Services Pty Ltd, and Julie Kun, CEO of WIRE, provided practical strategies and advice to guide women on how to achieve financial security.



Guests also had the opportunity to network after the panel discussion, and discuss their own strategies in achieving financial security.

VWL thanks the panellists for sharing their insights, and Allens for hosting the event.

Photography by John Hewat

YOUNG, FEMALE AND HOMELESS

20 NOVEMBER 2018

THE YOUNG FEMALE AND HOMELESS PANEL DISCUSSION, HOSTED BY KHQ LAWYERS, EXAMINED THE PLIGHT OF YOUNG HOMELESS WOMEN AND THE LEGAL ISSUES THEY FACE.

Panellists Vicki Sutton, CEO of Melbourne City Mission, Jo Swift, CEO of Kids Under Cover and Anna Radonic, Principal Lawyer at Youthlaw engaged in an open discussion and shared their opinions on why younger women may face homelessness.

Guests also heard how each panellists' organisation assists at risk youths by providing various types of assistance such as family focused accommodation, scholarships and legal aid.

Moderator Jenni Smith, CEO of Northern Community Legal Centre (NCLC) also discussed how NCLC assists victims of family violence, youth with mental illness and the impact this assistance can make in their lives.

VWL thanks the panellists for sharing their insights and KHQ Lawyers for hosting the panel discussion.



Photography by One Shot Media



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PERSPECTIVES ON LEADERSHIP FROM FOUR WOMEN LEADERS IN THE LAW

STEPHANIE PASHARIS & KATHERINE GOUGH

TO CELEBRATE THE THEME OF *PORTIA 2018, FOUR REMARKABLE LEADERS IN THE LAW – JENNIFER BATROUNEY QC, MARLO BARAGWANATH, JANET WHITING AM AND PROFESSOR GILLIAN TRIGGS – SHARE THEIR INSIGHTS AND ADVICE ON WHAT MAKES A GREAT LEADER.*

QUALITIES IN LEADERS

There are countless types of leaders, all with a range of experiences, qualifications and leadership styles. What makes a great leader?

Jennifer Batrouney QC says that a great leader 'listens to and respects those around her, knows how to get things done, rolls up her sleeves and makes sure that what needs to be done is done, and inspires others to follow her lead'. She adds that it is 'important to be courageous, tenacious and resilient'.

Janet Whiting AM says that '[a] leader needs to be just that. Consultation is very important, respect is critical but ultimately a leader must be prepared to take any hard decisions that are necessary. Prevarication is poor'.

For Marlo Baragwanath, integrity and authenticity are important qualities in a leader. She says that leaders should 'conduct themselves with high ethical standards', which is vital in building trust. To Ms Baragwanath, integrity 'means that you are acting out of a sense of service to others or the community, not in your own self-interest'.

Professor Gillian Triggs believes that the kinds of people who become leaders successfully are people who take risks. 'A lot of very successful leaders make mistakes, sometimes big ones, but they are willing to take the risks because they have a vision and a sense of where they want to go.' She adds that leaders should be prepared to 'do the hard work', as this builds credibility. Professor Triggs emphasises that people will only follow leaders who have credibility.

IMPORTANCE OF WOMEN LEADERS

Seeing women in leadership roles is important not only for the legal profession, but for society generally, and it inspires other women to aim for leadership positions themselves. 'You can't be what you can't see', says Professor Triggs.

Ms Whiting says that it is critical that women are in senior leadership positions – as much as it is for men to be in those positions:

'For those that come after us, it is important that they can see what opportunities are available. I'm tired of hearing the rhetoric from many men that they would love to appoint women but they can't find any with the appropriate skills and expertise. Such a position defies reality. As someone once said to me, I will be happy to stop arguing for quotas when there are as many mediocre women in positions of power as there are mediocre men!'

Ms Baragwanath believes that seeing women in leadership roles 'sets an example for others, something to aspire to'. She adds that '[i]t clearly says that women are capable of being appointed on merit – that we can hold our own'.

It is also important that women see women supporting each other. Professor Triggs reflects that today, women are more collaborative than they were at the start of her career. In her view, this builds solidarity, and will be a strong driver in ensuring that women continue to reach leadership positions.

BARRIERS TO LEADERSHIP

Despite more women holding leadership positions in the law and in society generally, there are still many barriers women face in pursuing leadership roles.

In Ms Baragwanath's view, unconscious or implicit biases remain. She notes that she still hears stories about women being told they have to 'change to fit into some predetermined mould of leadership', or need to speak, dress or conduct themselves in a different way.

Ms Batrouney says that a barrier many women face is that they do not back themselves as much as they should. '[Women] can sometimes stand back rather than step up for a role that, in reality, they are more than qualified to take on.' Ms Batrouney has noticed that 'when a man fails, he fails for himself; but when a woman fails, she fails for all women'. She says that '[w]omen need to overcome the barrier of their own lack of self-confidence and, as they say, "just do it"'.

Even as a teenager, Professor Triggs recalls having a clear vision for herself and a high level of self-confidence. In her view, many young women do not appear to have the confidence to lead. She encourages these women to develop the tools to build their own confidence.

BENEFITS OF DIVERSITY

There is no disputing the importance of diversity in leadership roles, and that workplace diversity enhances creativity, productivity and yields better outcomes.

Ms Batrouney says that 'diversity overcomes the inertia that attends the "we will do it this way" state of mind and opens the field to new and exciting opportunities'. Ms Baragwanath agrees that a 'diversity of backgrounds and perspectives fosters innovation and a better exchange of ideas'.

Professor Triggs notes that it is crucial that we do not accept the term "diversity" as exclusively meaning gender equality. Professor Triggs says that diversity in leadership roles should reflect the broader diversity in our community, including diversity in ethnicity, culture, religion, sexuality, and so on.

Ms Whiting echoes this, saying '... when I think about diversity I'm not talking about gender issues. Gender is about equality, not diversity. If you focus on equality, you are at least getting representatives from 100% of the population, not 50%. Reflecting 100% of the population in leadership roles must lead to greater diversity in thinking'.

Professor Triggs adds that a stronger push towards reviewable targets or quotas may be the pathway to achieve a greater reflection of diverse or underrepresented groups in leadership positions.

It is also essential for leaders to themselves have a diverse range of experiences. Ms Whiting believes that those who have the ability to contribute to their community should do so. She notes that her involvement in the arts during her legal career has connected her with a range of people who she would not ordinarily have come across in her day-to-day legal career. Ms Whiting reflects that this exposed her to 'different types of thinking,

different approaches and creative robust discussions', which has brought a dimension to the way she approaches her career that she believes would not have been there without these experiences.

ADVICE FOR WOMEN LAWYERS

For women lawyers who aspire to leadership roles, these four leaders in the law share the following advice:

Jennifer Batrouney QC: Be courageous. Take that next step even if it terrifies you. What is the worst that can happen? You *might* fail (in which case you will learn from your experience) but chances are you are more deserving than you think you are and you *will* succeed. Have confidence in your own ability. Set a good example so as to inspire those who follow you, stay calm under pressure, be strong and look out for others less fortunate than yourself. Think about what you would like to achieve during your leadership and set out a plan as to how you are going to get there.

Marlo Baragwanath: Be comfortable making decisions – I find procrastinating and not making a decision often worse than managing the results of those decisions you made which might not [have] worked quite as you had hoped. Take advantage of the expertise and experience around you, but back yourself and realise that no one – not even the likes of Sheryl Sandberg or Tracey Spicer – gets it right every time!

Janet Whiting AM: Put your hand up! Do not wait to be tapped on the shoulder. You cannot expect to be considered for leadership roles if people don't know you are interested. My other piece of advice is do not go for leadership roles just for the sake of it.



Find something you are interested in and seek involvement and leadership in that area.

Professor Gillian Triggs: You have to work hard and grasp the opportunities, even if it is not a straight road of where you want to go. It is all about building experiences ... You set the agenda, not anyone else – think independently, but do your homework first. ■

Images (from left to right): (top) Professor Gillian Triggs, Janet Whiting AM, (bottom) Jennifer Batrouney QC, Marlo Baragwanath

JENNIFER BATROUNEY QC has over 27 years experience at the Bar. She is the current President of the Australian Bar Association and has held various leadership roles including President of the Victorian Bar, President of the Tax Bar Association and President of Australian Women Lawyers. Ms Batrouney is also the inaugural chair of the Law Council Not-for-Profit Practice and Charities committee and in 2018, was elected to the Legal Services Board.

MARLO BARAGWANATH is the first woman appointed to the role of Victorian Government Solicitor. She was appointed in December 2016. Ms Baragwanath's previous leadership roles include Director of the CEO's Office at the Victorian Building Authority and General Counsel at Worksafe Victoria. She also previously worked as a senior policy officer in the Department of Justice.

JANET WHITING AM leads Gilbert + Tobin's Litigation practice and is the current President of the Council of Trustees of the National Gallery of Victoria, the first woman to hold the role.

Ms Whiting was made a Member of the Order of Australia due to her contribution to the arts, health and major events sector and as a legal professional and was inducted onto the 2015 Victorian Honour Roll of Women by the Premier of Victoria. In 2015, Ms Whiting was recognised as one of *Australia's 100 Women of Influence* by the Australian Financial Review, winning the category for Culture.

PROFESSOR GILLIAN TRIGGS has held a number of leadership positions during her inspirational career, including President of the Australian Human Rights Commission, Dean of the Faculty of Law and Challis Professor of International Law at the University of Sydney, Director of the British Institute of International and Comparative Law and Emeritus Professor at Melbourne Law School. She is the current Chair of Justice Connect, and is the author of many books and papers including *Speaking Up*, which was published in October 2018.

MAJOR SPONSOR

WOTTON + KEARNEY



What impact do women leaders have on your firm?

The economic and organisational benefits of increasing gender diversity in workplaces are widely reported. But what is it about women leaders that effect this? McKinsey, through its Women Matter series, found that women use five out of nine positive leadership behaviours more often than men, and two just as often. Those five behaviours involve people development, expectation and rewards, role modelling, inspiration and participative decision-making.

At Wotton + Kearney about a third of the firm's partners and senior management team are women, and at the senior lawyer level almost 60% are female. The dominant leadership behaviours McKinsey has identified are prevalent in our culture and Wotton + Kearney's market position reflects this.

But it's not just about numbers. Wotton + Kearney is focussed on building a better business for our clients and our people. This involves increasing organisational inclusiveness and encouraging people to shape their own careers. That creates the culture we have, where it is possible to be promoted to partner while working flexibly and spending time with children.

As a recently promoted Melbourne-based partner and the People and Culture Director, we're keen observers of women leaders at the firm. Our work is often challenging, and we see our women leaders regularly take the time to explain, to guide and to ask staff how they are. They also go out of their way to offer development opportunities, like court appearance work, that builds people's skills and it also creates high levels of engagement and loyalty.

Taking the time to explain the "why" not just the "what" is particularly important for millennials who represent 70% of Wotton + Kearney's staff and will inform the future of the firm. We're regularly using participative decision-making to smooth the way for organisational change, including the firm's recent shift from a traditional PDR process to regular, honest career conversations. With this initiative we have also created career trajectories that vary for individuals. This means staff can advocate for their own careers, rather than wait to be tapped on the shoulder for promotion. For women with leadership aspirations, this should be transformational.

As in every business, Wotton + Kearney's women leaders aren't working in isolation. When you have a clear strategy, values that centre on relationships, excellence and diversity, and a chief like David Kearney who gets it, then everything else follows. ■

Allison Hunt, Partner, and Odile Shepherd, People and Culture Director



Image: Leigha White, *Aunty Francis Bodkin* (Botanist, Environmental Scientist, UWS Elder on Campus) (SH Ervin Gallery)

INTERVIEW WITH THE HONOURABLE CHIEF JUSTICE ANNE FERGUSON

KATHERINE GOUGH, STEPHANIE PASHARIS AND BRIGID ARTHUR

THE HONOURABLE JUSTICE ANNE FERGUSON WAS APPOINTED CHIEF JUSTICE OF THE SUPREME COURT OF VICTORIA EFFECTIVE FROM 2 OCTOBER 2017. VWL WAS DELIGHTED TO MEET WITH CHIEF JUSTICE FERGUSON IN HER HONOUR'S CHAMBERS TO DISCUSS THE THEME OF *PORTIA 2018 – LEADERSHIP*. VWL AND THE COMMUNICATIONS COMMITTEE THANK CHIEF JUSTICE FERGUSON FOR PROVIDING HER HONOUR'S VALUABLE INSIGHTS AND ADVICE.

WHAT MAKES A GOOD LEADER

When asked what qualities are most admirable in leaders, particularly leaders in the law, Chief Justice Ferguson said that 'the best leaders in any circumstances are those that are very calm, facilitating rather than directing'. For Her Honour, these qualities underpin good leadership generally, 'whether it be in the community, in a profession, or in a family situation'. The key focus of a leader is on empowering the group, Her Honour said, which can make it a lot more powerful, vibrant and progressive.

THE IMPORTANCE OF MENTORS

Chief Justice Ferguson has been described as an extraordinary mentor, teacher and role model to junior lawyers during her time as a partner at Allens Arthur Robinson (now Allens Linklaters). In Her Honour's view, the best mentoring relationships are those that happen organically. 'You do not even put that label on them at the time. It is about people being able to have someone who is a sounding board, not directing them or telling them what to do. It is about being a facilitator to help the mentee work out what the best way forward is for them.'

Chief Justice Ferguson said that she has been fortunate to have mentors of both genders during her career, from inside and outside the law.

OVERCOMING CHALLENGES

VWL asked Chief Justice Ferguson about the challenges in Her Honour's career as a female leader in the law.

'There probably were challenges, but I was not conscious of them at the time', Her Honour said. 'I do not feel that there was the same sort of barrier as there might have been if I thought more about it and focused on the problem, rather than just doing what I did'. Working for many years in the typically male dominated insolvency practice area, Her Honour said her approach was to 'just do my work'.

As to whether the trajectory as the first solicitor appointed to the role of Chief Justice raised any particular challenges, Her Honour explained that seven years of judicial experience assisted with the transition. Being a solicitor is part of why I am the person I am and why I approach things the way I do, but it is not the whole story', Her Honour said. 'The most important part of the lead in to Chief Justice was being a judge.'

DIVERSITY IN LEADERSHIP

In Her Honour's Welcome Sitting, Chief Justice Ferguson remarked on the importance of diversity in organisations and the judiciary. When asked how the legal profession can continue to develop and enhance diversity, Her Honour reflected that the legal sphere is 'just one example where diversity can play a major role in improving how we go about things'. Her Honour observed that we tend to think about diversity in one vein (whether it is gender diversity, cultural diversity or whatever we feel we closely identify with) and that we should instead think about diversity in all its aspects.

ADVICE TO LEGAL PRACTITIONERS AND ASPIRING JUDGES

Her Honour's advice to young lawyers is that 'the best thing you can do is watch more experienced practitioners and see how they go about their roles and how they deal with issues and problems' – information which can then be 'put in your armoury'.



For those who aspire to become a member of the judiciary, Her Honour remarked that 'firstly, it is a given that you have got to be a good lawyer'. The Chief Justice also emphasised that judges and other judicial officers are a part of the justice system, and that the justice system is there for the community. Therefore, 'you should embed yourself in the community'.

Further, Her Honour said 'you have to be resilient', noting that judges see the best and worst of humanity. Her Honour commented that resilience is so important given the highly public nature of the role, where a judge's decisions are subject to review through appeal and public scrutiny through the press.

THE IMPORTANCE OF WOMEN LEADERS

VWL looks at the appointments of The Honourable Chief Justice Ferguson and The Honourable Chief Justice Susan Kiefel with admiration and excitement. We asked Chief Justice Ferguson how important it is for the legal profession, and society generally, to see women in leadership positions. 'When you think about it broadly, if it helps us to become more diverse through encouraging more people to achieve their goals, then that has got to be a good thing,' Her Honour said. ■

FACING A DOUBLE CEILING

ANIKA BASET

A 2017 REPORT BY THE DIVERSITY COUNCIL OF AUSTRALIA FOUND THAT IN A ROOM OF 100 ASX DIRECTORS, 64 WOULD BE ANGLO-CELTIC MEN, 28 WOULD BE CULTURALLY DIVERSE MEN, SIX WOULD BE ANGLO-CELTIC WOMEN AND TWO WOULD BE CULTURALLY DIVERSE WOMEN. THESE FIGURES INDICATE BOTH THE GENDER AND CULTURAL IMBALANCE IN THE LEADERSHIP OF AUSTRALIAN WORKFORCES COMPARED TO THE AUSTRALIAN POPULATION.

It is also clear however that culturally and linguistically diverse (CALD) women fall at the intersection of these imbalances, despite 88% of CALD women surveyed saying they planned to advance to senior roles in their profession and 91% saying that working in a job that offered mobility to leadership was extremely or very important to them.

Within the legal profession, the barriers faced by CALD women have been confirmed anecdotally. At the VWL event on Cultural Diversity in the Legal Profession, Magistrate

Urfa Masood recalled an experience at the Victorian Bar where a senior barrister made an assumption that she was the cleaner, forgoing the possibility that she could be a colleague based on her appearance. The panel were also asked whether CALD women face an added disadvantage in the workplace. The unanimous response was yes. Social commentator Tasneem Chopra noted the following interaction with a group of corporate lawyers at a diversity event: 'When asked what strategies they might scope to address the lack of cultural diversity in this cohort, the reply was, 'We need to get gender sorted first. The diversity quotient will have to wait.'

These barriers are compounded by the belief sold to all women lawyers that consistent, quiet achievement will result in one day being called to the leadership table. A critical examination of the notion of merit, however, has shown that this is problematic.

The solution is two-fold. First, there needs to be an open acknowledgement of the layers of unconscious bias faced by CALD women

in the workplace. Initiatives promoting cultural diversity don't acknowledge the role of gender and initiatives to promote gender diversity don't acknowledge the role of culture. Intersectionality – the recognition of the interconnected nature of social categorisations such as race, gender, sexuality and class – should be the norm when discussing diversity. Second, CALD women need to courageously advocate for their right to hold a seat at the decision-making tables.

In furthering these aims, VWL's Cultural Diversity Committee hosted Facing The Double Ceiling, a panel event featuring prominent women from diverse backgrounds within the legal profession and beyond.

Our aim was to bring intersectional issues of diversity and gender into the spotlight and move the agenda forward through an interactive discussion of lived experiences and a candid evaluation of the legal profession. ■

This article was originally published by the Law Institute of Victoria on 1 March 2018.

ASSOCIATE SPONSOR

JUSTITIA

How does Justitia equip women to progress and develop a practice?

It is well known that although women outnumber men in the legal profession, they are significantly underrepresented in leadership roles. Firms need to not only have systems in place, but more importantly a culture that supports the progression and professional development of their female lawyers.

At Justitia, we have the benefit of a small practice that is unencumbered by the rigid hierarchy that is often present in larger firms. Each lawyer is encouraged and empowered to take ownership of their own development. Opportunities for client facing work, including managing files, are provided early on, with lawyers given both accountability and support. Furthermore, with a more balanced approach to billable targets (there are none), time devoted to practice and professional development is valued and can be prioritised, rather than treated as an afterthought or relegated to after hours.

Importantly, Justitia has brought in consultants to work with lawyers to assist them with developing their practice in a way that builds on their strengths (both legal and personal) and interests (whether strictly legal or not).

Justitia has also embraced flexible working as the norm rather than the exception. Rather than part time or flexible working arrangements sounding the death knell for a flourishing legal career, our lawyers are provided with the autonomy and trust to manage their business development activities within and around their working hours as required. We are encouraged to have honest conversations with clients about expectations and deadlines and to prioritise self-care. As a result, we have a very positive and supportive workplace culture, where each individual is valued and invested in, rather than feeling like a cog in a billing machine. This shows in a positive way when we work with our clients.

A legal career is incredibly challenging and requires personal sacrifices. Unfortunately for many women, the cost quite simply does not outweigh the benefits, particularly as they become more senior. It is important that women are empowered and supported from early on in their careers to take control of their own practice development, and to be given all the tools and support to turn them into flourishing legal practices. ■

Melissa Scadden, Senior Associate

MAJOR SPONSOR MADDOCKS



What are the greatest challenges and opportunities for creating and maintaining a diverse leadership group at Maddocks?

There is no doubt having a diverse leadership group has been a key factor in driving growth at Maddocks – in revenue, profit, and partner and staff numbers – over the past few years.

In organisations where the leadership group has been homogenous for decades, diversity requires cultural change. Cultural change is only achieved as a result of specific initiatives designed to provide opportunities, to recognise that leadership can look different to what we have seen before, and to ensure vigilance by decision makers.

After being appointed CEO of Maddocks in 2014, I wrote a paper for our Board that outlined how we could diversify our leadership team. While we now had a female CEO, one of the very few law firms at the time, we lacked adequate representation of women on our Board and leading our sector and practice teams.

The greatest challenge was to make the space for women to rise to positions of leadership.

The effectiveness of quotas and targets will always be a subject for debate, and inevitably raise the issue of “merit”. “Merit” as a concept, however, is a subjective assessment: often based on what we’ve seen in the past, or what looks like us. It is rarely based on what is needed for the future and rarely contemplates that leadership can look different.

Further, the “merit” argument is usually based on looking at the qualifications of an individual proposed for a role rather than the effectiveness and make-up of the team as a whole. Even if every person in a team is exceptional, can that team operate in an exceptional way if it is made up of people with the same lived experience?

We set quotas and targets for our Board and our partnership. The purpose of quotas and targets is to make space – to ensure that we are looking for diverse skill sets and ways of thinking, and ensuring that we are not inadvertently promoting more of the same, because it is comfortable.

Having positions available is one thing, but making them known is as important. We advertise all leadership positions available across the firm to give everyone the opportunity to put themselves forward. We couple this with a positive obligation on the Board to encourage women with the right skills to apply for the available roles.

With positions available and advertised, it then becomes a matter of having talented men and women to fill those positions. We invest heavily in recruiting and retaining the best people so that we have a pipeline of leadership talent within the firm and to ensure the promotion of people with a diverse range of backgrounds.

Maintaining a diverse leadership is an issue on the agenda of each and every one of our Board meetings.

Leaders need to continue to drive these initiatives, not just sit back and hope they happen. ■

Michelle Dixon, CEO

SEXUAL HARASSMENT IN THE WORKPLACE: AFTER #METOO

ALEX DWORJANYN AND HAYLEY CHESTER

IN OCTOBER 2017, *THE NEW YORK TIMES* AND *THE NEW YORKER* PUBLISHED AN EXPOSÉ DETAILING COUNTLESS ALLEGATIONS OF SEXUAL MISCONDUCT BY HOLLYWOOD PRODUCER HARVEY WEINSTEIN.

In light of the allegations, and inspired by the courage of the women who made their stories public, actress Alyssa Milano tweeted, 'if all the women who have been sexually harassed or assaulted wrote 'me too' as a status, we might give people a sense of the magnitude of the problem'. Millions of social media posts later, the #MeToo movement has exposed the extent of sexual harassment and assault not just in Hollywood, but around the world.

#METOO

It did not take long for the furore over the Weinstein allegations and the #MeToo movement to spread to Australia. In November 2017, journalist Tracey Spicer led an exposé about television personality Don Burke, followed this year by the publishing of allegations of misconduct against a number of high profile men.

As Josh Bornstein, Principal Lawyer at Maurice Blackburn said, the #MeToo movement in Australia and the United States is a 'protest movement led by women who are whistle-blowers, whistle-blowers working with investigative journalists calling for major change'.

The impact of the movement in Australia can also be seen through action taken by individuals who have been sexually harassed. Several organisations that provide legal assistance to such individuals, including the Australian Human Rights Commission (AHRC), Victorian Equal Opportunity and Human Rights Commission (VEOHRC) and JobWatch, have indicated that they have seen an increase in confidential complaints being made.

SEXUAL HARASSMENT IN AUSTRALIA

In Australia, like many other countries, sexual harassment is far too common. Over 50% of women and 25% of men have experienced sexual harassment in their lifetime. In the

specific context of the workplace, one in five Australian women have experienced sexual harassment. A 2012 National Survey conducted for the AHRC found that harassers are most likely to be male co-workers, and women were at least five times more likely than men to have been harassed by a boss or employer.

These concerning statistics are arguably reflective of the broader inequality between men and women in the workplace. According to the Workplace Gender Equality Agency (WGEA), Australia's gender pay gap is 14.6%. Of the organisations that report to the WGEA, women hold only 16.5% of CEO positions, 13.75% of chair positions, 24.9% of directorships, and represent just 29.7% of key management personnel. Nearly three-quarters (70.9%) of WGEA reporting organisations do not have any key management personnel that are women.

This could explain why sexual harassment in the workplace is commonly characterised as an abuse of power. Sexual harassment cases often involve a power imbalance between the perpetrator and the victim. A potential complainant (often a woman) may be concerned about job security, fear not being believed or being seen as a "trouble-maker", may be younger than the perpetrator, and/or be less immediately financially valuable to an organisation. For some women in particular industries – for example surgeons, academics, or those employed in the police force – there may be no alternative employer, and consequently, a sexual harassment claim could even end their career in that industry.

In June 2018, the AHRC announced a national inquiry into sexual harassment in Australian workplaces. The inquiry is 'inspired by the many men and women who have come forward publicly to tell their stories of sexual harassment in the workplace, shining a light on this issue both in Australia, and around the world'. The year-long inquiry will consider the economic impact of sexual harassment, the drivers of sexual harassment and the adequacy of the existing legal framework. It will also look to identify examples of good practice within the workplace in order to make appropriate recommendations for change.

AREAS FOR REFORM

Potential areas for law reform, which may be considered by the AHRC, include addressing concerns relating to vicarious liability for employers, abolishing or extending time limits for a victim to make a complaint to VEOHRC and the AHRC, and requiring companies to report sexual harassment statistics to an external body such as the WGEA. Additionally, reform relating to the creation of positive obligations on employers to take reasonable and proportionate measures to eliminate sexual harassment may also be considered. VEOHRC or the AHRC could also be granted the power to investigate organisations to determine whether this obligation has been breached.

Consideration could also be given to the enactment of a standalone provision within the *Fair Work Act 2009* (Cth) (**the Act**), which relates specifically to sexual harassment within the workplace. This standalone provision could be modelled on the workplace bullying provision added to the Act in 2013. In an ideal world, the creation of a uniform national system for sexual harassment complaints would make the process less confusing for complainants. It is unlikely, however, that this can realistically be achieved due to the difficult process involved in unifying laws across states and territories.

Further, there has been some public demand for greater transparency in relation to sexual harassment claims. Particular consideration should be given to the confidential nature of settlements. There is room for reform with respect to non-disclosure agreements that are signed by victims of a sexual harassment claim. The United Kingdom and the United States are both rallying for reform within this sphere to achieve a more nuanced position, whereby confidentiality clauses are only required at the victim's request and after consideration of whether the disclosure of relevant information will prevent future harm.

In any event, changes to the law within Australia should be focused on balancing the public interest in greater transparency, against the interests of individual complainants.

This includes considering those that desire to remain anonymous and are motivated to make a complaint because they are confident the matter will be kept confidential. However, a possible impact of confidential settlements is that perpetrators (who a company may be motivated to retain, for example because they are high fee generators), can remain “at large” and unknown to potential future victims. The interests of the complainant should however continue to remain the most important consideration, particularly in light of the potential serious mental health consequences they may suffer. The law should simultaneously continue to support complainants and organisations who would like to reveal details of sexual harassment matters if they choose to in pursuit of transparency and in order to raise awareness of the broader issue.

Outside of law reform, there are other actions that can be taken to address sexual harassment in the workplace. Some businesses and organisations are already taking positive steps in this direction.

For example, some businesses and universities are encouraging individuals to use anonymous reporting websites and apps when they wish to remain anonymous, such as Sexual Assault Report Anonymously (S.A.R.A.) STOPit and Sonar. Channel 9 has set up a hotline for former employees who wish to report instances of past behaviour that they would like to be addressed. Also, as a way of improving transparency in the area, the AHRC intends to create an anonymous register of complaints that they receive. While actions like these show that the #MeToo movement is reinvigorating interest in changing workplace cultures and procedures to address sexual harassment, there is more work that can and should be done by organisations to address this complex and persistent problem. Employers, for instance, should be cautious of falling into the trap of “tick the box” training e.g. simply requiring annual online training and quizzes that may not be taken seriously by employees.

CONCLUDING COMMENTS

Sexual harassment in the workplace is an extremely complex issue. The #MeToo movement has bolstered interest in the issue across Australia. It has, hopefully, opened the door to greater transparency and openness in discussing the issue both within the workplace and in the broader public sphere. For now, there are still inequalities entrenched in society that mean sexual harassment will continue to be perpetrated by men in power. Any law reform and changes to workplace practices recommended by the AHRC should focus on encouraging a supportive culture and creating structures and systems in workplaces across Australia so that, firstly there are less incidents of sexual harassment and secondly, and equally importantly, victims are empowered to be as private or as transparent about their experiences of sexual harassment as they reasonably desire. It is also important to ensure that any person who is a victim of sexual harassment in the workplace is not prevented from making a complaint for any reason, including fear of negative consequences for themselves and their careers. ■

MAJOR SPONSOR CLAYTON UTZ



Can diversity targets lead to a more balanced representation in senior management positions?

Diversity targets, without systemic changes around work practices, will not lead to more balanced representation in senior management positions in the legal profession.

One of the aims of diversity targets is to increase retention of female lawyers. Over time, it is expected this will lead to a greater pool of female senior legal practitioners available for senior management positions. However, traditional work practices have created barriers to flexible working which in turn have frustrated this objective.

While there are many reasons people may wish to work flexibly, flexible working arrangements are still disproportionately needed and taken up by female lawyers. The legal profession has expected and rewarded work practices such as presenteeism and long hours.

On one view the ubiquity of smart devices and other technology has enabled flexible work, but others would argue that this has facilitated the reach of work into lawyers' homes and personal lives.

As a partner in a large law firm, I would like to see old-fashioned work styles replaced with sustainable, respectful and trusting work practices. Our clients expect this and also expect us to achieve genuine gender diversity.

Instead of placing the burden of making flexible working successful entirely on the shoulders of those seeking to work flexibly, accept that we all have that responsibility.

So, what are some practical tips to nurture flexible work but also nurture a work environment that inspires us to do our best? Here are two tips for consideration:

- when supervising or delegating, instead of demanding immediate and unreasonable responsiveness, consider whether your email or SMS needs a response late in the evening, or can wait until the next morning; and
- consider whether your communications are driven by your convenience or a genuine client or business need, and where the former, adjust accordingly.

In my opinion, if we make this shift in approach, greater gender representation in the senior ranks of our profession is more likely to follow. ■

Amber Agustin, Partner

REFLECTING ON THE JOURNEY TO SAME SEX MARRIAGE IN AUSTRALIA

KALIA LAYCOCK-WALSH

A DECADES LONG CAMPAIGN. MULTIPLE HIGH COURT CASES. ONE PLEBISCITE – NO, WAIT – ONE POSTAL SURVEY. OVER 12 MILLION RESPONSES. IT ALL ADDS UP TO FIVE WORDS BEING REPLACED IN THE *MARRIAGE ACT 1961* (CTH): ‘A MAN AND A WOMAN’ HAS NOW BECOME ‘TWO PEOPLE’. WHILE AUSTRALIA’S INTRODUCTION OF SAME SEX MARRIAGE IS NOT PREDOMINANTLY A STORY ABOUT THE LAW, AUSTRALIA’S LEGAL LANDSCAPE DID INFLUENCE THE PATH THE JOURNEY TOOK.

I spoke to two women involved in the same sex marriage campaign about their reflections on one of the defining moments of last year: Louise O’Shea, Secretary of Equal Love, the protest arm of the same sex marriage movement, and Felicity Marlowe, Executive Director of Rainbow Families Victoria, lesbian mum of three and one of the plaintiffs who challenged the validity of the postal survey in *Wilkie v the Commonwealth* [2017] HCA 40.

THE THREE ITERATIONS OF THE GOVERNMENT’S PLEBISCITE POLICY

Over time it became clear that the introduction of same sex marriage would require Commonwealth legislative changes. In 2013, the striking down of the *Marriage Equality (Same Sex) Act 2013* (ACT) confirmed that State and Territory Governments did not have the ability to separately legislate same sex marriage. And while the United States Supreme Court found a constitutional ‘fundamental right to marry’ in *Obergefell v Hodges* 576 US __ (2015), in Australia we were not expecting a similar development.

At the 2016 election, the Australian Labor Party’s policy was to legislate same sex marriage and the Liberal-National Coalition was promising a plebiscite. The Coalition took office but Plan A, the election-promised plebiscite, failed when the *Plebiscite (Same Sex Marriage) Bill 2016* (Plebiscite Bill) was blocked by the Senate.

Plan B for the Government was to engage the Australian Electoral Commission (AEC) to conduct the plebiscite on a fee-for-service basis. The idea was that this would bypass the uncooperative Senate, as existing legislation already allowed the AEC to conduct fee-for-service work.

The buzz in Canberra about the fee-for-service option however did not last long. The Human Rights Law Centre and Parents and Friends of Lesbians and Gays (PFLAG) each obtained and published lightning-fast legal opinions that the Government could not pay

FOR FELICITY IT HAS NEVER BEEN JUST ABOUT MARRIAGE EQUALITY - IT IS ABOUT EQUALITY GENERALLY AND SAYING, ‘I CAN STAND UP ON THE SAME FOOTING AND BE TREATED EQUALLY UNDER THE LAW’ AS ANY OTHER PERSON.

the AEC without new legislation. Following this, the Government moved to Plan C.

Plan C was the renamed ‘postal survey’ conducted by the Australian Bureau of Statistics (ABS). This plan was carefully constructed to avoid the need for fresh legislation. As one young lawyer, who worked on one of the High Court challenges to the postal survey, commented wryly, the Government appeared to keep finding ways to bypass some pretty significant hurdles to the delivery of their election-promised plebiscite. Once passed in Parliament, two concurrent High Court cases were the final hurdle to the postal survey.

WHAT WAS THIS PROCESS LIKE FOR THOSE AT THE FOREFRONT OF THE CAMPAIGN?

I spoke to Felicity Marlowe about how she came to be a plaintiff in one of those challenges, *Wilkie v The Commonwealth* [2017] HCA 40. The decision was made in a school car park, with Felicity calling her family from Canberra.

Earlier that day, the Government had announced that they would conduct a postal survey if the Plebiscite Bill failed to pass in the Senate. Felicity was meeting with Andrew Wilkie MP in his Canberra office, with her colleagues Rodney Croome, long term LGBTIQ advocate, and Shelley Argent, National PFLAG President. They were all crowded around a mobile talking to Ron Merkyl QC about a potential constitutional challenge. When the discussion turned to possible plaintiffs, the attention turned to Felicity. Would she be a plaintiff? Felicity, not knowing whether she was ready to be in the national spotlight and have the legitimacy of her same-sex relationship a topic of public discussion, asked for a few moments to call her partner in Melbourne.

At that exact moment, Felicity’s partner Sarah was taking their twin sons on a school tour – they needed to choose a high school. Sarah answered Felicity’s call with, ‘we’re just in the reptile room, the boys love it. Can it wait 30 minutes?’ It could not. Felicity, her partner Sarah, and their eleven year old sons discussed whether she should be a plaintiff in the High Court to try and stop the postal survey. The consensus was, ‘you go get ‘em, mama’.

Back in Canberra, the Senate rejected the Plebiscite Bill. Within half an hour, Felicity and Andrew Wilkie’s team held a press conference to announce they were going to challenge the postal survey, citing concerns about the impact a national debate of this nature would have on young LGBTIQ and gender diverse people, on children in rainbow families, and on LGBTIQ communities in general.

I also spoke to Louise O’Shea, Secretary of Equal Love, about the High Court challenge. Louise said although she was sympathetic to the reasons people wanted to challenge the survey, she felt as though ‘instead we needed to be gearing up to win it’. Louise explained that there was also fear among those involved in the marriage equality movement that if people were too hostile to the postal survey, they would not participate in it, and the High Court challenge could end up being self-defeating.

The differing opinions on whether challenging the postal survey was a good strategy is interesting as in the end, the decision to bring a High Court challenge was made very quickly.

REFLECTIONS ON THE CAMPAIGN FOR MARRIAGE EQUALITY

Ultimately, the two challenges were rejected in *Wilkie v The Commonwealth of Australia, Australian Marriage Equality Ltd v Cormann* [2017] HCA 40 and the postal survey was conducted in the second half of 2017.

On 15 November 2017, the ABS announced that 61.6% of participants responded in favour of same sex marriage, leading to the amendment of the Marriage Act 1961 (Cth) in early December that year.

Felicity reflected that the challenge was worth it, as even though they lost the case, they ultimately achieved a ‘yes’ outcome. ‘If we hadn’t gone through with the High Court challenge, people would have questions about whether [the postal survey] was constitutional’, Felicity noted.

For Louise, the widespread mobilisation of people – including all of the rallies – was really important to making marriage equality, ‘seem like a thing we got together on our own, rather than something created by Parliament far away’.

NEXT STEPS NOW THAT WE HAVE MARRIAGE EQUALITY IN AUSTRALIA

Louise feels that the marriage equality campaign built goodwill that can be drawn on for other civil liberties issues in the future.

That is why she wished the campaign had adopted a broader slogan that emphasised civil and democratic rights, instead of the ‘love is love’ catchphrase ultimately adopted. She however acknowledges that ‘love is love’ was ‘absolutely legitimate’, and her off the cuff alternative, ‘solidarity with anyone persecuted or disadvantaged’, was not quite as catchy.

Felicity is of the view that marriage equality has more than just symbolic value. For her it has never been just about marriage equality – it is about equality generally and saying, ‘I can stand up on the same footing and be treated equally under the law’ as any other person. As to whether Felicity and her partner Sarah are now planning to marry, Felicity notes ‘No, we were never planning to do that ... Although now we can choose not to’. ■

ASSOCIATE SPONSOR SIGMA EXECUTIVE



How can law firms support women lawyers’ advancement into leadership roles?

The significant under-representation of women in partnership and leadership roles within Australian law firms is a well-known fact. Statistically, women represent over 60% of law graduates, enter the profession at much

higher rates than men and make up around 60% of lawyers at the senior associate level. In stark contrast, recent figures suggest that just 24% of partners in major firms, and only 3.4% of managing partners, are women. The figures tell only part of the story – structural gender and cultural bias, gender pay inequity, discrimination and sexual harassment making up the other parts. The attrition of women lawyers in Australia represents one of the biggest issues facing the legal profession.

So, how can law firms address these issues in a meaningful way, and what can women do to support their own advancement into leadership roles?

Law firms need to make a commitment at the highest levels to increase the number of women in leadership roles. Most national

firms now have diversity and inclusion policies, however such policies have been shown to have limited success. Structurally, while the criteria for advancement to partnership continues to be assessed based on the billable hour, long working hours and the ability to grow a practice, women will continue to be passed over for promotion. A radical change in the way law firms operate is unlikely to happen in the short term, so here are some suggestions for what firms can do in the meantime:

- Ensure that women are aware, from a junior level, of the criteria for progression to senior associate and, ultimately, partner.
- Provide senior associates with business and performance coaches.
- Partners provide a “sponsorship” relationship with women lawyers to assist in their progression and to provide mentoring.
- Actively offer opportunities to women lawyers to go on secondment, take up client relationship management roles and talk to them about what they are doing well and what gaps they need to fill.
- Implement targets for women in leadership roles and KPIs for partners, practice heads and the managing partners linked to this target.
- Monitor the workflow allocation on the basis of gender.

Women lawyers need to work to promote themselves internally, build a personal brand and understand the criteria that is the basis for progression in a law firm. ■

Jackie Gilles, Director

GENDER ON THE AGENDA: PAY EQUITY IN VICTORIA

JULIANNA MARSHALL

'WHEN THE LONG STRUGGLE FOR THE ENFRANCHISEMENT OF WOMEN IS OVER, THOSE WHO READ THE HISTORY OF THE MOVEMENT WILL WONDER AT THE BLINDNESS THAT LED THE GOVERNMENT OF THE DAY TO OBSTINATELY RESIST SO SIMPLE AND OBVIOUS A MEASURE.'

The reflections of Emmeline Pankhurst on the suffrage campaign seem equally applicable in relation to the modern pursuit of pay equity.

THE PAY GAP IN THE LEGAL SECTOR

Today the pay gap in the legal profession is 29.7%, according to the Workplace Gender Equality Agency (WGEA). This is significantly higher than the national gender pay gap of 14.6%.

A key contributing factor is occupational segregation. Legal support staff are generally female. For some, this an easy answer to the pay gap question, made attractive by denial or disbelief that women lawyers could possibly be paid less or encounter challenges in progressing their career which men generally do not. Yet occupational segregation clearly does not provide a full explanation. For many years, women have represented the majority of students in Victorian law schools. As of 2018, the number of female practising lawyers exceeded the number of male lawyers in this state. Yet women have not made it to the top at the same rate as men and consequently, too often do not reach the earning potential of their male peers.

Women comprise 70% of employees in Australian law firms, but make up only 10% of CEOs or Managing Partners. At a VWL event this year, Libby Lyons, Director of WGEA confirmed women lawyers comprise the majority of junior professional levels. She said 'it's clear that your female talent are either opting out, or being overlooked for promotions'. This makes it all the more important for us to understand when and how women lawyers encounter the pay gap, how it is sustained and what is being done to challenge the status quo.

It serves us well to remember that the pay gap in Australia has remained fairly static over the past two decades, hovering between 15-19%. At 14.6% it has reached its lowest since



Image (left to right): Emma Alberici and Dr Anne Summers AO

1998. Assuming a steady rate of decline, it would still take over 60 years to close the gap. The World Economic Forum estimates that it will take another 170 years to close the global pay gap. Echoing Pankhurst, it is easy to see how the beneficiaries of pay equity, whichever generation they might eventually belong to, will wonder what led us to resist transparency and accountability measures, such as public reporting and empowering employees to discuss their pay.

VWL'S FOCUS – GENDER ON THE AGENDA

Such measures have long been on VWL's radar. In 2016, VWL undertook a pay transparency project, which included preparation of fact sheets on the issue and making a submission to the *Federal Government on the Fair Work Amendment (Gender Pay Gap) Bill 2015*, designed to prohibit employers from requiring pay secrecy (the Bill lapsed).

This year, VWL focussed on the gender pay gap through our *Gender on the Agenda* campaign. VWL sought to amplify the call for employers to conduct a pay gap analysis, understand their data and implement remedial measures. Despite a justifiable sense of disappointment and indignation that women exposed to a pay gap undoubtedly feel, VWL recognises that identifying, understanding and responding to the gap can be a daunting and challenging

task. But the rewards have been shown to more than compensate employers for doing the right thing.

SPREADING THE BENEFITS OF PAY EQUITY

There is an overwhelming amount of evidence on the economic benefit of gender diverse leadership. The positive impacts are generally listed to include increased efficiency, productivity, innovation and creativity, and improved employee engagement. Research projects led by firms such as McKinsey, Credit Suisse and Catalyst, and groups such as the World Economic Forum and Business Council of Australia have repeatedly concluded that organisations with a higher proportion of women on their boards and in leadership perform significantly better than others. This leads to improved national productivity and economic growth. Goldman Sachs has estimated that closing the gender pay gap would boost Australian GDP by 11%.

Many Victorian law firms have embraced the business case for pay equity and implemented significant reforms to their internal processes and policies. There are 23 firms that have partners who are WGEA pay equity ambassadors. A criterion to become an ambassador is that the organisation must have performed a pay gap analysis in the past 12 months. Further, there are 21 firms which hold a current WGEA Employer



Images: (left) Emma Alberici and Dr Anne Summers AO (right) Guests

of *Choice Citation*. With an overlap of 18 firms, this means a total of 26 law firms have recently conducted a pay gap analysis.

SHARING PAY GAP LEARNINGS

A major component of the *Gender on the Agenda* project was to increase the number of firms performing regular pay gap analyses. VWL launched the project in May with a practical session for Managing Partners and HR Managers. The half-day session highlighted the need for pay gap analyses, the practicalities of undertaking an analysis and how to respond productively to the results of that analysis. The session featured presentations from Justice Chris Maxwell, President of the Court of Appeal and Male Champion of Change, and from Libby Lyons, Director of WGEA. The presentations were followed by three in-depth case studies presented by businesses committed to ongoing pay gap analysis – mining firm St Barbara, engineering firm AECOM and law firm Maddocks.

Val Madsen, General Manager of St Barbara spoke about the innovations her team had put in place to close, and keep closed, the 'like for like' pay gap since 2013. The firm had also committed to closing a massive organisational pay gap of 43% (in 2007) and is on track to have reduced it to 8% by the end of this year. Mark McManamny, Group Director of Civil Infrastructure, AECOM spoke about the need to incorporate funds for gender pay balancing in the annual budget. AECOM sets aside \$1.35 million each year. Diversity of leadership, visible targets, quotas, transparency and accountability, updated promotions and salary review policies and unconscious bias training were common themes.

The final case study was presented by Michelle Dixon, CEO and Managing Partner of Maddocks. After being appointed as CEO in 2014, one of the first steps she undertook was a broad pay review from top to bottom. Describing the first run as 'pretty unsophisticated', she confirmed it showed major gaps in the senior lawyer and general partner ranks which led to significant adjustments, including some downwards adjustments for senior men. No doubt there were difficult conversations however redistribution of financial reward might be the most straightforward step. The more difficult task is the cultural change necessary to ensure the gaps do not re-emerge. For example, Maddocks discovered that those working three days per week and earning 60% of the full time equivalent wage were generating the same value for the firm in terms of profitability. Maddocks has since overhauled the way in which flexible and part-time work is valued, and therefore compensated. Maddocks has also focused on addressing the factors that feed into the differences in speed and timing of promotions.

The launch of *Gender on the Agenda* gave attendees and VWL much to think about. It also resulted in overwhelming support from employers and employees within the legal profession. The Law Institute of Victoria agreed to fund the next component of the project: a profession wide survey focused on pay gap analysis, post admission experience (PAE) levels, parental and carer leave, flexible work, transparency and promotions.

A DEEPER DIVE

The next component of VWL's campaign, *Gender on the Agenda: A Survey of the Victorian Legal Profession* was launched in September 2018. The survey was designed to test when and how women lawyers encounter a pay gap, how it is sustained and what measures have had success in reducing the overall pay gap. We are delighted that legal employers have embraced the opportunity to contribute to this collective learning exercise. The survey closed on 9 November 2018, and VWL will use the information gathered to develop best practice guidelines.

Employees were also consulted via a separate confidential and anonymous survey. In the survey, lawyers were asked to rate their employer's performance in relation to the policies canvassed above and provide further comments on their experience of the gender pay gap. It is no doubt a good thing that employers are willing to share data and policies but, as acknowledged by Australian Women Lawyers earlier this year in relation to the *WGEA Employer of Choice Citation*, 'it would appear incongruous if the data relied upon...did not mirror the reality'.

Importantly, employers participating in the survey had the option of nominating to receive the inaugural *VWL Pay Equity Award*. The preliminary results of the survey will be presented at VWL's Annual General Meeting in November.

VWL held its event *Gender on the Agenda: In Discussion* with Dr Anne Summers AO and Emma Alberici on 25 October. Photos of the event are included in this feature.

NEXT STEPS

It has been a big year for VWL on the pay equity front. Disappointed with the lack of leadership on pay transparency in the legal sector, it was time for a concerted effort to highlight the persistent pay gap. We have been overwhelmed with the supportive reception of our work – from members, sponsor firms, employers, the Victorian Bar, the Women Barristers Association and the Law Institute of Victoria.

The support has shown us how far we have come, but also how far we have to go. It was once perfectly acceptable to pay a man more for doing the same job. It was only in 1969 that a female minimum wage was secured at 85% of the male wage. These important developments are because of the brave actions of women such as Zelda D'Aprano who chained herself to the Melbourne Commonwealth Building. Yet there is still more progress that needs to be made. In February this year, when Zelda passed away aged 90, Australia was ranked only number 35 in the Global Gender Gap Report.

Leadership in the legal profession is still dominated by men, with targets for women in leadership aiming for only 30% in the near



Photography by Jam on Your Collar

future. Is it really the case that there are not enough women lawyers ready, willing and able to step into senior leadership roles with the right support? How long will it actually take women to secure 50% representation at the senior levels (bearing in mind there are *more* women in law than men)?

Through VWL's initiatives this year, we hope to pursue an equitable, and more productive, immediate future for our profession. ■

ASSOCIATE SPONSOR SVENSON BARRISTERS



How can women succeed at the Bar?

Seeing women succeed at the Bar is something that I am very passionate about and is something I will forever cheer for. Here are some top tips that I would encourage women to consider when coming to the Bar, or looking to refresh their practice for success.

Firstly, network, network, network! Often it is the busiest barristers who are the best networkers, and this is not a coincidence. Networking should not be something that makes your eyes roll – it is about making sincere connections with like-minded people in your industry. Being successful at the Bar is much easier if you are known to people, especially solicitors and other barristers. Some good ways of networking include:

- Attend events: VWL, WBA, and the LIV all host fantastic events for you to meet relevant contacts. If you are nervous about attending alone, go with a friend for support.

The legal industry in Melbourne is not that big – after you attend a few events you will build the confidence to chat to some of the familiar faces you will see around.

- Follow up for lasting connections: The “post event LinkedIn add” is the modern day business card swap. After you connect with a person at an event, add them to your network. Drop them a personalised hello and tell them why you enjoyed meeting them. Many great business relationships start from simple beginnings like this.
- Invest in your LinkedIn presence early: If you are coming to the Bar or refreshing your practice you need to tell people. Add your old university friends, legal colleagues and acquaintances to your LinkedIn network early on so that when you have news to share about passing the Bar exam, or a big case you have recently succeeded in, you are telling a wide and interested audience.

Secondly, decide what success looks like for you as your version will not be the same as everyone else's. Write down what you want to achieve and take time every now and then to review and re-evaluate it and talk to people about how they can help you get there. ■

Anna Svenson, Director and Principal Clerk

THE LAW AND BEYOND

JESSICA SAMUEL

VWL SPOKE WITH FOUR WOMEN ABOUT HOW A BACKGROUND IN LAW HAS ASSISTED THEM IN PURSUING THEIR VARIED ENDEAVOURS OUTSIDE OF THE PROFESSION.

BEYOND THE LAW

Knowledge and Innovation lawyer Kate, described herself as a 'closet creative in corporate life'. She says 'as a lawyer, I had become increasingly frustrated at being unable to find a handbag that suited my needs'. This inspired Kate to launch She Lion, which was the perfect opportunity to channel her creativity.

Samantha has always had a desire to contribute. She says that running gives her a strong and unique platform to do that. Samantha began long distance running towards the end of her law degree and has now run over 10,000 kilometres over every continent in the world, and has raised around \$292,000 for charity.

Claire often works with start-ups in her job as a lawyer, and says she 'found the start-up energy quite infectious', so when she had the idea for an eco-glitter company, she teamed up with a friend from university and decided to 'go for it!' Since the birth of Space Vivian, Claire and her business partner Rosie Frecheville have spent their time selling directly to consumers and building a 'wild online brand'.

For Sarah, Matcha Maiden came about after rediscovering her love for matcha when she was on secondment in Hong Kong. She was surprised to find that matcha was very hard to source in Australia and so she and her partner, Nic Davidson, started Matcha Maiden as a side project, which then took off unexpectedly. Sarah has since stepped out of the law and into the business full time. She now has 'warehouses in Australia and Los Angeles, more than 1,500 stockists around the world and a plant based matcha-themed café, Matcha Mylkbar that has attracted the likes of Chris Hemsworth!'

THE BENEFITS OF A LEGAL BACKGROUND

Kate, Samantha, Claire and Sarah all agree that their legal training is invaluable in their non-legal pursuits.

Kate says that a background in law can develop skills such as 'good judgment, creative thinking, analytical and research skills, the learned ability to synthesise large volumes of information quickly, perseverance, attention to detail, bravery, (a healthy dose of) bravado, good communication skills and the ability to talk on your feet'.

Samantha and Sarah add that the fact lawyers are generally incredibly self-motivated and driven, and have the ability to be adaptable and deal with situations outside of their comfort zone, put them in good stead to tackle just about anything. Sarah says the law has helped her more than she 'ever could have expected'.

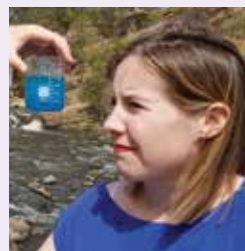
For those thinking of starting a business, legal knowledge and skills also come to good use. For Claire, her legal background made setting up her company much easier. Kate tells us that she has developed an analytical way of thinking, an awareness of her rights and the confidence to understand and solve issues (legal or otherwise), which are skills that are 'fundamental to running a business'.



Kate Dillon is a corporate Knowledge and Innovation lawyer. In 2015, she launched her own collection of luxurious and functional handbags tailored for the working woman, called She Lion.



Samantha Gash worked as a corporate lawyer and is now an endurance athlete, inspirational speaker, author, social impact entrepreneur and ambassador for World Vision and the Royal Flying Doctors Service. Samantha is not only the first woman, but also the youngest person in the world to finish the toughest endurance competition on the planet, the Four Deserts Grand Slam.



Claire Harris is a Technology, Intellectual Property and Privacy lawyer by day. By night, she runs her own 'mad side project', Space Vivian. Space Vivian is an e-commerce company that sells non-plastic, environmentally friendly glitter.



Sarah Holloway kicked off her career as a corporate Mergers & Acquisitions lawyer and later co-founded Matcha Maiden, now a booming global business that sources and sells matcha (of course!). Matcha is a powdered tea that is used as part of the traditional Japanese tea ceremony.

Other skills that come in handy include writing clearly, researching and reading contracts.

If you have a background in commercial law, Samantha believes this can be a huge advantage in the corporate world. As Sarah and Claire say, commercial law gives you broad exposure to a wide variety of clients and industries, which is a strong foundation to start a business.

Samantha says that 'law is the greatest generalist degree', especially for a Type A personality. Whether you want to start your own business, sing, dance, play a sport, cook, or anything else you can think of, your background in law will be so broadly useful.

HOW THE LEGAL PROFESSION CAN SUPPORT LAWYERS AND THEIR NON LEGAL PURSUITS

Although flexible working arrangements are increasingly common in law firms, the legal profession could do more to celebrate and encourage the 'non-legal' passions of lawyers.

Sarah says, 'it would be great to see more innovation and openness in working structures', particularly within top-tier firms, to allow lawyers greater room to pursue other interests. Sarah identifies the potential to disrupt the attrition rate if lawyers are able to do more of what they love beyond the law.

In Kate's view, law firms should embrace individuals with interests beyond the law. 'Diverse teams of people and diversity of thought are always beneficial for law firm success'.

Samantha adds that law firms can be a 'platform where people can share what they do outside'. Reflecting on the fact that one of her key running sponsors was a major client of her firm, she notes that law firms could take 'ownership' of lawyers with other talents, and reap the benefits of their varied skills and their relationships. ■

ASSOCIATE SPONSOR

NICHOLAS FAMILY LAWYERS



How does Nicholes Family Lawyers show leadership in the law?

In 2018, Nicholes Family Lawyers was listed in *Doyle's Guide* as one of Melbourne's Leading Family and Divorce Law Firms. Since 2005, we have been on a mission to use our dedication and energy to not only achieve the best results

possible for our clients, but to also have a positive social impact through the donation of significant time and resources to projects that promote social justice.

With more than two decades experience in family law prior to establishing Nicholes Family Lawyers, our Managing Partner Sally Nicholes had already gained an awareness of the need for corporate social responsibility and pro bono schemes.

Nicholes Family Lawyers are proud to be a part of the next generation of small businesses who are redefining what it means to give back by bringing together ideas, people and resources to create change.

We work with individuals, families, commercial firms and non-profit organisations to bring a new spotlight to human rights issues, some of which are confronting and challenging to society.

We aim to bring scale, influence and attention to critical issues, including: elder abuse; gender equality; LGBTIQ+ rights; family violence; and children's rights.

We believe that all individuals should have access to justice and thus we are committed to a culture that supports the undertaking of pro bono work and other initiatives for the community. Our staff are all encouraged to participate in pro bono and community activities within the firm and wider community.

We assist many organisations locally, nationally and internationally. We are currently working with VWL, WIRE, Justice Connect, The Royal Children's Hospital, The Alfred Help Patient Clinic, Children's Rights International, The Lasallian Foundation, JOY94.9, Project Respect, and World Congress on Family Law & Children's Rights.

This year, Sally visited Washington DC on a global co-operative to present at the Association of Family and Conciliation Courts Conference along with Lesley Podesta, CEO of The Alannah and Madeline Foundation and Commander Lesa Gale of the Australian Federal Police. In September, Sally was invited by the Minister for Home Affairs to participate in a workshop at the opening of the Australian Centre to Counter Child Exploitation on behalf of the World Congress.

Nicholes Family Lawyers hope to be able to influence the entire legal practice by continuing to motivate those around us, commanding the trust of clients and by educating the community at large about these pressing issues. ■

Sally Nicholes, Managing Partner

MAJOR SPONSOR

K&L GATES



How can women lawyers achieve leadership roles?

Nick Nichola, Managing Partner, Australia leads the Women in Leadership Strategy for the Australian offices of K&L Gates.

The Women in Leadership strategy aims for 30% of leadership roles to be held by women. Nick has supported the implementation of key

programs to support women at K&L Gates including a structured mentoring program, the Momentum Program to support women and men who take a period of parental leave and who have the desire to stay on career track.

In addition, he maintains a strong organisational focus on sponsorship including tailored career plans for candidates working towards partnership.

Nick insists that the legal industry is changing at an unprecedented pace which will inevitably open up opportunities for anyone who wants to push forward in their careers. Having the courage to evolve as a practitioner in a changing legal landscape will be critical to advancing into a leadership position in the future.

These are Nick's suggestions for women who are aiming for a leadership role within the legal industry:

Build your profile within and outside your sphere

- Seek opportunities within your sphere to meet new people and collaborate on projects – join a committee, participate in networking groups or a mentoring program.
- Pursue unique opportunities that will set you apart from your peers.
- Expand your profile beyond the legal industry and into networks within industry.

Influencers, supporters and sponsors

If you are working within a law firm, achieving career progression depends heavily on having the right people in your corner. You can achieve this by:

- Accessing a mentor – mentoring is very useful in building a network of supporters. Choose a mentor you admire and who has achieved the success that you are aiming for.
- Identifying and working closely with a sponsor – a sponsor is the person who is backing you and leading you towards career progression.
- Getting to know influencers – influencers have a high profile within your sphere. They are important people to get to know because they can introduce you to the right people and act as your referee.

Grow your practice

- Building your client base takes time, discipline and consistent effort. You should commence building your networks at a very early stage in your career.
- Once you have landed on a niche area in which to develop your practice, communicate it to anyone who will listen.
- As your career progresses, review your approach and your client base. Have the courage to adapt to a changing market, expand your client portfolio and let go of what is no longer serving you.
- Life brings up challenges and it is possible to advance your career and manage various life scenarios. Communicate your needs to your peers and supervisors, build a network of support and give back to others in the process.

Finally, as you are progressing and meeting new business contacts, share your achievements with others who are coming up behind you. The goodwill and the strength of a network creates a multiplying effect in business. ■

Nick Nichola, Managing Partner

REFLECTIONS OF A MALE CHAMPION OF CHANGE

ANTHONY MASSARO

WHEN THE FIRM ANNOUNCED THAT I WAS GOING TO BE ONE OF ITS MALE CHAMPIONS OF CHANGE, THE BEST RESPONSE I GOT FROM A FEMALE COLLEAGUE WAS: 'NICE THAT THEY CALL YOU BOYS CHAMPIONS: YOU HAVEN'T DONE ANYTHING YET.'

Fair comment. The Russell Kennedy Women's Network had been kicking goals for about six years at that point.

It stuck with me when I changed my LinkedIn profile, and it continues to resonate whenever I hear the term. What have I actually done? What am I doing to drive change?

Up to that point, I would have said that I was committed to contributing to developing the careers of women at Russell Kennedy – which is nice, but it's not exactly championing change within the firm or the sector. The way I define it, being a male champion of change means:

- thinking critically about practices that tend to disadvantage women (and anybody else who isn't an able-bodied straight white cisgender male); and
- using my position of privilege to promote and accelerate changes to those practices.

We were encouraged to make pledges, and we did – with varying degrees of success. Musing on my definition of a champion's role, my pledge was to call out everyday sexism, and to raise awareness of the fact that by letting inappropriate comments go, we condone them.

Raising awareness is easy, and I have done a fair bit of that. I have pushed out content through LinkedIn, and talked about the issue both at work and in my social networks. I have been assisted by the string of high profile sexual harassment and misconduct cases over the past 12 months. It is not hard to get people to think about sexism when the Sex Discrimination Commissioner is launching a National Inquiry into Sexual Harassment in the Workplace.

Unfortunately, calling out everyday sexism is hard, and I have not achieved much on that front. When I squandered one opportunity by not being quick enough to react, I realised that I needed to have some form of prepared response. Again, simply having an intention to do the right thing doesn't achieve much without an action plan. So I developed one.

It involved:

- explaining to the person who makes the comment how it is harmful, perpetuating unhelpful stereotypes and contributing to a hostile environment for (predominantly) women; and
- explaining to those who hear the comment that I do not condone it.

I have not had an opportunity to put this plan into action. I work on a pretty enlightened floor of a pretty enlightened firm. We have a strong group of female leaders, both inside and outside the partnership.

Where does that leave my pledge? It is still important to me that I call out sexism when I encounter it. However, as I encounter it so rarely, it seems that I can have a far greater impact by proactively raising awareness about the problem than by reacting to incidents. As a result, I'm moving my focus towards that. My next task is to run a session for our staff (with a female co-presenter) on the significance of everyday sexism, and how to respond to it.

So, a year on, what have I achieved? Hard to say. I probably have contributed to there being more conversations about everyday sexism at the firm – I've certainly had people approach me to discuss their experiences. That may be a consequence of my efforts to raise awareness, or there may be other factors in play. I doubt that I will ever be able to take credit for changing someone's behaviour – but this is not about taking credit. It's about taking action, and hoping that through those actions and the actions of others we can effect change. ■

About the author

Anthony Massaro is a Principal in the Workplace Relations Employment and Safety team at Russell Kennedy Lawyers. He is also a Russell Kennedy Male Champion of Change.



Image: Christine Webb, *Visiting Elisabeth* (Elisabeth Cummings and Robin Lawrence, Artists) (SH Ervin Gallery)

PUBLIC SPEAKING: A SKILL, NOT A TALENT

ANDREA SKINNER

IT IS MY VIEW THAT NO PERSON IS BORN A GOOD PUBLIC SPEAKER. IT IS A SKILL THAT IS LEARNED AND DEVELOPED.

It is perfectly natural to be nervous about performing in public. As a barrister, I follow certain steps in the lead up that helps me to both manage my nerves and set myself up for a successful presentation: my focus is on planning, preparation, practice and performance.

PLANNING

Planning involves choosing your topic and distilling a central message or theme of your speech or presentation. It also involves doing some research about your audience: will your audience require an in-depth analysis of the topic you have chosen, or will a broad-brush summary be more appropriate? Decide whether the presentation or speech is designed to be informative, humorous, a story, or statistical analysis. Also use your planning time to decide whether you will be using visual or other aids during your presentation.

PREPARATION

Preparation starts with extensive research. The time I allow depends of course on how tight my deadline and the volume of content that I expect will be required. I access a variety of resources and collate material that covers about 3-4 times the amount of information that I wish for my speech or presentation to cover.

I then start to write a basic structure, which forms the basis of a "road map" for my presentation. I use my "road map" as an introduction in my presentation as I find it useful both for me and the audience to inform them up front as to what my presentation will contain and what they can expect in the allotted time.

I then either write my speech as detailed bullet points (if it is an informative presentation) or word for word (for speeches or presentations that involve story telling). I also try to keep my presentation to making 3-4

main points that I always tie in to my central message or theme. This way, the information is digestible, relatable and audience is more likely to retain it.

Good preparation is the best way to combat performance nerves. I find that my nerves peak just before I start writing my first draft. Once my first draft is finished, the bulk of the preparation is done and my nerves calm down dramatically.

PUBLIC SPEAKING
IS A VERY USEFUL SKILL
FOR LAWYERS IN ANY
PRACTICE AREA ...
THE MORE PUBLIC SPEECHES
AND PRESENTATIONS
YOU GIVE, THE BETTER
YOU WILL BECOME.

PRACTICE

Once I have written my first draft, I practice my presentation to time. I usually start this part of the process around two days before I am due to present. For me, practice is very important. It reveals repetition, grammatical errors, and misplaced sentences and paragraphs. Practising also allows me to appreciate how long it will take to make the presentation and whether I will be able to finish within time. During this process, I cull approximately 40-50% and make countless changes to the order of delivery. It can take numerous rehearsals to reach a final draft. The more times I practice, the better the presentation.

PERFORMANCE

By the time you are ready to perform, all the hard work is done! When I am properly prepared, I feel adrenalised but I do not feel anxious. Preparation allows me to be confident that my content is accurate and practising means that it is unlikely that there will be any surprises. So in effect, there is nothing to be anxious about.

Before the performance, deep breaths into the belly are a very effective way to remain calm. I take a moment to clear my mind by practising mindfulness.

During the performance, I look up towards the audience regularly and make sure to project my voice. I look at different members of the audience. Eye contact is highly engaging, and it is comforting to find people in the audience who are happy to give eye contact. Another way to engage the audience is to pose questions to them at various points of the presentation. This is also a very effective way to make the presentation more interactive.

Stumbling over the occasional word or going off script are not a cause for concern (so long as you maintain accuracy). Small errors like this are barely noticeable, so when this happens during my presentation, I continue without giving it a second thought.

SUMMARY

I am sharing this formula with the readers of *Portia* as it has personally proven to be a great platform from which to improve my public speaking. Public speaking is a very useful skill for lawyers in any practice area. I advise you to take every opportunity to speak in public. The more public speeches and presentations you give, the better you will become. Once you have done between five and ten presentations, you will find that your nerves will drastically reduce and you will be able to complete the process within shorter timeframes. ■

MAJOR SPONSOR MINTERELLISON



What barriers has MinterEllison identified in the promotion of women into leadership positions and how does it address them?

Decades ago it seemed inevitable that increased numbers of women graduating from law schools would, over time, translate into gender-balanced leadership in the law. Despite progress being made, we are yet to see women take up leadership roles in numbers proportionate to their entry to the profession.

MinterEllison's ambition is to see women in leadership in equal or greater numbers to their male colleagues, consistent with gender profile at entry level. Operationalising this commitment requires strategic targets, role models and champions.

Recognising the strategic imperative of gender diversity at the leadership level is critical. Our Board is accountable for delivery of the gender diversity outcomes in our 2020 Strategy, in partnership with the Chief Executive and the Executive Leadership Team. Our initial target is 30% female partners by 2020.

Our Board-appointed Diversity & Inclusion Committee, chaired by the Partnership Chair, meets regularly to set priorities and review outcomes. Our Gender Work Plan 2018 - 2020 identifies three overarching objectives: Partnership Diversity, Retention of Female Talent, and Building a Diverse Leadership Pipeline.

A program that touches these three objectives is our senior development program in our Risk, Regulatory Insurance & Controversy group. The group monitors gender diversity at partnership candidate stage and provides customised support to participants. This includes connecting participants with mentors across the firm, providing bespoke coaching to develop core partner skills, and identifying sponsors through planned, purposeful relationship management. We were delighted to welcome seven new partners in 2018, including four women. Three of our new partners work flexibly, two women and one man.

High-quality, well-understood metrics are key. Our Diversity Dashboard is updated monthly and helps us track take-up of our diversity programs: agile working (at client sites, the office or home), successful transitions to and from parental leave, and gender representation at all levels. We closely monitor performance, reward and promotion outcomes to eradicate unintended biases that undermine our workplace vision.

Where are we in this journey? While we have yet to achieve our 2020 target, for the past two years over 50% of our senior appointments were female. This year, 50% of our new partners were women. The work at MinterEllison to achieve gender diversity continues and, as it does, the strength and sustainability of our firm grows each day. ■

Geraldine Johns-Putra, Partner, and Kate Cato, Head of Talent Development



Image: Kate Stevens, *Motherhood* (Portrait of the Artist's Son) (Ananta Bajracharya) (SH Ervin Gallery)

A WORD FROM VWL'S FOUNDERS - KEEP FIGHTING THE GOOD FIGHT

VANESSA SHAMBROOK

YOU MAY HAVE SEEN THE STATUE OF A WOMAN IN FRONT OF THE SUPREME COURT OF VICTORIA. SHE IS SEATED AND HOLDS A SWORD. HER NAME IS THEMIS AND, AS ADVISER TO ZEUS, SHE PERSONIFIES JUSTICE.

Although a woman has commonly represented justice in this way in Australia, there were no female judges in the legal system until 1965. Dame Roma Mitchell was the first woman to be appointed to the Supreme Court of South Australia. It is said that on her appointment, one of her colleagues remarked, 'I don't believe in women in the profession, but Roma's different. She's got a man's mind'. After Justice Mitchell's appointment, it took another twenty years before another woman joined senior judicial ranks. VWL was formed a few years later in 1996.

VWL met with its founding members Deanne Weir, Kriss Will, Elizabeth Bishop (Liz) and Georgina Frost to have an honest conversation about gender equality in Victoria's legal profession today.

THE BEGINNING OF VWL

Prior to VWL's inception, Deanne was Chair of the Young Lawyers Section (YLS) of the Law Institute of Victoria (LIV) and Kriss, Liz and Georgina were members. 'We had been talking about the issues faced by women in the profession for a few years via our involvement with the [YLS] and the LIV more generally', Deanne recalls. 'It was clear that even though women had been graduating from law school in the same numbers as men since the '80s, this was not translating into equal career progression, and there were so many issues where women were being discriminated against within the law and by the law'.

The founders' original view had been that they did not want to set up a *women lawyers* organisation because they did not want the issues women face to be marginalised. 'We wanted [women] to be taken seriously by the entire profession. What profession can afford not to maximise the participation and contribution of 50% of its pipeline of members?' After a few years, however, it

became clear that 'the only way to push for change was to get loud and get organised'.

With great encouragement and support from Chief Justice John Harber Phillips, who would go on to be VWL's first great champion and Patron, Deanne, Kriss, Liz and Georgina formed the founding Executive Committee of VWL, beginning a legacy of championing the rights of female lawyers in Victoria.

Georgina says that the founding Executive Committee of VWL were 'the right group of people, at the right time':

WHAT PROFESSION CAN
AFFORD NOT TO MAXIMISE
THE PARTICIPATION AND
CONTRIBUTION OF 50% OF ITS
PIPELINE OF MEMBERS?

'We work extremely well together in a very harmonious and collaborative way ... The progress and retention of women in the legal profession was a critical issue for us all as we were just starting out in our careers. We were very concerned about some of the barriers professional women faced generally and particularly in the legal profession.'

HOW FAR HAVE WE COME?

Since VWL's inception, the number and proportion of women in the legal profession in Victoria has increased from 30% to 50.4%.

Since the founding of VWL, Georgina says that there 'is an increased awareness for the

need for diversity and the positive impact this has on the culture of an organisation as well as the bottom line'. She notes however that while there are more women in the legal profession, the senior positions are still dominated by men. 'I understand the percentage of law firm partners who are women [has] increased but not proportionately to the number of women who have graduated from law school and [enter] the profession as junior lawyers'. She adds that '[t]he trickle-down effect cannot be relied on to make the difference'. In Georgina's view, 'while we have progressed since the 1990s, there are still many barriers to achieving equality'.

Kriss says that she is regularly surprised at 'history repeating itself':

'It concerns me that without consistent action, the decision makers in organisations continue with their normal thinking and actions, and many of these are just accepted, and are detrimental to women more so than to men. Fighting the good cause again and again can be frustrating, but is necessary to ensure that there is change. However, I think a change of approach is needed as acceptance of women as equals is yet to occur.'

OVERCOMING AND ERADICATING UNCONSCIOUS BIAS

Liz recalls that at the launch of Australian Women Lawyers in 1997, Justice Gaudron made a speech about her own realisation of inherent bias, and the importance of difference, that really resonated with her. In that speech, Her Honour stated:

'I'm a lawyer not a woman lawyer and I have no intention of being identified as such. It was an attitude born of the belief that I then shared, namely that once the doors were open, women could prove that they were every bit as good, and certainly no different from their male counterparts. The truth is that, in some respects, we are the same but, in others we are different.

And when we admit that difference, when we assert our right to be different, we are going to be significantly better lawyers. Moreover, the legal profession is going to be a better profession and the interests of justice are going to be much better served.'

Liz notes that the 'assumption that there is no such thing as gender bias has been around for decades and is sadly belligerent'. She adds that 'we all have a responsibility to continue to engage in this debate and to call out these unconscious, systemic, systematic biases for what they are and the impact they have'.

For Kriss, her advice is to 'develop the skills and confidence to have respectful and direct conversations about issues, knowing that this is likely to make people feel a little uncomfortable but this is needed'.

Similarly, Deanne says 'call out bad behaviour, support your peers, cultivate relationships with senior people within your organisation who will act as advocates for you. Passive mentoring is not as much help as someone who will actively champion you'.

RETENTION OF WOMEN IN THE LEGAL PROFESSION

VWL's founders say that more needs to be done to retain women in the legal profession.

'I have often thought that the profession loses many of the most talented as they choose to move on rather than remain in a poor workplace', says Kriss. She notes that the Law Council of Australia's 2013 *National Attrition and Re-Engagement Survey (NARS)* found that one in four women have experienced sexual harassment during their legal careers.

Many women also leave the legal profession once they have children or because they want to pursue other fulfilling work outside of being a legal practitioner. Georgina says that flexible work practices are a way for employers to retain trained staff. 'We have seen, and will continue to see, an increase in flexible work arrangements as the way we work changes over time.' She adds that there are many reasons that people seek out flexible work practices.

LEADING THE WAY

Deanne says that 'in a world that is facing the exponential changes that will come with the fourth industrial revolution, it is all the more important for the legal profession to be diverse and to draw its talent from the entire available talent pool'. She says that to practice and represent justice for our community, the profession must ensure that its own practices are of the highest standard. 'We are seeing evidence every day that there are still elements of our society that demean and degrade women. ... We don't have time to waste when it comes to ensuring equal opportunity and respect for women and girls, and the legal profession should be leading the way.'

KEEP FIGHTING THE GOOD FIGHT

As VWL's founders highlight, the battles surrounding gender equality have been hard fought, but we still have a long way to go. Equal rights are not enough until we have achieved true gender equality by eliminating gender-based issues. Until then, VWL will keep fighting the good fight. ■

ASSOCIATE SPONSOR

KEYPOINT LAW



How does Keypoint Law ensure equitable hiring and equitable promotion?

Keypoint has implemented a model of legal practice which responds to the underlying drivers of inequality for women. It represents the best of what traditional firms have to offer, but with key differences which facilitate a modern, progressive way of working.

Whilst policies, initiatives and programs in support of equality are undoubtedly important, the barriers for women are in many respects structural, and it is those structural issues which result in the attrition of women from the legal profession. Rather than adding layers of policies and programs onto a law firm foundation, which can be structurally tilted against women, we have focused on adjusting the very structure and foundation of the law firm itself.

We have done away with billable hour targets, budgets and revenue expectations; have established a flat, collegiate organisation; provide a highly rewarding remuneration structure which is 100% equal and gender-neutral; we empower lawyers to make all key business decisions affecting their practice; and provide complete flexibility over where lawyers choose to work. The result is an open and transparent workplace which is non hierarchical and inclusive, with a distinct absence of competition among the lawyers of the firm.

Importantly, entry to Keypoint is based purely on the calibre, skills and experience of the lawyer, eliminating barriers related to gender and age. We are focused on recruiting the best legal talent in the industry, regardless of whether they are mothers, fathers, grandparents, transitioning back into the workforce, or are in the highest billing decade of their career. Our unique approach is resonating with talented senior female lawyers, who comprise 36% of the total number of Consulting Principals (equivalent in seniority to partners) at the firm, far exceeding the industry average of 27%.

The incredibly talented women among our ranks have played a vital role in the continued success of our firm, reaffirming our commitment to promoting an equitable and inclusive work environment that rehumanises the practise of law and contributes towards the advancement of the legal profession. ■

Warren Kalinko, CEO

MAJOR SPONSOR

MAURICE BLACKBURN



The difficulties women face in returning to work have been identified as contributing to the lack of gender equality in leadership positions. How does Maurice Blackburn think this issue should be addressed?

Despite laws making it discriminatory for an employer to treat a woman differently because of her caring responsibilities, double standards continue to apply. We still hear of women returning to work after parental leave to find their job is not quite the same, or they are overlooked for pay rises, promotions and leadership roles.

Unconscious bias is a significant issue, as women find the attitudes of colleagues and managers change once they have children. This can manifest in subtle discrimination such as missing out on travel, client functions or leadership opportunities, because it is assumed that as a mother she is not able or willing to participate. Such unequal treatment reinforces traditional structures that prevent talented women from obtaining leadership roles.

Our current workplace structures are failing, and employers and the top level of management need to step up and drive change towards greater equality. Employers risk overlooking great talent if assumptions are made about women's leadership abilities.

A gender pay audit can be a useful starting point to any gender equality strategy, as the results can lead to questions about whether longstanding biases have had an impact. Companies should also closely analyse who is occupying what positions, and commit to greater transparency around how they hire, pay and promote women.

Setting targets and being open about the fact that bias may have affected promotion decisions in the past are positive steps towards an equal workplace.

Companies also need to foster workplace cultures that cultivate respectful attitudes towards women and men, and provide training on unconscious bias. Offering flexible work arrangements can be another way of supporting women with family responsibilities into leadership positions. And employers and policymakers need to look at how they can better help parents access high-quality affordable childcare. Decent paid parental leave schemes, including superannuation, and encouragement to keep in touch while on parental leave, enables employers to retain valued employees.

Employers can also support women to become involved in leadership positions early in their career through involvement in internal committees or external groups like VWL.

It makes sense that when you include everyone equally in your workplace, you will have a high performing workplace. But unless we make such changes, our workplaces will continue to fail to be places of truly equal opportunity for women. ■

Kim Shaw, Principal Lawyer



Image: Kathrin Longhurst, *The Mariner* (Anthony Longhurst, Mariner) (SH Ervin Gallery)

ASSOCIATE SPONSOR

LAW IN ORDER



How do you think technology can change the way law is practised? How should technology be embraced by leaders in the law?

As a Client Relationship Manager with Law In Order, my role is to help lawyers and their teams understand how technology can enhance the way they practise law.

These are the three key ways I see technology changing the way law is practised in Victoria in 2018:

1. Technology is levelling the playing field:

With work / life balance becoming a priority, lawyers are leaving traditional firm models to start their own practices or to join innovative new law start-ups. Tools like Office 365 and Dropbox enable collaboration, communication and access to documents from anywhere an Internet connection is available – even the beach! Furthermore, outsourced legal services providers give access to the latest technologies, techniques and teams of experts without having to pay for the overheads of a legal technology team or print room.

2. Technology is enabling lawyers to work smarter, not harder:

The explosion of data has made the discovery process a potential nightmare for legal teams, with the identification of relevant documents within data sets the modern equivalent of searching for a needle in a haystack.

Fortunately, eDiscovery technologies have evolved beyond keyword searching and date filtering. Using techniques like Technology Assisted Review (**TAR**) and Computer Active Learning (**CAL**), lawyers can deploy artificial intelligence tools to reduce data sets from millions of documents to tens of thousands within days rather than months.

3. Technology has created “The Courtroom of the Future”:

Recent changes to Court Practice Notes such as *Victorian Supreme Court Practice Note SC GEN 5 – Technology in Civil Litigation* now make consideration of the use of technology mandatory in some scenarios. Members of the judiciary are instructing lawyers to trade boxes of documents for online hearing books and electronic evidence presentation technologies, with modern electronic courtrooms delivering significant time and costs savings in the trial process.

While there is still a place for paper in the legal industry, technology is no longer just an option or a fad to be embraced – it’s a requirement. Embracing technology involves:

- Experimentation – Challenge your current work practices in order to identify what you can improve on.
- Continuous learning – There are countless CLEs, podcasts and courses on emerging technologies and techniques. Lead from the front and seek them out.
- Expert support – Call a subject matter expert for an informal conversation about your challenges, needs and options. Most don’t charge for advice! ■

Sarah Bell, Senior Business Development Manager



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Image: Kim Leutwyler, *Cole* (Nicole Rodriguez, Visual Artist) (SH Ervin Gallery)

HAPPY LAWYER HAPPY LIFE: PODCAST REVIEW CATHERINE GLOUTNAY

HAPPY LAWYER HAPPY LIFE IS A PODCAST BY CLARISSA RAYWARD, A BRISBANE BASED FAMILY LAWYER. FIRST AIRING IN 2016, CLARISSA CREATED THE PODCAST WHILE RESEARCHING HER SECOND BOOK: HAPPY LAWYER HAPPY LIFE – HOW TO BE HAPPY IN LAW AND LIFE, WHICH ADDRESSES THE RISING RATES OF UNHAPPINESS WITHIN THE LEGAL PROFESSION.

Like her book, *Happy Lawyer Happy Life* explores how to be a great lawyer and have an enjoyable life outside of work. In each episode, Clarissa speaks to a different

person in the legal profession about their challenges and successes in achieving this balance. Interviewees include Jerome Doraisamy (former lawyer and author of *The Wellness Doctrines Series*), the Honourable Michael Kirby AC CMG and the Honourable Dianna Bryant AO QC.

In the inaugural episode, Clarissa has colleague and friend, Ronsley Vaz, interview her, allowing her to share her own story about how she came to be in legal practice. She discusses the negative stereotypes surrounding lawyers, finding new and innovative ways to be successful in law, and how the legal profession is ripe for disruption.

It is easy to identify with Clarissa and her interviewees and the desire to achieve a healthy work-life balance. The podcast emphasises the need to be mindful of your own mental health and work-life balance whilst working in the legal profession. *Happy Lawyer Happy Life* instils a sense of positivity and hope that this balance is achievable. ■

NOT JUST LUCKY: BOOK REVIEW BRIGID ARTHUR

HOW MANY TIMES HAVE YOU ATTRIBUTED YOUR SUCCESS TO “LUCK”? JAMILA RIZVI’S NOT JUST LUCKY TELLS US PROBABLY TOO MANY TIMES. OR IF YOU HAVEN’T, SOMEONE YOU KNOW PROBABLY HAS.

Not Just Lucky is not just another exposé of the gender bias in the workforce that we are all very familiar with. We know the statistics, we know the facts and figures – we don’t need another book reminding us. *Not Just Lucky* goes far further than this, by looking into why it is that women tend to attribute their feats to luck, chance or accident. It is a “career book” which not only seeks to deliver practical advice, but to help you understand why you may think the way you do, feel the way you feel and experience what you experience in the workplace.

Each chapter is carried by a theme, and is dotted with anecdotes, case studies and research that are witty, painfully relatable and at times shocking. As a whole, *Not Just Lucky* is unashamedly feminist and does not shy away from grappling with the socially entrenched nature of the disadvantages that women face in the workforce.

Jamila has an attuned insight into the mind of a professional female – being one who has worked in varied and challenging roles herself, including being an advisor to government. She does not try to encapsulate the experience of “all females” into her own story, but rather explores different experiences of professional women in the Australian workforce generally. Her book is humorous and ultimately positive – the message to readers is that to understand the biases and social conditioning that exists is the surest way to overcome them.



Jamila has recently released a new book, *The Motherhood*, a collection of letters from influential Australian women about their own experiences as new mothers. ■

MAJOR SPONSOR

ALLENS



How does the Women@Allens network support the promotion of women into leadership positions?

The popular saying 'If you want something done, ask a busy woman' dates back to the late 1800s – long before the notion of women's networking became a formal concept. Now, of course, "busy women" in law firms wear many hats, and a great number of them accept the responsibility of helping others with their professional development, and with sponsorship and networking.

More than 10 years ago Allens committed to a specific focus on the engagement, career and professional development and promotion of women in the firm supported by a range of initiatives including through a program that grew to become Women@Allens. Women@Allens' purpose is to advance gender equality and inclusion internally and amongst our clients and partners.

Among other things, the Women@Allens network coordinates state-based activities enabling women and men from both within and outside of the firm to talk about career progression, advocacy, sponsorship and mentoring and the challenges and strategies for success.

Formally recognising the value of networking and enabling women and men to connect has proven very popular and the Women@Allens events have a great following.

Kate Austin and Rosannah Healy, Partners in the Disputes and Investigations and Competition, Consumer and Regulatory practices in Melbourne, both dedicate time to the Women@Allens committee.

'Networking is so incredibly important and making the time to mentor others is part of the equation – give and take.'

'Sponsorship and mentoring have been really important to me as I have progressed in my career. My role models have been my sounding board, support crew and sponsors,' said Kate.

'Allens was one of the first organisations in Australia to become a signatory to the UN Women's Empowerment Principles, which are targeted at business, and offer guidance on how to empower women in the workplace, marketplace and community. Women@Allens plays an important role in fostering the advocacy spirit of the Empowerment Principles,' Rosannah added.

'We have a stated goal to achieve 35 per cent female partnership by 2022 – our 200th birthday and we're tracking well against that goal.'

Allens is committed to empowerment, and to building a culture of genuine diversity to support women's success right across the firm. ■

Kate Austin, Partner, and Rosannah Healy, Partner

BOTTLEDSNAIL PRODUCTIONS

KATHARINE KILROY

BOTTLEDSNAIL PRODUCTIONS HAS COME A LONG WAY SINCE ITS INCEPTION FIVE YEARS AGO. DREAMED UP BY A GROUP OF FRUSTRATED CREATIVES PRACTISING LAW AND NAMED FOR THE LEGENDARY SPECIMEN FOUND IN THE BOTTLE OF GINGER BEER, IT IS A GROWING FORCE IN MELBOURNE'S AMATEUR ARTS SCENE.

In the last few years, the not-for-profit has put on an art exhibition, staged full productions of the musical, dramatic and comedic varieties, and established ongoing creative projects including an orchestra and choir (known as Lawchestra and Habeas Chorus respectively, continuing a firm commitment to puns).

Run entirely by volunteers, BottledSnail offers those within the legal profession an opportunity to step away from their demanding careers and tap into their creative side. Its mission is to promote mental health within the profession through the performing arts and has raised over \$45,000 for a number of charities, including in support of the Tristan Jepson Memorial Foundation and the Asylum Seeker Resource Centre. For those of us who had a passion (or even just a passing interest) in the arts in our “before law” lives, BottledSnail is an invaluable platform.

I myself was an enthusiastic, if not necessarily high-flying, amateur musician “before law”. Starting law school brought to an end nearly 13 continuous years of music study and left a significant hole in my life. Joining the Lawchestra has given me the chance to re-engage with a lifelong passion.

My story is not unusual among our members. The founder of the Lawchestra, Aimee Nguyen, studied at the Sydney Conservatorium before turning her hand to law and estimates around 10% of the Lawchestra membership have professional music experience. But for every skilled performer-turned-lawyer, there are several more just looking for a creative outlet.

There are projects for everyone. Over 450 legal professionals have participated in over 25 productions and events, to which over 14,000 tickets have been sold.

This year alone has seen the incredibly successful run of *Into the Woods* play at Gasworks Theatre, the Lawchestra return to Federation Square's Deakin Edge for its first concert of the year, and the launch of the Melbourne Lawyers' Big Band.

Participants are drawn from across the profession. In May, three judges, an Associate Justice, a senior Victorian Civil and Administrative Tribunal (VCAT) Member and several barristers were among a cast of twelve that performed two short operettas based on the famous cases of *Carlill v Carbolic Smoke Ball Co* and *Donoghue v Stevenson* in the Supreme Court Library for Law Week 2018. The Lawchestra boasts law students, paralegals, solicitors, barristers and a judge among its membership. All are drawn by a shared love of the creative and an unwillingness to let it fall out of our lives.



Image (above): (from left to right): Tammy Weller and Eleanor Morrison in a scene from *Maple and Vine* (2015). Image (below): (left to right): Ali Ryan and Franceska Leoncio in a scene from *Into the Woods* (2018).

Photography this page by Ben Fon.



BottledSnail may only have been around for a few years, but a lot has been crammed into that time. At the larger end of the scale, there have been three plays (*12 Angry Men*, *A Conversation* and *Maple & Vine*), two musicals (*Parade* and *Into the Woods*) and, for Law Week 2016, *Terminus*, a co-production of Lawchestra and Habeas Chorus sold out St Paul's Cathedral twice. At the smaller end, the Supreme Court Library plays host to regular Lyrical Lunchtime concerts and members of the Lawchestra stage an annual chamber music concert at the Melbourne Recital Centre, appropriately named In Chambers.

The second half of 2018 has seen the launch of a new play *The Laramie Project* and the *Improv Lab*, along with regular events including Lawchestra and Supreme Court Library concerts. BottledSnail are always welcoming new members and ideas, with details available on the website at <https://www.bottledsnail.com>.

So come along, try us out or come and see a show. With the speed of growth in this little snail, there's no telling where we'll end up in another five years! ■



Image (above): (from left to right) Members of the Melbourne Lawyers' Orchestra (Lawchestra) at the Melbourne Recital Centre (2017) – Xinyu Zhang, Sarah Gilkes, Aimee Nguyen, Julia Gillies, Victoria Konya. Photography by Foldout Photography.

Image (below): The Melbourne Lawyers' Orchestra at Deakin Edge, Federation Square (2017). Photography by Ben Fon.



RBG: DOCUMENTARY REVIEW

DEBORAH KLIGER

TRAILBLAZER FOR GENDER EQUALITY. FIERCE DISSENTER. CULTURAL ICON. DEFYING EXPECTATIONS.

RBG provides a window into the extraordinary life and career of United States Supreme Court Judge Ruth Bader Ginsburg.

Co-directors Julie Cohen and Betsy West present a rich portrait of the scholar, advocate, jurist and mother, sharing insights from her admirers, colleagues and family, not to mention the “notorious RBG” herself.

RBG captures the early years of Justice Ginsburg, a Jewish youth growing up in the shadow of World War II. The documentary follows the rising star’s humble upbringing in Brooklyn, her early academic success and her mother’s influence before her untimely passing. In her own words, Justice Ginsburg reflects on the qualities her mother imparted in her – poise, a curious mind, independence and strength to persevere.

RBG recounts Justice Ginsburg’s journey as a Cornell student in the early 1950s, when the Ivy League College employed a strict quota, enrolling four male students for every female.

Majoring in government studies in an era marked by anti-Communist propaganda and investigations, Justice Ginsburg became fascinated with the Constitution and the courageous lawyers representing suspected dissidents.

Against this backdrop, *RBG* depicts Justice Ginsburg’s enduring love story with Cornell sweetheart Marty Ginsburg. She ardently describes the young Marty Ginsburg as a man ahead of his time who, unlike others, valued her intelligence.

Following graduation, the pair enrolled in law at Harvard University. Of a cohort of 500 law students, Justice Ginsburg was one of just nine women. She reflects on being an outsider under constant watch. Disdain for the female minority is exemplified by the Dean of Law calling on the women to justify occupying the seats men could have taken.

Critics aside, *RBG* portrays the astonishing resilience of Justice Ginsburg during her Harvard years and beyond as a scholar, civil rights advocate, mother, carer and two-time cancer survivor.

The heart of the film lies in Justice Ginsburg’s historic work defining gender as a marker of discrimination. *RBG* examines Justice Ginsburg’s deliberate legal strategy in bringing discrete examples of gender-based discrimination before the Supreme Court to tie together a broader legal doctrine. Justice Ginsburg describes her role as a ‘kindergarten teacher’ of sorts, enlightening the bench on gender discrimination.

RBG shines a spotlight on a legal pioneer who refuses to be defined by age or gender. Poignant, informative and colourful, this documentary is a must see for those both in and out of the law. ■

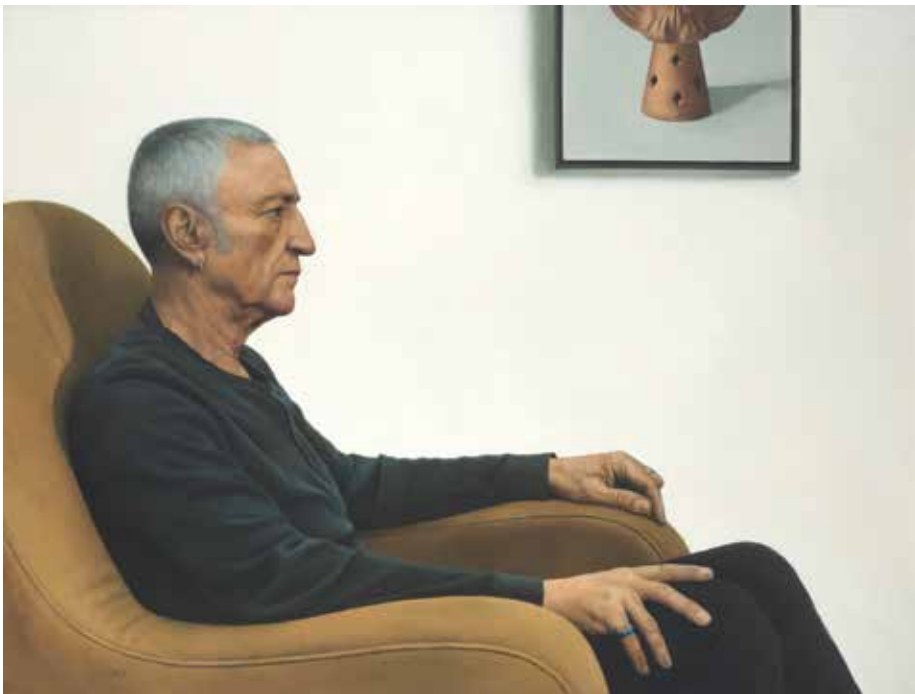


Image: Pam Tippet, *John Waters* (Actor and Musician) (SH Ervin Gallery)

RECIPE: BASBOUSA CAKE - TRADITIONAL SYRIAN SEMOLINA CAKE

NAYRAN TABELI

INGREDIENTS

Cake

- 2 cups fine semolina
- 1 cup dessicated coconut
- 1 cup natural yoghurt
- ½ cup unsalted butter, melted
- ½ cup caster sugar
- ½ tsp. ground cardamom
- ½ tsp. bicarbonate soda
- Pinch of sea salt
- 2 tbsp. tahini
- ¼ cup pistachios or blanched almonds, to garnish

Syrup

- 1 cup water
- 2 cups caster sugar
- 1 tbsp. rose water
- 4 cardamom pod, bruised
- Squeeze of lemon juice

METHOD

1. Mix all the cake ingredients in a large bowl, except for the tahini and the nuts.
2. Cover and leave for at least 1 hour, preferably overnight. (This will give the semolina time to absorb the liquid and to activate the bicarbonate soda).
3. Preheat your oven to 180C and grease a 22cm square tin with half of the tahini and spread the batter evenly into the tin.
4. Smooth the remainder of the tahini on the cake and scatter over the pistachios or almonds and gently pressed into the top of the cake.
5. Bake in the preheated oven for 35-40 minutes.
6. While cake is cooking, make the syrup by placing all the syrup ingredients except for the lemon juice into a medium pot over high heat.
7. Stir until the sugar has dissolved then bring to a boil and simmer for around ten minutes or until slightly thickened.
8. Squeeze in the lemon juice and stir in and then remove from the heat and allow to cool.
9. Cut the cake soon after it's come from the oven into squares (serves around 9 -12 depending on how large you like them)
10. Finally, pour the cooled syrup onto the hot cake and let it sit for 15 minutes.



About the author

Nayran Tabei comes from Syria, where she remembers watching her father cooking dinner every single night and where she opened her own bustling restaurant in Damascus.

Basbousa cake is a traditional Syrian cake and Nayran's favourite to serve at breakfast with coffee. It has a lovely sweetness and stickiness from the perfumed syrup and the perfect flavour and texture thanks to the tahini. Today, Nayran lives in Melbourne and is a resident cook for Free to Feed.

Free to Feed is a not-for-profit social enterprise that champions refugees, people seeking asylum and new migrants in Australia through their own array of herbs and spices, cooking classes, workshops for corporate team building or celebration, community events and other immersive food-oriented experiences.

Free to Feed strives to celebrate traditions, memories, stories and new experiences and believes there is no better way to do so than over a feasting table. Nayran agrees and the importance of families and friends eating together is very close to Nayran's heart. For more information, visit freetofeed.org.au ■

TRIAL AND ERROR: COMEDY REVIEW

GEORGIA DOBBYN

SOME COLLEAGUES AND I WENT TO THE MELBOURNE INTERNATIONAL COMEDY FESTIVAL IN APRIL TO SEE THE SHOW *TRIAL AND ERROR* AT THE CROFT INSTITUTE AND PRESENTED BY THE RENEGADES.

The show was an open-mic style event in which people from the legal industry were invited to come and try their hand at comedy. It was promoted as being 'for and by the legal industry'. When I mentioned this to friends and family, just the concept of comedy for and by the legal industry was enough to get a giggle out of them. As they giggled, I thought 'yep, we lawyers aren't exactly renowned for wowing fellow dinner party guests with hilarious gags'.

Happily however, as I laughed out loud throughout *Trial and Error*, I was caused to reconsider that line of thought.

Sure, I am a lawyer and I'm not renowned for wowing fellow dinner party guests with gags but many other lawyers, like Ingrid Braun, Tom Cashman, David Rose, James Rankin and John Leung, are out there improving our profession's street credit for comedy.

Ingrid, Tom, David, James and John were the performers of stand-up comedy for the night. The show ran across five evenings that same week with different performers at each.

It was a fantastic line up. I loved the physicality of Ingrid's performance, including hobbling around the stage at one point in her own impersonation of the ghost from *The Grudge*. Tom and David had everyone laughing out loud with their very relatable personal anecdotes and James had us laughing at his hang ups from a continued idolisation of Batman well into adulthood. The night ended with an extremely clever ukulele performance from John, who was also the organiser of the show. My colleagues and I all agreed that the performers for the night could have entertained the crowd for a much longer show and it is worth committing their names to memory.

All profits raised by the shows went to the Tristan Jepson Memorial Foundation, a not-for-profit organisation dedicated to making workplaces healthy, and helping struggling lawyers who are among the hardest hit by depression and mental illness. For such a worthy cause, and a hilarious night out, I would highly recommend that lawyers and non lawyers alike keep an eye out for any events like this one in next year's Melbourne International Comedy Festival. ■



Image: Lix North, *Provocateur* (Self Portrait) (SH Ervin Gallery)



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SPECIAL REPORT FROM THE SPONSORSHIP OFFICER

JACKIE GILLIES

2018 UPDATE

The work of VWL would not be possible without the ongoing support of project sponsor: the LIV and VWL's major sponsors: Allens, Clayton Utz, K&L Gates, Maddocks, Maurice Blackburn, MinterEllison and Wotton + Kearney; and associate sponsors: Nicholes Family Lawyers, Justitia, Svenson Barristers, Law In Order, KHQ Lawyers, Keypoint Law and Sigma Executive.

This year, the following sponsor firms generously hosted a VWL event on their premises:

- Allens hosted a panel discussion, Financial Security for Women
- Clayton Utz hosted a panel discussion on Discrimination, human rights and religious freedoms in light of the US Supreme Court decision of *Masterpiece Cakeshop v Colorado Civil Rights Commission*
- K&L Gates hosted the launch of the 11th annual Law Student Mentoring Program
- Maddocks hosted the annual Warren Moot competition
- Maurice Blackburn hosted two events:
 - Older Women Lost in Housing, the screening of a short documentary and discussion; as well as
 - Sexual Harassment and Secrecy in the Workplace, a Panel Discussion.
- MinterEllison hosted the second event in our Wellbeing Series, Non-Doing Workshop, Cultivating Self Awareness in Lawyers, a practical and interactive laughing-yoga session

- Nicholes Family Lawyers hosted Employers Supporting Employee Experiencing Family Violence, a panel discussion
- Svenson Barristers hosted the Women Barristers Networking Lunch Series
- Wotton + Kearney hosted the first event in our Wellbeing Series, The Road to Resilience in the Law, a panel discussion.

In addition, special thanks goes to the following firms and organisations for supporting VWL throughout the year by hosting the following events:

- Burgess Paluch Legal Recruitment for sponsoring the Cross Industry Networking Event with the CPA
- Greens List Barristers for hosting Women Leaders in Public Debate: Authentic Leadership, an interactive panel discussion
- Corrs Chambers Westgarth for hosting Facing the Double Ceiling, a panel discussion exploring the dual barriers for women from CALD backgrounds
- Russell Kennedy for hosting Changes to Privacy and Information Sharing: How it Affects You, a panel discussion, and for hosting the launch of the inaugural VWL Professional Mentoring Program
- Holding Redlich for hosting our Annual General Meeting and Christmas Party
- Taylor Root for sponsoring the 2018 Members & Guests Evening.

VWL would like to thank its sponsors for their ongoing support throughout the year. We are also pleased to welcome and thank our new Associate Sponsors, KHQ Lawyers, Keypoint Law and Svenson Barristers. We look forward to working alongside these firms during 2019 and beyond.

SPECIAL REPORT FROM THE TREASURER

ELIZABETH COOPER

2018 UPDATE

2018 saw VWL generate a small surplus of \$4,517.76. VWL had managed to reduce expenditures in most areas with an overall reduction of 9.3%. The greatest savings were in the areas of accounting fees, committee expenses and printing costs from the production of the popular *Portia* magazine. However, this effort did not flow through to a large surplus as there were significant changes in revenues. While VWL managed to increase its membership base, with the greatest growth being recorded among its student membership, this was the first year VWL did not receive sponsorship from the LIV, which had been a major sponsor of the Association. The LIV continued to offer VWL valuable support in the form of the provision of an office in its building and also awarded VWL a funding grant of \$10,000. VWL had a reduction in major sponsor earnings which was partly offset by an increase in its number of associate sponsors. Function revenue and interest earnings stayed constant. It is pleasing that even with the significant shift in our sponsorship base, VWL managed to maintain a modest surplus while continuing to deliver high quality and popular functions and seminars.

FOCUS AREAS FOR 2019

From an administration perspective, 2019 will see VWL handle an inevitable relocation from its office at the LIV, following the sale by the LIV of its building in Bourke Street. The role of administrator will also change. The Executive Committee of VWL will work to ensure that, even with these changes, its members will continue to receive high quality and relevant seminars and networking opportunities efficiently delivered. Final VWL accounts will be provided at the AGM and draft accounts will be posted on the website.

COMMUNICATIONS

KATHERINE GOUGH &
STEPHANIE PASHARIS

ROLE

To coordinate and promote communications between VWL and the wider community, and among its members.

2018 ACHIEVEMENTS

We are proud of our 2018 edition of *Portia* which focuses on leadership in the legal profession and details the fantastic work of VWL over this past year. We are delighted to share the publication with our members.

We have continued the production of our monthly newsletter, VWList and the maintenance of our social media platforms via our Communications Executive Committee representative Vanessa Shambrook.

SPECIAL MENTIONS

We would like to thank our Committee: Brigid Arthur, Jessica Awad, Georgia Dobbyn, Catherine Gloutnay, Alexandra Hodsmann, Isabella Kelly, Amanda May, Jessica Samuel, Andrea Skinner and Hilary Taylor.

Thanks also to our generous feature contributors and interviewees.

REFLECTION

We are inspired by the many and various leaders that we had the privilege of speaking with and interviewing for our feature articles. We admire your hard work, dedication and passion, and are grateful for the advice you have shared. Thank you for paving the way forward for women in the legal profession.

NETWORKING

ELEANOR WEIR &
HANNAH DUNAI

ROLE

To promote networking and professional development opportunities for members by running events that focus on building their networks, providing information and improving interpersonal skills.

2018 ACHIEVEMENTS

In 2018, the Committee coordinated and ran five major events:

- the 22nd annual Members & Guests Evening
- the first instalment of a two-part Road to Resilience in the Law event
- VWL's first ever Cross-Industry Networking event
- Raising the Bar – a panel discussion aimed at women considering a career at the Bar
- VWL's Annual General Meeting and Christmas Party.

SPECIAL MENTIONS

Special thanks go to our dedicated Committee members, who juggle busy careers and personal responsibilities and still give their time to planning and running our events: Elizabeth Guarino, Melissa Cohen, Sophie Lefebvre, Georgia Whiteside, Deborah Kliger, Ella van der Schans, Lucy Prowse, Olivia Roslaniec, Rowdy Johnson, Bridie O'Shannessy, Rani Donohue, Sarah Saliba, Theresa Tezengi, Bonnie Phillips, Catherine Moroney, Louise Hvala and Merryn Skehan.

REFLECTION

Of particular note was VWL's first ever collaboration with the Victorian branch of the CPA Women's Committee, in the form of our Cross-Industry Networking event. Attended by over 200 lawyers and accountants and hosted by comedian Jo Stanley, the event was a tremendous success, and provided VWL members with an opportunity to network with professional women outside the legal profession. We hope this paves the way for many more cross-industry collaborations in the future.



Image: Michelle Hiscock, *The Actor* (Kate Fitzpatrick, Actor)
(SH Ervin Gallery)

JUSTICE

MIEKE MATIMBA,
MARQUITA NOLAN
& PATRICIA MCMULLAN

ROLE

To bring attention to human rights issues that impact women by holding events and initiating projects to explore these issues.

2018 ACHIEVEMENTS

The Committee focused on the critical issue of women and homelessness and held a screening of the documentary *Older Women Lost in Housing* followed by a discussion addressing older women and homelessness. The Committee held two further panel discussions addressing the difficulties faced by homeless youth, and the importance of financial security for women.

Taking a “hands on” approach, the Committee and other VWL members participated in Melbourne City Mission’s Sleep at the ‘G, raising \$7,641.71 which will be donated towards building a youth support hub in Melbourne. The Committee also supported Share the Dignity’s Dignity Drive by collecting and donating sanitary items for at-need women.

SPECIAL MENTIONS

We would like to thank our enthusiastic Committee for their ongoing dedication to, and passion for, justice. Special mentions go to the panel members, moderators, the host firms, and all those who contributed to our 2018 events.

REFLECTION

The Committee aimed to raise further awareness of the difficulties that homeless women face and will continue the dialogue into the future.

LAW REFORM

ALEX DWORJANYN &
HAYLEY CHESTER

ROLE

To participate in and encourage discussion regarding law reform activities that impact on and interest our members.

2018 ACHIEVEMENTS

Throughout the year, the Committee contributed to the national discussion regarding cyberbullying through giving evidence at an inquiry hearing, multiple media appearances and an article in the Law Institute Journal.

In May 2018, the Committee held a panel discussion regarding the issue of sexual harassment and secrecy in the workplace.

The Committee wrote a number of law reform submissions on topics including family law, assisted reproductive treatment, *Engage Victoria’s Gender Equality Bill* and constitutional recognition of Aboriginal and Torres Strait Islander Peoples. The Committee will also write a submission on sexual harassment in the workplace.

SPECIAL MENTIONS

We would like to thank our Committee members, in particular the excellent contributions of Louisa Ashton, Ashley Brown, Bridie Walsh, Asmaa Hasanein, Nicola Ojerholm, Kristy Haranas, Hilary Luk, Trang Chau, Cindy Halliwell, Satu Marjaana, Jialing Chen, Catherine Burkhalter, Vanessa Shambrook, Nicola Macrow and Jessica Zhao.

Thank you to Maurice Blackburn for hosting our event.

REFLECTION

We have been inspired by the #MeToo movement and our sexual harassment event participants.

WOMEN IN GOVERNMENT

PIA WHITE &
SANISHYA FERNANDO

ROLE

To promote women lawyers working in the public sector by supporting career planning, facilitating networking within government and the legal community and fostering engagement with topical issues facing public servants.

2018 ACHIEVEMENTS

The Committee co-hosted a careers seminar with the ongoing support of Greens List Barristers. Moderated by barrister Áine Magee QC, 150 attendees were treated to insights and advice about authentic leadership from an outstanding panel of female leaders in the public sector, non-for profit space and legal profession. We thank Kylie Kilgour, Anna Brown and Susan Paxton for being our panellists.

The Committee also held a breakfast seminar with the support of Russell Kennedy Lawyers focused on changes in information sharing, with a particular focus on the areas of child protection and family violence. We thank our moderator Rachel Dixon, and Tracy Beaton, Elizabeth Murphy and Anita Courtney for being our panellists.

SPECIAL MENTIONS

Special mentions go to our wonderful speakers and moderators, our co-hosts, Greens List Barristers and Russell Kennedy Lawyers, as well as each of our Committee members.

REFLECTION

All of our guest panellists and moderators are examples of how strong women can be passionate, successful and well-respected in their industries. We hope that our event attendees were able to learn something from these incredible women who have inspired us to become, and continue to be, people who lead with integrity and authenticity.

MEMBERSHIP

TINA TOUTZARIS-SABO,
CATHERINE DORIAN
& SIOBHAN MCGEE

ROLE

To broaden the membership base of VWL within the profession and community. We ensure that VWL attracts and retains a diverse membership via initiatives that accommodate the different environments in which women practitioners work.

2018 ACHIEVEMENTS

- Geelong networking event
- Panel discussion, hosted by Clayton Utz, on discrimination, human rights and religious freedoms and areas of change for the LGBTIQ+ community
- Plans for early 2019, large-scale suburban practitioners' event.

SPECIAL MENTIONS

Thank you to all our Committee members for their hard work this year, Clayton Utz for hosting an event, and to all of our special guests; Belinda Wilson (LIV), Kym Fraser (Clayton Utz), Elizabeth Bennett (Victorian Bar), Kristen Walker QC (Solicitor General of Victoria), and Aimee Cooper (Victoria Legal Aid); for their involvement in our events.

REFLECTION

The community of women practitioners from different backgrounds, in various fields of law, and across different locations in Victoria, continues to inspire and encourage the work of the Membership Committee, and we look forward to continuing to host events in 2019 to strengthen these relationships and support networks.

CULTURAL DIVERSITY

NAOMI HICKEY-HUMBLE
& ANIKA BASET

ROLE

To promote cultural diversity within the legal profession and undertake projects that disseminate legal information to women from culturally and linguistically diverse (CALD) backgrounds.

2018 ACHIEVEMENTS

In April, the Committee ran the Facing the Double Ceiling event, a panel discussion exploring the barriers facing diverse women the workplace. The panel presented to a full house and the event was a huge success. The Committee also published a column in the Law Institute Journal on the issue.

The Committee has been working hard to lay the groundwork for a number of exciting events and projects for 2019, including a panel discussion on the issue of Modern

Slavery in early 2019. The Committee published a piece in the Law Institute Journal on the issue in October 2018. The Committee is also working with the Diverse Women's Mentoring Association and the City of Melbourne to launch projects in 2019.

SPECIAL MENTIONS

We would like to thank our guest speakers at our Facing the Double Ceiling event and Corrs Chambers Westgarth for generously hosting the event. We also farewell our Co-Chair, Anika Baset, and thank her for her work this year. Our thanks go to all our Committee members for their contributions and enthusiasm throughout 2018.

REFLECTION

We look forward to continuing to promote cultural diversity in the legal profession and increase access to justice for CALD women with some exciting events and projects planned for 2019.



Image: Marie Mansfield, *Ms. Jane Caro* (Walkley Award Winning Columnist, Novelist, Social Commentator and Documentary Maker) (SH Ervin Gallery)

WORK PRACTICES

PRIYA WAKHLU & CLAIRE
DE KOEYER

ROLE

To examine the impact of work practices on women lawyers – with a particular focus on flexibility, discrimination in the work place, pay equity, parental leave policies, part time work, and the career progression of female lawyers, including into leadership positions.

2018 ACHIEVEMENTS

This year the Committee launched the inaugural Professional Mentoring Program. Building on the success of the VWL Student Mentoring Program, the Professional Mentoring Program paired 35 established members of the profession with junior practising female solicitors. We consider that mentoring is extremely valuable to young lawyers as they progress through the early stages of their career. Both female and male mentors participated in the Practitioner Mentoring Program, as we believe that both women and men play a crucial role in the advancement of women in our profession.

We look forward to the launch of a parental leave guide, as produced by the Committee in the coming months.

SPECIAL MENTIONS

To Ruby Anandajayasekeram for her wisdom, guidance and endless energy, and to the rest of the Committee members, for their ongoing effort and enthusiasm.

REFLECTION

There is no doubt that women continue to face challenges that arise from the structure of the legal profession. Our Committee confronts and embraces these challenges by seeking to address and improve the obstacles faced by women. Through the Committee we see trailblazers – passionate, active and strong – women who are making a difference.



Image: Tianli Zu, *M* (Monika Tu, Business Executive, Philanthropist) (SH Ervin Gallery)

ABOUT VICTORIAN WOMEN LAWYERS

VWL'S OBJECTIVES ARE TO:

- Remove barriers and increase opportunities for participation by, and advancement of, women in the legal profession in Victoria by:
 - providing a common meeting ground for women lawyers
 - fostering the continuing education and development of women lawyers in all matters of legal interest
 - encouraging and providing for the entry and retention and advancement of women in the legal profession
 - participating as a body in matters of interest to the legal profession
 - advancing equality for women in the legal profession
 - creating and enhancing awareness of women's contribution to the practice and development of the law
 - providing a professional and social network for women lawyers
- Promote the understanding and support of women's legal and human rights by:
 - identifying, highlighting and eradicating discrimination against women in law and in the legal system
 - achieving justice and equality for all women.



Image: Sally Ross, *Zara* (Zara Siggelkow, Curator and Writer)
(SH Ervin Gallery)

GET INVOLVED!

JOIN A COMMITTEE

PLAN OR HOST AN EVENT

BECOME A MENTOR OR MENTEE

COMPETE IN OR JUDGE A MOOT

CONTRIBUTE TO NEXT YEAR'S PORTIA

If you would like to get involved in these, or any other ways, please email vwl@vwl.asn.au

Disclaimer

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GPO Box 2314 or DX350
Melbourne VIC 3001

Ph: +61 3 9607 9390
Fax: +61 3 9607 9558

Email: vwl@vwl.asn.au
Website: www.vwl.asn.au