

PORTIA 2017



The annual journal and report of Victorian Women Lawyers

ABOUT THIS EDITION OF *PORTIA*

2017 WAS AN IMPORTANT YEAR FOR WOMEN LAWYERS. IT WAS A YEAR TO TAKE STOCK AND CELEBRATE OUR ACHIEVEMENTS. IT WAS A YEAR TO RECOGNISE HOW FAR WE HAVE COME, AND TO LOOK FORWARD TO OUR CONTINUED PROGRESSION AND FUTURE SUCCESSES.

This year saw prominent judicial positions filled by women, symbolising the recognition and progress of women in the legal profession. The Honourable Susan Kiefel AC commenced as the first female Chief Justice of the High Court of Australia in January, and the Honourable Anne Ferguson commenced as the second female Chief Justice of the Supreme Court of Victoria in October.

It was also a year of reflection, with the retirement of the Chief Justice of the Family Court of Australia, the Honourable Diana Bryant AO QC, and the retirement of the Honourable Marilyn Warren AC, the first female Chief Justice of the Supreme Court of Victoria and VWL's Patron.

It will not be surprising to readers that we have taken the opportunity in this edition of *Portia* to celebrate the incredible career of the Honourable Marilyn Warren AC upon her retirement. Her Honour generated the transformation and womanisation of the Supreme Court of Victoria, and remains a powerful source of inspiration for women in the law.

Reflecting on her Honour's career, we identified that one of the key drivers of her success was her enthusiasm to be a pioneer. With this in mind, we have selected 'championing change' as this year's theme for *Portia*. In choosing this theme, we hoped to highlight how new ways of thinking and fresh experiences consolidate our successes thus far and generate further change in our profession. This theme also draws upon one of VWL's key objectives: to create and enhance awareness of women's contributions to the practice and development of the law.

In this edition you will find an interview with the Honourable Justice Maxwell AC, President of the Court of Appeal of Victoria. President Maxwell is passionate about gender equality in the legal profession and, as a male champion of change, his Honour's perspective and support is invaluable. You will also find features that discuss the interplay between the law and issues affecting women. These include gender equality in the legal sector, the gender pay gap (and its impacts on superannuation), and the proliferation of image-based abuse.

This edition further contains information and handy tips on working overseas, as well as comments from our sponsors on key initiatives designed to champion change for women in the legal profession. We have also included interviews with numerous Victorian women lawyers, who each discuss their unique experiences of the law and their perspectives on the ways in which women lawyers can be champions of change.

Cover image: *Official portrait of the Honourable Marilyn Warren AC, Former Chief Justice of the Supreme Court of Victoria*, painted by Vincent Fantauzzo (Law Library of Victoria). Image courtesy of the Supreme Court of Victoria and the Law Library of Victoria.



Image (above): Kyra Henley, *Aimee & Kit* (Aimee Cullen, designer)
(SH Ervin Gallery)

Finally, we are delighted to publish works of portraiture submitted by women artists as entries to the 2017 Portia Geach Memorial Award. The winning piece, *Portrait of Pat Brassington* by artist Amanda Davies, is featured on page 4. The annual award exhibition is held at the SH Ervin Gallery, Sydney, and you can read about the history the award in this issue.

We hope you enjoy this edition of *Portia*! ■

Editors

Isabella Kelly, Associate, Allens

Hilary Taylor, Legal Adviser, Bupa

Editorial Team

Jessica Awad, Georgia Dobbin, Cara Friedman, Catherine Gloutnay, Alexandra Hodsman, Katherine Gough, Amanda May and Stephanie Pasharis.

Copyright in each artwork appearing in this journal is owned by the relevant artist.

Footnotes available upon request.



PORTIA 2017

Championing change in the legal profession

MESSAGES	2	EVENTS	5
From the Convenor	2	FEATURES	21
From our Patron	3	LAW ARTS	49
About the Portia Geach Art Award	4	COMMITTEES	55

MESSAGE FROM THE CONVENOR

BIANCA QUAN

IT HAS BEEN AN HONOUR AND A PRIVILEGE TO BE CONVENOR OF VICTORIAN WOMEN LAWYERS IN 2017. IT HAS BEEN ANOTHER BUSY YEAR FOR VWL, AS WE DELIVERED OVER 30 EVENTS AND PROJECTS FOCUSED ON ADVANCING WOMEN IN THE LAW AND IN THE LEGAL SYSTEM.

Reaching record membership of 1006, VWL has continued to focus on diversity, participation and advocacy, to ensure that VWL is inclusive and representative of women from a broad range of backgrounds and interests.

This year, our events have addressed numerous topics including career progression, the effect of new law models on women lawyers, pregnancy and returning to work, negotiating flexible work arrangements, promotion of cultural diversity in the legal profession, homelessness, integrity in the public service, and the effect of incarceration on women. VWL has continued to expand its reach beyond metropolitan Melbourne; holding events in regional and suburban centres including Geelong, Ballarat and Ringwood.

Highlights of our 2017 calendar included the annual Dame Roma Mitchell Memorial Lunch, where we were joined by the engaging Tasneem Chopra, who spoke about the importance of diversity in leadership. Celeste Liddle continued the discussion about diversity at this year's Lesbia Harford Oration, where she talked about diversity for women and the interplay with gender equality, with an emphasis on the point of view of an Aboriginal woman.

VWL has continued to advocate for women's legal and human rights, making submissions in relation to several proposed areas of law reform, including the proposed *Fairer Paid Parental Leave Bill 2016*, the parliamentary inquiry into a better family law system to support and protect those affected by family violence, the Victorian Bail Review, and on homelessness in the City of Melbourne.

This year we celebrated the 10th year of our mentoring program. Over the last 10 years, we have matched over 1300 mentoring pairs. VWL extends its thanks to the program's co-patrons, the Honourable Marcia Neave AO and the Honourable Justice Zammit.



REACHING RECORD MEMBERSHIP OF 1006, VWL HAS CONTINUED TO FOCUS ON DIVERSITY, PARTICIPATION AND ADVOCACY, TO ENSURE THAT VWL IS INCLUSIVE AND REPRESENTATIVE OF WOMEN FROM A BROAD RANGE OF BACKGROUNDS AND INTERESTS.

In 2017, we have also farewelled our patron, the Honourable Chief Justice Marilyn Warren AC, who retired from the Victorian Supreme Court after 14 years serving as Victoria's most senior judicial officer. This edition of *Portia* features speeches given by the Honourable Justice Tate and Jennifer Batrouney QC, and remarks by the Chief Justice at our recent event held to celebrate the Chief Justice's exceptional career and the important work she has done in advancing women in the legal profession. VWL thanks the Chief Justice for her generous support of our organisation and all our initiatives, and is proud to continue the Warren Moot in her honour, now in its third year.

For their ongoing and generous support, I would like to thank our 2017 sponsors: Allens, Ashurst, Clayton Utz, Corrs Chambers Westgarth, K&L Gates, King & Wood Mallesons, Law Institute of Victoria, Maddocks, Maurice Blackburn, MinterEllison,

Wotton+Kearney, Justitia, Nicholes Family Lawyers, Law in Order and Sigma Executive. We also thank the firms who have sponsored VWL events in 2017.

I would like to extend my personal thanks to the Executive Committee for their invaluable support and contribution throughout the year: Michelle Berry, Natalie Plumridge, Elizabeth Cooper, Charley Brumby-Rendell, Jackie Gillies, Caroline Jones, Stephanie Milione, Elena Tsalanidis and Sunita Warrior. Thanks also goes to our administrator, Judy Nutter, for all her hard work and assistance.

I would also like to thank all Committee co-chairs for their passion, dedication and hard work, without which VWL would not be able to bring such a diverse range of events, publications and projects to our members.

I hope you enjoy this edition of *Portia*, and I look forward to seeing you at one of our events next year. ■

MESSAGE FROM OUR PATRON

THE HONOURABLE CHIEF JUSTICE MARILYN WARREN AC

INCREASINGLY OVER THE PAST MONTHS, WEEKS, AND DAYS, I HAVE HAD TO REFLECT – PUBLICLY AND PRIVATELY – UPON MY CAREER IN THE LAW, AND MOST PARTICULARLY AS CHIEF JUSTICE OF THE SUPREME COURT OF VICTORIA.

While my retirement as Chief Justice by no means marks the end of my legal career, it is nonetheless an important institutional change and one I felt was required. Fresh leadership brings innovation and dynamism, and I am sure my sister judge, the Honourable Justice Anne Ferguson, will bring those qualities and more in abundance. Importantly, her Honour will be another, visible woman in a leadership position – *the* leadership position – in our profession in Victoria.

I have overseen the admission of over 17,000 new Australian lawyers as officers of the Supreme Court of Victoria. Over recent years, women have consistently made up two thirds of new lawyers. I have noticed that despite this, there is still a great need to increase the visibility of women in our profession. Institutions such as VWL – of which I am so proud to be patron – do just that.

With every edition of *Portia*, I am delighted to see collected the numerous achievements of so many women in the law. Not only are achievements displayed, but the efforts of women to assist their colleagues – through mentorship programs, CPD sessions, and networking – are impressive and to your credit.



THERE IS STILL A GREAT NEED TO INCREASE THE VISIBILITY OF WOMEN IN OUR PROFESSION. INSTITUTIONS SUCH AS VWL – OF WHICH I AM SO PROUD TO BE PATRON – DO JUST THAT.

I take this opportunity to praise and give credit to VWL's achievements, because acknowledging success is so very important. Over the past few weeks, I have been honoured to be the subject of a number of speeches. After over 40 years in the profession, I still have trouble accepting praise and commendation. I hear stories from my own life as if they happened to someone else. It has been called 'the imposter syndrome', and it affects so many of us.

In light of this, I thought it appropriate to give thanks and recognise the achievements of VWL, its members, committees, and all who have contributed to it. Do not shrink from your success, but embrace it. I look forward to seeing many more achievements, milestones, and 'firsts' in future editions of this wonderful publication. ■

Image courtesy of the Supreme Court of Victoria

ABOUT THE PORTIA GEACH ART AWARD

IN THIS EDITION WE ARE DELIGHTED TO REPRODUCE WORKS OF PORTRAITURE SUBMITTED BY WOMEN ARTISTS AS ENTRIES FOR THE 2017 PORTIA GEACH MEMORIAL AWARD.

The annual award exhibition is held at the SH Ervin Gallery, situated in The Rocks, Sydney. The award was first given in 1965 in memory of the artist Portia Swanston Geach (1873 – 1959).

Portia was born in Melbourne where she studied design and painting. In 1896 she won a scholarship to the schools of the Royal Academy of Arts in London and later exhibited in England, Paris and New York, before moving to Sydney with her family in 1904. Portia was especially talented at portraiture as well as painting Sydney Harbour and Victorian rural scenes.

Portia is remembered as a feminist who founded and was president of the New South Wales Housewives' Association (later named the Housewives' Progressive Association). The Association initially aimed to educate women in the principles of proper nutrition and to combat rising food prices. It soon broadened its interests, lobbying on issues affecting women generally. Portia believed in equal pay for men and women and the right of women to hold public office. She also highlighted the difficulties faced by women artists in seeking to exhibit their work.

The Portia Geach Memorial Award was established by the will of the late Florence Geach in memory of her sister. The award of \$30,000 is awarded to the entry which is of the highest artistic merit – 'for the best portrait 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 close date for entries.'

The winner of this year's award is artist Amanda Davies for her portrait of renowned contemporary photographer Pat Brassington.



Image: Amanda Davies, *Portrait of Pat Brassington* (artist) (SH Ervin Gallery)

Amanda Davies' description of her winning painting reads:

Pat Brassington was born in Hobart and is one of Australia's leading photo media artists. Influenced by surrealism, feminism and fetishism, Pat has exhibited extensively nationally and internationally. Awarded the inaugural Don Macfarlane Prize in 2017 in honour of her life and artistic ambitions her work can be seen in the exhibition *Pat Brassington: The Body Electric* at the Art Gallery of New South Wales until 11 February 2018. Wedding dresses are a recurring motif in her work such as *Drink Me* (1997) and *Akimbo* (1999). Years ago I photographed Pat in her wedding dress, for a painting that was never made. Revisiting that theme in this painting Pat is wearing a wedding dress inside out with bra cups and seams exposed.

There is a pink smear around her mouth becoming a point of leakage where the inside is outed, where identity starts to wobble, becoming unstable, oscillating – as I attempt to reveal shifting emotional states in my sitter. Pat and I share a love for female country and folk singers, beautiful voices and crushing dark lyrics. Gillian Welch in Miss Ohio sings: "An' mama starts pushing that wedding gown, Yeah you want to do right but not right now".

We would like to thank the SH Ervin Gallery, Amanda and the finalists whose pieces appear in the pages of this year's *Portia* for kindly allowing us to reproduce their works. ■



EVENTS

Dame Roma Mitchell Memorial Luncheon: Oration by Tasneem Chopra	6	Inspiring Your Career Your Way	14
Testing Justice: Why Diverse Leaders Balance the Scales	7	The Changing Face of Law	15
Promoting Cultural Diversity in the Legal Profession	9	Speed Networking	15
Future Public Sector Leaders	9	Homelessness and the Law	15
Ballarat Networking Event	10	VWL and WBA Farewell Celebration for the Honourable Justice Marilyn Warren AC, Chief Justice of Victoria	16
Law Student Mentoring Program Launch	10	Career Development and Leadership in Regional Victoria	17
Members and Guests' Evening	11	Past Reform and Areas of Change for Women and the LGBTI Community	17
Negotiating Salaries and Flexible Working Arrangements	11	Mental Health for Law Students and Lawyers	18
Women in New Law	12	Coming to the Bar	18
Prison Songs Screening and Discussion	12	Culturally Sensitive Legal Advice	19
Pregnancy and Returning to Work in the Law	13	Women in Prison	19
Launch Yourself: Personal Branding for Career Success	13	Lesbia Harford Oration	20
Integrity in the Public Sector: Reflections on Anti-Corruption Initiatives, Gender and Power	14	The Warren Moot	20

DAME ROMA MITCHELL MEMORIAL LUNCHEON

Oration by Tasneem Chopra

10 MARCH 2017



VWL AND THE LAW INSTITUTE OF VICTORIA PAID TRIBUTE TO DAME ROMA MITCHELL AND HER INSPIRATIONAL ACHIEVEMENTS AT THE DAME ROMA MITCHELL MEMORIAL LUNCH.

This annual event celebrates the life of Dame Roma – first woman Queen’s Counsel, judge, Australian university chancellor and State Governor – and highlights the many accomplishments of women in Australia. It traditionally features a speaker with a reputation for breaking down barriers and rising to both personal and professional challenges. This year those in attendance were privileged to hear from keynote speaker, Tasneem Chopra, curator, cross-cultural consultant, author and prominent activist.

Tasneem studied psychology and international development, and has spent two decades pursuing social change. As an Australian Muslim of Indian-Kenyan heritage, she has put much of her energy into conquering stereotypes, particularly as these affect minorities.

The Age named her as one of Melbourne’s most influential ‘Movers and Shakers’ of 2008, while in 2009 *The Australian* listed her as one of ‘100 Emerging Leaders’. Tasneem sits on various boards, including serving as chairperson to the Australian Muslim Women’s Centre for Human Rights. She frequently addresses issues of identity politics, diversity, gender and leadership.

Tasneem spoke on the issue of diversity and inclusion in women’s leadership. She drew on her experiences growing up in a regional town and how they highlighted the issues we face more broadly in Australian society. Tasneem also spoke about acknowledging how discrimination against culturally and linguistically diverse women intersects with and amplifies gender-based discrimination. She emphasised that diversity needs to be embraced so that all women have the chance at success and leadership in the workplace. Tasneem urged all women lawyers to embrace diversity in all its gendered and cultural breadth, to mentor and sponsor culturally and linguistically diverse women, and to be a part of pushing for change. A summary of her oration is published on pages 7-8.

Image: Tasneem Chopra

Photography courtesy of the LIV

TESTING JUSTICE: WHY DIVERSE LEADERS BALANCE THE SCALES

TASNEEM CHOPRA

SPEAKING ON THE ISSUE OF DIVERSITY AND INCLUSION IN WOMEN'S LEADERSHIP AND REFLECTING ON THE CURRENT PUSH IN THE LEGAL PROFESSION FOR GREATER DIVERSITY IN TERMS OF GENDER AND CULTURAL AND LINGUISTICALLY DIVERSE (CALD) WOMEN'S EXPERIENCES.

When addressing diversity and women in leadership, the truth is that the breadth and resolution of this topic exceeds the scope of any presentation, if not administered in tandem with organisational will and vision.

A recent survey by SBS and Western Sydney University uncovered that 80% of 6000 respondents who were largely representative of the Australian population agreed Australia has a racism problem. Up to 30% of respondents experienced discrimination in employment and for those who speak a language other than English it was 54%.

In Victoria, almost one in two is either born overseas or has a parent who is. Diversity is very much a part of the fabric of this country, and how we respond to this is a reflection of the fabric of this nation's integrity. In particular, holding a space for voices of CALD women as well as those from disadvantaged backgrounds, matters. Diversity is inclusion – the onus is on all of us with positions and privilege to open spaces for others in order to progress leaders that represent the Australia we live in in 2017.

There is a necessity for diversity to represent not simply a bottom line presence, but an across the board presence. Piece meal recognition only undermines meaningful will to affect social change.

In 2016, the Australian Human Rights Commission commissioned the *Leading for Change: A Blueprint for Cultural Diversity and Inclusive Leadership* report. This stated to generate lasting change, cultural diversity needs to be embedded in an organisation's goals, strategy and performance. A strong case exists for including realistic and achievable targets as part of diversity and inclusion policies.

However, there is still limited scope for diversity to be incorporated into mainstream conversation planning because systems, and people who govern those systems, just aren't ready to be that inclusive, particularly when their understanding of the other – when our dimensions deviate from the norm – locate as an exceptional, curious entity.

That might not be a popular view, but that's the point I get to make as a client, consumer and advocate – to challenge comfortable conventions. It is important to acknowledge the complexities of privilege and oppression and how they play out in our worlds.

In reflecting on the feminism I've learned, observed and felt, my experiences are rich with anecdotes of CALD heroes – or sheroes – such as Yasmin Abdel Magied, Mariam Veiszadeh and Randa Abdel Fattah. The voices of CALD women matter so much in this space because they become the living examples in which we see ourselves reflected, hailing from shared realities of the minority experience.

Today, among the many hats, or turbans, I wear – which include author, curator, and cross-cultural consultant – I discuss racism, identity and belonging. The requirement to speak authentically is crucial. I believe in challenging assumptions people have with actual engagement. To be clear, I do not seek confrontation but I will not tolerate intolerance. It's not as if I can check in three of my labels at the door and only bring the rest to the table. I'm coloured, female, Muslim, and have a head covering. These dimensions are not something I should be required to assist others to negotiate due to their discomfort.

It is precisely for this reason that when I attended a recent statewide consultation on 'breaking the ceiling', featuring prominent lawyers lamenting the struggles of gender equity in the corporate sector, I became annoyed. 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.'



Images (left to right): (top) Tasneem Chopra

(middle) Guests

(bottom) the Honourable Judge Cohen, the Honourable Chief Justice Bryant AO

Photography courtesy of the LIV

That appalling response echoed the very tones of 'Patriarchy 101' that feminists have argued against all along – 'to sit back down and wait til you're called'. I wondered, 'how's that rule working out for gender equity in senior management, over the last 40 years?'. In truth, CALD women have long coveted a seat at the table, which mainstream folk expect them only to set, and in many cases, prepare food for.

It would be naïve to examine incidents of singling out CALD women as targets of discrimination in isolation from a broader context of political manoeuvres that work to patrol and control women generally. Women comprise just over half the world's population, yet undertake two-thirds of the world's labour, and only own 1% of global wealth. Gender equality and women's empowerment are central to achieving the Millennium Development Goals, yet, globally girls account for the majority of children not attending school.

Despite greater parliamentary participation, women are still outnumbered four-to-one in legislatures around the world. And of course, here in Australia we know that violence against women has reached record highs with one woman a week being killed by her partner or known acquaintance. Further, we have the reduction of to community and welfare services, public housing, affordable housing, child care and other areas that impact the wellbeing of women in our society, too often forced to undertake twice the load with half the support, less pay and almost none of the recognition.

The theme of International Women's Day this year is 'Be Bold For Change'. So let's do this. I've long passed the point of niceties and have earned my right to call out the casual misogyny, patriarchy and bigotry I see. It is one thing to land clients with same language/culture employees and colleagues to facilitate progress, but this move becomes tokenised when said worker becomes the ethnic worker whose entire capacity is defined within the breadth of their cultural make up.

I am more than a headscarf, as much as any bilingual lawyer is more than their language set. Cultural parameters do not preclude us from overall success and leadership. Research indicates a greater skill set can only enhance an organisation's capability.



Embracing diversity in all its gendered and cultural breadth is not just about kicking goals, repping the sisterhood, destroying the joint, or shattering glass ceilings (which are doubled glazed when you're a CALD woman). It is to be done because it's the decent thing to do.

Platforms in the workplace, and who gets them, speak volumes about how people progress, just as who writes history speaks volumes about what we learn. Who speaks for women speaks volumes about how they're heard.

So too, who speaks for me, should be me, except my volume is muted in a system bent on managing my sound and appearance because I don't fit the status quo.

Sadly for the system, I'm not about to sit down and wait until I'm called. ■

Images (left to right): (top) Stephanie Milione, Belinda Wilson, Tasneem Chopra, the Honourable Chief Justice Warren

(bottom) Belinda Wilson, the Honourable Chief Justice Warren, Fiona McLeod SC

Photography courtesy of the LIV

PROMOTING CULTURAL DIVERSITY IN THE LEGAL PROFESSION

15 MARCH 2017

ONE WEEK BEFORE THE ANNUAL AUSTRALIAN HARMONY DAY AND THE VICTORIAN CULTURAL DIVERSITY WEEK, VWL'S CULTURAL DIVERSITY COMMITTEE HOSTED ITS FIRST EVENT OF THE YEAR AT MAURICE BLACKBURN LAWYERS – A PANEL DISCUSSION ON THE ISSUE OF CULTURAL DIVERSITY IN THE LEGAL PROFESSION.

Attendees heard from four distinguished panellists from different sectors of the legal profession. The Honourable Associate Justice Ierodiconou of the Supreme Court provided valuable insight into unconscious biases and encouraged everyone to not be a bystander when witnessing prejudice in the workplace. The Honourable Magistrate Masood shared her experiences being the first Muslim magistrate in Victoria, and highlighted the importance of using humour as an effective tool of communication.

Raymond Tang, Partner at Johnson Winter & Slattery, as the inaugural President of the Asian Australian Lawyers Association (AALA), discussed the key findings in the AALA's 2015 report on cultural diversity within the legal profession (which is the first research project of its kind in Australia), and addressed the gap on Asian Australian representation in the legal profession. Shobana Richmond, Group Manager at Taylor Root, provided insightful information on the existing diversity policies and practices in Australian firms.

Cultural diversity is a complex issue on various levels, and being genuinely culturally diverse is about enabling everyone to be who they are, regardless of their cultural or racial backgrounds. Although achieving cultural diversity in the legal profession will not be easy, discussions like this will draw more attention to this important subject and will encourage the legal profession to be more proactive in tackling the issue.



Image (left to right): Magistrate Masood, Honourable Associate Justice Ierodiconou, Steve Walsh, Elva Zhang, Biya Sun, Raymond Tang

Photography by Wilari Tedjosiswoyo

FUTURE PUBLIC SECTOR LEADERS

23 MARCH 2017

VWL'S WOMEN IN GOVERNMENT COMMITTEE, TOGETHER WITH GREENS LIST, HOSTED A PANEL DISCUSSION ON THE LEADERSHIP OPPORTUNITIES AVAILABLE TO LEGALLY QUALIFIED WOMEN WORKING IN THE PUBLIC SECTOR.

Over 100 people, from both the public service and private sector, had the opportunity to hear from three inspiring panel members: Marlo Baragwanath, the Victorian Government Solicitor; Joanne Smith, Examiner at the Office of the Chief Examiner; and Helen Fatouros, Executive Director, Criminal Law Services, Victorian Legal Aid. Anna Robertson, barrister, moderated the discussion.

Each spoke about their unique career paths and gave the audience advice on how they could work towards leadership positions in their chosen field. The panel provided a refreshing take on what leadership and senior management positions look like in the public sector, particularly when combining these roles with a technical legal speciality. They also gave the audience great insights into how and when to make that next move in your career – whether it is from a VPS to executive level, a technical specialist to management, becoming a barrister or any other advancement.



Image (left to right): Marlo Baragwanath, Joanne Smith, Helen Fatouros, Anna Robertson

Photography by Jam on Your Collar

BALLARAT NETWORKING EVENT

30 MARCH 2017

VWL'S MEMBERSHIP COMMITTEE HOSTED ITS FIRST REGIONAL NETWORKING EVENT AT BALLARAT'S GOLDEN CITY HOTEL (OR GEECEES, AS THE LOCALS KNOW IT).

After connecting with various firms in Ballarat ranging in size and legal specialty, the committee facilitated the meeting of a great mix of practitioners, paralegals and law students. With the help of free drinks, tasty nibbles and a great setting, attendees made new connections and caught up with old friends.

Law students appreciated the opportunity to meet and gain insights from women in the profession, while others enjoyed meeting fellow professionals from a range of different areas of practice. Despite the attendees' diverse backgrounds, levels of experience and aspirations, the message of 'helping women in law through law' rang true and reminded us all of the benefits of supporting each other to achieve successful and rewarding legal careers.

A time-lapse film of the night is available for viewing on the VWL Facebook page.



Image: Guests

Photography by Chip Shots Photography

LAW STUDENT MENTORING PROGRAM LAUNCH

3 MAY 2017

IN 2017, VWL AND THE WBA RAN ITS LAW STUDENT MENTORING PROGRAM FOR THE TENTH CONSECUTIVE YEAR.

Over 150 female law students were matched with legal practitioners based on their shared interests in the law. A total of 1,293 mentee and mentor pairs have been now been matched since the Program's inception in 2008.

VWL launched this year's Program at the offices of sponsor firm, 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 Executive Committee member, Caroline Jones.

Their Honours have both served on the Supreme Court bench during the tenure of Chief Justice Marilyn Warren AC, who retired this year.

Their Honours were glowing in their appraisal of Chief Justice Warren, saying that it had been a privilege to work under the guidance of such a progressive and empathetic woman.

Their Honours candidly shared advice and anecdotes on a wide range of other topics, including their own mentoring experiences. The Honourable Justice Zammit advised that clear communication and an openness to learn from each other is crucial to a successful mentoring relationship. The Honourable Neave AO encouraged students to be proactive in dealing with their mentors, to make the most of the opportunity and to accommodate the busy lives of practitioners.

In their parting advice to law students, their Honours said that persistence and refining niche skills will assist their job search in today's tough legal market. Their Honours implored students and practitioners alike to stay connected to social justice issues, and to recognise that our legal training enables us to effect positive change in the lives of disadvantaged groups.



Image (left to right): Bianca Quan, the Honourable Neave AO, the Honourable Justice Zammit, Caroline Jones

Photography by Dan Soderstrom

MEMBERS AND GUESTS' EVENING

17 MAY 2017

WITH AN UNPRECEDENTED ATTENDANCE AT THE ANNUAL MEMBERS AND GUESTS' EVENING, IT WAS A FANTASTIC TURNOUT FROM BOTH WOMEN LAWYERS AND LAW STUDENTS.

Guest speaker Darcy Vescio, marquee player for Carlton Football Club in the inaugural season of the AFL Women's Competition, provided an entertaining insight into her experiences as a teenage girl wanting to play football with the boys. Darcy spoke about the opportunities that being an elite athlete has given her, including her role as an AFL Multicultural Ambassador. It was exciting to hear about the new era of professional women's football and of the great role models, such as Darcy, who are rising to prominence.



A membership table allowed guests to enquire about VWL membership and sign up for the year.

Many thanks to the event sponsor Taylor Root and the generous prize donors for their ongoing support.



Image (from left to right): (left) Guests (right) Darcy Vesico, Ella van der Schans

Photography by Oneshot Media

NEGOTIATING SALARIES AND FLEXIBLE WORKING ARRANGEMENTS

18 MAY 2017

LOCAL LAWYERS AND STUDENTS ATTENDED THE EMPIRE GRILL FOR VWL'S FIRST GEELONG EVENT FOR THE YEAR.

In response to feedback provided from previous Geelong-based events, this event focused on negotiating salaries and flexible working arrangements. The night featured a panel discussion by Alicia Carroll, Senior Lawyer at Coulter Roache; Stephanie Beard, Human Resources Manager at Harwood Andrews; and Stefan Manche, Senior Associate at Russel Kennedy.

Attendees were given the opportunity to address the panel directly, facilitating an open discussion on some of the challenges that practitioners in the local area face in relation to salaries and requesting flexible working arrangements. The panellists provided useful advice to the attendees, reflecting on their own personal experiences in managing family and work and transitioning from full-time to part-time employment. They gave practical tips on how to approach the difficult conversation with an employer of asking for better pay and flexible working conditions.



Image: Guests

Photography by Jake Hogan Photography

WOMEN IN NEW LAW

29 MAY 2017

VWL'S WORK PRACTICES COMMITTEE, IN CONJUNCTION WITH SPONSOR WOTTON+KEARNEY, HOSTED A LUNCHTIME PANEL DISCUSSION ON NEW LAW FIRM MODELS AND THE OPPORTUNITIES THEY PRESENT TO WOMEN LAWYERS.

Corinne Grant, trainee lawyer at Maurice Blackburn, facilitated the discussion between Melissa Lyon of Hive Legal, Laura Vickers of Nest, Meda Royall of Your Law Firm and Heidi Nash-Smith of Wotton+Kearney.

The legal industry is currently undergoing a period of significant change and new law firms are emerging to meet the changing needs of clients. The panel members explained what made their practice 'new' and why they have made the switch from more traditional models of law practice. New law firms typically set themselves apart from traditional law firms by using new or disruptive technologies, encouraging flexible working arrangements and offering



alternative pricing structures to clients. They discussed the benefits of new law structures, how they use technology, and explained how new law principles could be adopted at traditional firms.

The session ended with wise advice to lawyers wanting to venture into new law: learn to write in plain English and learn to code.



Image (left to right): (left) Corinne Grant, Heidi Nash-Smith

(right) Corinne Grant, Heidi Nash-Smith, Melissa Lyon, Laura Vickers, Meda Royall

Photography by XV Photography

PRISON SONGS SCREENING AND DISCUSSION

31 MAY 2017

VWL'S JUSTICE COMMITTEE HELD A SCREENING OF THE MUSICAL DOCUMENTARY *PRISON SONGS* AT CORNWALL STODART DURING NATIONAL RECONCILIATION WEEK.

Prison Songs provides viewers a snapshot of life for prisoners in Berrimah Prison in Darwin, Northern Territory. Terrie Stewart, the Koori Court Coordinator for the County Court of Victoria, and Naomi Murphy, a Client Services Officer for the Victorian Aboriginal Legal Service, led a panel discussion following the screening.

The film and panel discussion were the first in a series of events to highlight the need for national attention to recognise the increasing population of Australian women in prison and the challenges they face in and out of the justice system.

The panel members and attendees engaged in a contemplative discussion that focused on issues largely specific to Victorian Aboriginal women and how these issues interplay with increased involvement with the justice system and risk of incarceration.

Proceeds from ticket sales were donated to Sisters Inside Fund for the Children, which operates play groups, transport, and programs for children whose mothers are in prison, including specific programs for Indigenous children.



Image (left to right): Naomi Murphy, Terrie Stewart, Marquita Nolan, Jessica Dawson-Field

Photography by VWL

PREGNANCY AND RETURNING TO WORK IN THE LAW

27 JUNE 2017

VWL'S LAW REFORM COMMITTEE, IN PARTNERSHIP WITH MAURICE BLACKBURN LAWYERS, HOSTED A SEMINAR FOCUSED ON PREGNANCY AND RETURNING TO WORK IN THE LEGAL PROFESSION.

This practical session sought to equip attendees with information about their rights and obligations to assist them to navigate the impact that pregnancy and parental leave can have on their employment. Attendees heard from three experienced employment lawyers about entitlements, common workplace problems and different tips and tools that can be used through the different stages of pregnancy and returning to work. Dividing the seminar into trimesters, the presenters were engaging and informative.

Emily Lupo covered the 'first trimester': pregnancy – when to tell, when to leave, and entitlements. Emily recommended open discussions with managers about scheduling medical appointments and when to commence parental leave, reminding us that there is an obligation for employers to make reasonable adjustments for the effects

of pregnancy, such as morning sickness. She also reminded attendees to plan ahead in terms of notifying the Legal Services Board and Law Institute of Victoria about parental leave, planning a CPD schedule and discussing renewal of practicing certificates. Importantly, attendees were strongly encouraged to arrange performance and pay reviews before they commenced their leave. Parental leave remains a major contributor to the gender pay gap.

Jessica Dawson-Field covered the 'second trimester': parental leave. She took the attendees through specific rules for extended parental leave, special unpaid maternity leave, keeping-in-touch entitlements, leave accrual, redundancy and requests for flexible work arrangements.

Emma Starkey finished the session with the 'third trimester': returning to work. Noting that she prefers the term 'employed parent' over 'working mum', Emma covered flexible work arrangements, breastfeeding at work, how to build a return to work plan and discuss expectations around billable hours,



rebuilding your practice and workflow and client management. She said that, if you feel you are being discriminated against, write it down, reflect and consider your options, including obtaining advice.

Image (left to right): Jessica Dawson-Field, Emily Lupo, Emma Starkey

Photography by VWL

LAUNCH YOURSELF: PERSONAL BRANDING FOR CAREER SUCCESS

6 JULY 2017

OVER 100 GUESTS GATHERED AT KING & WOOD MALLESONS TO HEAR FROM A PANEL OF LEADERS IN LAW AND BUSINESS ON THE TOPIC OF PERSONAL BRANDING FOR CAREER ADVANCEMENT.

Networking Committee member, Elizabeth Guarino, facilitated a free-flowing and spontaneous panel discussion. Guests received honest and practical advice on elevating their personal brand from lawyers Louise England and Daniel Myers, social entrepreneur Sheree Rubinstein and personal branding specialist Melissa Lewis.

The panellists encouraged guests to find their passion, focus on their point of difference, and step outside their comfort zones. They discussed how having a clearly defined personal brand can help lawyers stand out in a crowded legal market.

Thank you to our event sponsor King & Wood Mallesons for their assistance and support in organising this event.

Image (left to right): Sheree Rubinstein, Melissa Lewis, Deborah Kliger, Daniel Myers, Louise England, Elizabeth Guarino, Bianca Quan, Ella van der Schans

Photography by Miller Roberts



INTEGRITY IN THE PUBLIC SECTOR: REFLECTIONS ON ANTI-CORRUPTION INITIATIVES, GENDER, AND POWER

18 JULY 2017

VWL'S WOMEN IN GOVERNMENT COMMITTEE, TOGETHER WITH RUSSELL KENNEDY LAWYERS, HOSTED A PANEL DISCUSSION ON INTEGRITY IN THE PUBLIC SECTOR.

Corruption in government damages the efficiency and effectiveness of the public sector, and undermines public confidence in government. Studies also show that willingness to speak out about corrupt conduct, are influenced by factors such as organisational power structures, gender and perceptions of 'protective boys' clubs'. Government lawyers have a special responsibility to not only maintain their ethical duties as lawyers, but also uphold public trust through commitment to values of integrity, impartiality and accountability.

The panel consisted of Doris Gibb, Acting Deputy Commonwealth Ombudsman; Professor Anna Armstrong AM, Director of Research and Research Training at Victoria

University; and Bonita Mersiades, publisher and writer. Joanna Austin, Principal Lawyer at the Independent Broad-based Anti-corruption Commission, skilfully moderated the discussion.

Each speaker shared her unique perspective on the impact of unethical and corrupt conduct on the administration of government, and on the lives of those who are willing, or are forced, to 'blow the whistle'. Doris Gibb discussed her insights into the challenges facing government regulators in this space. Professor Armstrong AM spoke about her academic research into whistleblowing in Australia and Indonesia. Bonita Mersiades offered a personal perspective, sharing her own experiences as a whistleblower on the Australian FIFA World Cup corruption scandal and inspiring attendees with her courageous stance on transparency and accountability.



Image (left to right): Joanna Austin, Professor Anna Armstrong AM, Doris Gibb, Bonita Mersiades

Photography by Clare Plueckhahn

INSPIRING YOUR CAREER YOUR WAY

26 JULY 2017

VWL'S MEMBERSHIP COMMITTEE HELD AN EVENT FOR FEMALE LAWYERS BASED IN RINGWOOD.

The event was held at The Cellar Door in Ringwood. Canda Glanville, Principal and Regional Office Leader of Maurice Blackburn's Frankston office and the winner of the Suburban Lawyer of the Year Award at the 2017 LIV awards, spoke at the event.

Canda led a discussion on 'inspiring your career your way' and touched on effective leadership, networking, personal branding and health and wellbeing. The attendees, a mix of lawyers and law students, enjoyed an evening of networking in Ringwood.

Image: Guests

Photography by Jam on Your Collar



THE CHANGING FACE OF LAW

18 AUGUST 2017

PROFESSOR FRANK WU SPOKE AT AN EVENT SPONSORED AND ORGANISED BY VWL, ASIAN AUSTRALIAN LAWYERS ASSOCIATION AND KING & WOOD MALLESONS.

Professor Wu shared personal stories from his life to illustrate his journey as an Asian American growing up in Detroit and how the Vincent Chin case forced him to review his stance on racial prejudice. Professor Wu's talk emphasised themes of acceptance by the general population and challenged the mantra 'sticks and stones may break my

bones, but words will never hurt me.' He reinforced that the wounds left by words can become ingrained and words should instead be used to challenge and change existing ideas.

Professor Wu finished the lecture by asking us to revisit our definition of the 'Rule of Law' and consider its cultural dependence on Anglo-American common law.

Image: Professor Wu (centre)

Photography courtesy of the Asian Australian Lawyers Association



SPEED NETWORKING

24 AUGUST 2017

VWL'S NETWORKING COMMITTEE AND WBA HOSTED A SPEED NETWORKING EVENING FOR OVER 75 BARRISTERS AND SOLICITORS FROM A RANGE OF PRACTICE AREAS AT EL COCO BAR.

The event provided a great networking opportunity for barristers and solicitors to connect in a fun 'speed dating' style format. Quick five minute networking rounds allowed attendees to work the room and build

connections with as many practitioners as possible. The attendees were encouraged to embrace the networking scene and hone their networking skills, which are skills that are essential to any legal practitioner.

HOMELESSNESS AND THE LAW

31 AUGUST 2017

VWL'S LAW REFORM COMMITTEE HELD A PANEL DISCUSSION REGARDING THE PROPOSED REFORMS TO MELBOURNE CITY COUNCIL BY-LAWS.

Since 2014, the number of people sleeping rough in Melbourne's CBD has increased by 74%. Almost half of Victorians experiencing homelessness are women. The Melbourne City Council has proposed to amend the *Activities Local Law 2009* which regulates the use of public space. If implemented, these changes will effectively ban homelessness in the CBD.

Guests heard from Councillor Amanda Stone, Mayor of Yarra City Council; Lucy

Adams, Manager of Homeless Law Justice Connect; and Jody Letts, Council to Homeless Persons' Peer Education and Support Program.

The speakers discussed how the proposed by-laws will not resolve homelessness and will push homeless persons further away from key services. Instead, a renewed effort in prevention of homelessness is needed, as well as increased investment in long-term and affordable housing to address homelessness.

Image: Lucy Adams

Photography by Jam on Your Collar



VWL AND WBA FAREWELL CELEBRATION FOR THE HONOURABLE JUSTICE MARILYN WARREN AC, CHIEF JUSTICE OF VICTORIA

14 SEPTEMBER 2017

VWL AND WBA HOSTED OVER 100 GUESTS AT WHITE LANE IN MELBOURNE'S CBD TO HONOUR AND PAY TRIBUTE TO THE ESTEEMED PATRON OF BOTH ORGANISATIONS, THE HONOURABLE JUSTICE MARILYN WARREN AC, CHIEF JUSTICE OF THE SUPREME COURT OF VICTORIA.

Over breakfast, guests heard from guest speakers, Justice Pamela Tate of the Court of Appeal and Jennifer Batrouney QC, President of the Victorian Bar. Justice Tate spoke of the Chief Justice's 'feminisation of the Supreme Court' from an 'old an crusty institution' full of men to a modern efficient organisation, welcoming to women as judges and lawyers.

She spoke of some of Chief Justice Warren's notable achievements at the Court, including embracing technology, judge managed specialist lists, the abolition of wigs and the introduction of new gowns, and bringing about cultural change.

Jennifer Batrouney spoke of the Chief Justice's impact upon women in the profession. In her mind, the Chief Justice was like Brienne of Tarth from the television show *Game of Thrones*; a 'female warrior of unrivalled skill and loyalty'. She spoke of the Chief Justice's steely determination when encountering discrimination and how through her courage Her Honour has paved the way for all of us to follow.

The Chief Justice thanked VWL and WBA for the privilege of being patron of both institutions. Her parting comments emphasised the significance of sorority and the importance of 'keeping gender on the agenda'.

The speeches of the Honourable Justice Tate and Jennifer Batrouney QC, and the remarks of the Honourable Justice Marilyn Warren, Chief Justice of Victoria are published at pages 22 to 27.



Image (top left): VWL and WBA, including the Honourable Justice Warren, Chief Justice of Victoria (centre)

Image (top right): Jennifer Batrouney QC, the Honourable Justice Emerton, the Honourable Justice Warren, Chief Justice of Victoria, the Honourable Justice Tate

Image (left): Michelle Berry, the Honourable Justice Warren, Chief Justice of Victoria, Bianca Quan, Elena Tsalanidis

Photography by Jam on Your Collar

CAREER DEVELOPMENT AND LEADERSHIP IN REGIONAL VICTORIA

21 SEPTEMBER 2017

VWL'S SECOND BALLARAT EVENT FOR THE YEAR DISCUSSED CAREER DEVELOPMENT AND LEADERSHIP FOR REGIONAL LAWYERS.

The event was held at the Art Gallery of Ballarat, the oldest and largest regional art gallery in Australia. In this grand setting, guest speakers Belinda Wilson, President of the Law Institute of Victoria, and Kathy Bedford, lawyer at Maurice Blackburn Lawyers, led an engaging, insightful and frank conversation about the challenges and rewards of practicing in regional Victoria.

Belinda Wilson encouraged attendees to be open to opportunities for career progression and even new career paths. She spoke about her experience working for 14 years in Gippsland as a regional solicitor, and recently taking on the role of Corporate Counsel and CEO of Port Phillip Bay Scallops. On the topic of leadership, she encouraged women lawyers to step forward for senior positions and support each other in leading roles.



Kathy Bedford discussed her own diverse career and how she came to the law. After a successful career as a broadcaster and nurse, she decided to complete her Bachelor of Laws at Deakin University in 2014. She spoke about the benefits of regional practice, including greater responsibility at a junior level, developing a diverse practice, and being part of the regional fabric.



It was pleasing to see many familiar faces as well as new ones. VWL hopes to continue to offer similar regional events in future years to provide for practitioners from a broad range of backgrounds and interests.

Image (left to right): (left) Kathy Bedford and Belinda Wilson, (right) Belinda Wilson

Photography by Michelle Dunn Photography

PAST REFORM AND AREAS OF CHANGE FOR WOMEN AND THE LGBTI COMMUNITY

26 SEPTEMBER 2017

VWL HOSTED A DISCUSSION WITH THE HUMAN RIGHTS LAW CENTRE (HRLC) ON PROMOTING THE HUMAN RIGHTS OF LGBTI AUSTRALIANS.

Lee Carnie, lawyer at HRLC, led the discussion on past reform and areas of future change for LGBTI rights. Lee spoke about the HRLC's work in promoting LGBTI rights, including strategic litigation to advance marriage equality and recognise sex and gender diversity.

The HRLC's ongoing work includes expunging historical convictions for gay sex offences in various states in Australia and securing LGBTI discrimination protections.

She also shared her personal experience in engaging in policy and law reform on the board of the Victorian Gay & Lesbian Rights Lobby and assisting young LGBTI victims of crime to receive compensation.

Lee encouraged attendees to be aware of the intersection between gender, discrimination and sexual orientation and to think about ways the law can be more equitable for LGBTI Australians.

Photography by Jake Hogan Photography



MENTAL HEALTH FOR LAW STUDENTS AND LAWYERS

28 SEPTEMBER 2017

VWL'S MEMBERSHIP COMMITTEE, IN CONJUNCTION WITH DEAKIN LAW STUDENTS' SOCIETY, HELD AN EVENT TO DISCUSS MENTAL HEALTH FOR LAW STUDENTS AND LAWYERS AT THE DEAKIN UNIVERSITY CAMPUS IN GEELONG.

The study of law and legal practice can place significant stresses and pressures on law students and lawyers. It is now widely recognised that a significant proportion of students and legal practitioners may experience mental health issues at some point in their studies and in their career.

Malcolm Scott, manager of Headspace Geelong, gave a very interesting and informative presentation on mental health issues facing young people, the importance of seeking early assistance and the great services that Headspace offers to young people.



Phoebe Blank, lawyer at TressCox Lawyers and President of the LIV Young Lawyers for 2017, focussed on how mental health affects lawyers specifically and how employers can assist in managing mental health issues in the profession by implementing (and utilising) appropriate health and wellbeing policies.



Both presenters highlighted the significance of mental health issues, both in the profession and more broadly, and provided useful advice on how these issues can best be managed.

Image: (left) Phoebe Blank

(right) Guests

Photography by Jake Hogan Photography

COMING TO THE BAR

13 OCTOBER 2017

BRIGHT AND EARLY IN THE MORNING, CLOSE TO 50 GUESTS GATHERED AT THE METROPOLITAN HOTEL TO HEAR FROM A DIVERSE PANEL OF SPEAKERS ABOUT WORKING AT THE VICTORIAN BAR.

The event was opened by the Honourable Justice Maxwell, President of the Court of Appeal. An advocate for equitable briefing, President Maxwell gave an inspiring address on the opportunities for women at the Bar and what it takes to be a great barrister.

Louise Hvala of Gatehouse Legal Recruitment facilitated the free-flowing panel discussion.

Our panellists Eleftheria Konstantinou, Jeanette Swan, Natalie Campbell and Anna Svenson shared their personal experiences of being

called to the Bar, business development and networking strategies, the clerking system, and financial considerations. The panellists emphasised the rewarding aspects of life as a barrister including greater levels of autonomy, flexible working practices, and the thrill of advocacy. Our guests came away from the event feeling encouraged and armed with practical tips on transitioning to a career at the Bar.

Many thanks to our event partners WBA for their assistance and support in organising this event.

Image (left to right): Louise Hvala, Eleftheria Konstantinou, the Honourable President Maxwell, Natalie Campbell, Anna Svenson.

Photography by VWL



PROVIDING CULTURALLY SENSITIVE LEGAL ADVICE

18 OCTOBER 2017

VWL'S CULTURAL DIVERSITY COMMITTEE HOSTED A PANEL DISCUSSION ON PROVIDING CULTURALLY SENSITIVE LEGAL ADVICE AT THE DANDENONG CIVIC CENTRE. THE OCTOBER EVENT WAS THE SECOND EVENT OF A TWO-PART SERIES ON THE ISSUES FACED BY WOMEN OF CULTURALLY AND LINGUISTICALLY DIVERSE (CALD) BACKGROUNDS IN ACCESSING THE LEGAL SYSTEM WHEN EXPERIENCING FAMILY VIOLENCE.

The panel featured Magistrate Spencer, the Dandenong Magistrate's Court; Alla Epelboym, Principal Lawyer at the InTouch

Multicultural Centre Against Family Violence; Sergeant Cassandra Forbes from Victoria Police; and Kathryn Deng, Family Violence Case Manager at InTouch. The speakers discussed their experiences as well as best-practice approaches for assisting women from CALD communities with overcoming the barriers to justice in family violence matters. There was also a particular focus on the issues faced by women in the South Eastern suburbs of Melbourne.

Image (left to right): Alla Epelboym, Katherine Deng, Anika Baset

Photography by RayL Creative



WOMEN IN PRISON

19 OCTOBER 2017

VWL'S JUSTICE COMMITTEE, IN PARTNERSHIP WITH SISTERS INSIDE, HELD A PANEL DISCUSSION ON WOMEN IN PRISON AT DLA PIPER.

Debbie Kilroy, CEO of Sisters Inside; Jill Prior, Principal Legal Officer of the Law and Advocacy; and Simone Lawrie, Manager of the Marmak Program at the Dame Phyllis Frost Centre, led the panel discussion.

The panel members spoke of the challenges Australian women face in and out of the justice system.

Debbie Kilroy, now a member of the Queensland Sentencing Council and an admitted Australian Legal Practitioner, spent six years in prison for drug trafficking offences as a young woman. Debbie offered insight to her unique history and commitment to fighting for human rights of women in the criminal justice system.

Jill Prior, a Law Institute of Victoria Accredited Criminal Law Specialist, discussed the role that the Law and Advocacy Centre for Women plays for women in or at risk of entering the criminal justice system.



Simone Lawrie, who has extensive experience in Forensic Mental Health Nursing, provided her perspective on the interplay between mental health, incarceration, and the role of forensic mental health care.

Proceeds from the ticket sales were donated to Sisters Inside Fund for the Children.



Image (left to right) (left): Jill Prior, Debbie Kilroy, Simone Lawrie

(right): Jessica Dawson-Field, Simone Lawrie, Jill Prior

Photography by Jam On Your Collar

LESBIA HARFORD ORATION

26 OCTOBER 2017

VWL PROUDLY HOSTED ITS BIENNIAL LESBIA HARFORD ORATION, AN EVENT THAT CELEBRATES AUSTRALIAN POET, NOVELIST AND POLITICAL ACTIVIST, LESBIA HARFORD, A PIONEER OF WOMEN IN THE LEGAL PROFESSION. THE EVENT HONOURS ITS NAMESAKE WITH A PRESENTATION BY AN EMINENT SPEAKER ON ISSUES OF IMPORTANCE TO WOMEN.

The guest speaker for the 2017 Lesbia Harford Oration was Celeste Liddle. A prominent Aboriginal activist and feminist, she charmed guests with her humour and engaging stories. Celeste is an Arrernte woman, an opinion writer, trade unionist and public speaker. She has been published in Daily List and writes on her own blog, entitled, 'Rantings of an Aboriginal Feminist'. Celeste spoke on the topic of diversity for women and the interplay with gender equality, emphasising her views as that of an Aboriginal woman.



Held over breakfast at the Langham, guests were treated to her thought-provoking presentation and were able to ask some poignant questions afterwards.



Images: (left) Guests

(right) Bianca Quan, Celeste Liddle, Michelle Berry, Elena Tsalanidis

Photography by Jam on Your Collar

THE WARREN MOOT

OCTOBER - NOVEMBER 2017

THE WARREN MOOT PROVIDES AN OPPORTUNITY FOR WOMEN LAWYERS TO HONE THEIR PUBLIC SPEAKING, PROBLEM SOLVING AND ADVOCACY SKILLS IN A SUPPORTIVE SETTING, AND TO GAIN INSIGHT INTO A CAREER AT THE BAR.

The annual competition is designed to address the small number of women in advocacy roles, encourage women lawyers to participate in public speaking and provide them with an insight into a career at the Bar.

The event is endorsed by the Honourable Chief Justice Marilyn Warren AC and hosted by sponsor firm Maddocks.

Registrations for this year's Warren Moot were overflowing, highlighting the strong appetite amongst our members to get involved in a competition of this nature.

This year's competition commenced with a mock trial round on 3 October 2017, giving teams a chance to experience the thrill of being on their feet and presenting their case in front of experienced barristers. The first formal knockout round for the competition took place on 17 October 2017 and semi-finals on 31 October 2017. The two winning teams will then have the opportunity to participate in the Grand Final in November, which is to be adjudicated by the Honourable Chief Justice Marilyn Warren.

VWL thanks members of the legal profession, including members of the judiciary, who have offered to donate their time to adjudicate the rounds. Congratulations to all of the teams who participated.



Photography by Wilari Tedjosiswoyo



FEATURES

Farewell to the Honourable Justice Marilyn Warren AC, Chief Justice of Victoria	22	Interview with the Honourable Justice Maxwell, President of the Court of Appeal	32
Speech by the Honourable Justice Tate	22	How to Address Image Based Abuse?	34
Speech By Jennifer Batrouney QC	25	Q&A: Anne Smyth	38
Remarks of the Honourable Justice Marilyn Warren AC, Chief Justice of Victoria ..	27	The Gender Super Gap: Understanding Why Women Retire with Less Super than Men	40
Want to Work in London?	28	Q&A: Robin Smith	42
Reporting on Gender Equality in the Legal Sector	30	Women at the Top	44
		Q&A: Joanna Fletcher	47

VWL AND WBA FAREWELL CELEBRATION

14 SEPTEMBER 2017



SPEECH BY THE HONOURABLE JUSTICE PAMELA TATE COURT AT THE FAREWELL CELEBRATION FOR THE CHIEF JUSTICE OF VICTORIA.

I am delighted to have been invited to pay tribute to the Honourable Justice Marilyn Warren AC, Chief Justice of the Supreme Court of Victoria.

On a personal note this gives me an opportunity, as one of Marilyn's judges, to publicly thank her for what she herself has described as 'the feminisation of the Supreme Court'. The Court was once an old and crusty institution, full of, dare I say it, old and crusty men, attached to archaic procedures and pompous hierarchies. Marilyn has been responsible, practically single-handedly, for the transformation of the Court to a modern efficient organisation that is welcoming to women, both as judges and as lawyers. Women in the law in Victoria owe Marilyn an enormous debt.

I have chosen to focus this morning upon her Honour's achievements in transforming the Supreme Court as an institution from its conservative base to the women-friendly organisation it now is. Jenny Batrouney will focus upon Marilyn's impact upon women in the profession. As I am sure all of you here are aware, institutional change is not for the faint hearted. Marilyn brought to this task her intellect, her steely determination, and her warmth.

Marilyn arrived at the Court in 1998 having already had a long and distinguished career in the law.

Her beginnings were as a young lawyer in government. Access to the profession for women at that point was not easy. She was the first woman to gain articles of clerkship in the Victorian public service. She did her articles with the Solicitor to the Public Trustee, in an office of 10 solicitors, all of them male. As a first-year solicitor, in 1976 she was refused a position in the Crown Solicitor's Office because 'it was deemed that women should not be confronted with the details of nasty crimes'.¹ The irony of this can hardly be overstated given that Marilyn went on, some 25 years later, to preside over a multitude of criminal trials and appeals including amongst the worst criminal offending in Victoria for murder, rape, incest, and terrorism. No longer are women restricted in their goals by the ostensible aim of protection.

Marilyn was, as ever, resilient in response to the Crown Solicitor. She persisted and became Assistant Chief Parliamentary Counsel in 1984. The expertise she gained by the exactitude required in drafting legislation well prepared her for issues on statutory interpretation for the rest of her career.

Marilyn signed the Bar roll in 1985. She quickly established herself in commercial, administrative and planning law. By the time I arrived at the Bar in 1991, Marilyn was one of the few leading women counsel to be seen in the courts. I recall sitting very quietly in the back pews of what felt like a large courtroom seeing Marilyn on her feet, brandishing the *Trustee Act* and displaying full intellectual control of the argument. I wondered who she was and whether I could ever achieve that degree of ease or dominance in a court. No one was surprised when she took Silk in 1997.

When Marilyn joined the Court in 1998 there was only one other woman judge. That was the Honourable Rosemary Balmford, the first woman judge appointed to the Supreme Court since it was founded in 1852. It would be true to say that at that time the Court was a conservative institution, well intent on administering justice according to law, but attached to decades-old practices and procedures and displaying a near-uniform sense of masculine authority. Marilyn did what she was renowned for – working without limit – to enhance the reputation of the Court's Commercial List.

As a judge, Marilyn maintained a dignified and courteous presence on the bench. She 'very quickly became known as an excellent trial judge, who [ran] a very pleasant and efficient court.'²

She was the Judge-in-Charge of the Commercial List for over two and a half years. At times this involved managing a vast array of matters at different stages in the process of litigation. She was determined to remodel the Supreme Court into the venue of choice for commercial litigators. This was at a time when commercial litigation was drifting to New South Wales or the Federal Court. Marilyn stopped that flow in its tracks. Soon everyone wanted to have their matter heard in the much-heralded 'fast track' of Victoria's Commercial List.

Another woman, Justice Julie Dodds-Streeton, joined the Court in 2002. Almost immediately an all female Full Court was convened to sit on an admissions ceremony.

The historic status of the event was captured by *The Age*,³ the *Victorian Bar News*⁴ and the *Law Institute Journal*⁵ as the first occasion of its type in the Court's 150 year history.

¹ Fergus Shiel, 'Trailblazing lawyer named chief justice', *The Age* (Melbourne), 26 November 2003. See also Hon Marilyn Warren, 'Promoting Difference', address to the Victorian Women Lawyers Achievement Awards Presentation Dinner, Parliament House, Victoria, 15 May 2003.

² 'Chief Justice of Victoria, Marilyn Warren welcomed at a Ceremonial Sitting held in the Banco Court, 1 December 2003' (2003) (Summer) 127 *Victorian Bar News* 15 (Robin Brett QC, Chairman, Victorian Bar).

³ Fergus Shiel, 'Bench changes 150-year-old face of justice', *The Age* (Melbourne), 6 August 2002.

⁴ 'New Practitioners Admitted by the First Women's Full Court of the Supreme Court' (2002) (Spring) 122 *Victorian Bar News* 48.

⁵ 'Women judges preside over historic Supreme Court sitting' (2002) (October) *Law Institute Journal* 17.

All photography by Jam on Your Collar

Rosemary presided, with Marilyn to her right and Julie to her left. Even now, more than 15 years later, those photographs are a moving reminder of the beginning of change in the Court and the opportunities that were gradually being presented to senior women in the profession.

In 2003 Marilyn became Victoria's 11th Chief Justice. As we are all aware, Marilyn was the first woman to be appointed Chief Justice in the Supreme Court's history. She was the first woman appointed to that office in any State or territory in Australia. This was an extraordinary shift in thinking.

It may be difficult to appreciate now but the appointment of a woman to lead what was seen as a traditional institution, devoted to stability and certainty in the resolution of disputes, was an upheaval. It was a recognition, as the then Attorney-General said, of the need at that time to 'lift the curtain of invisibility, of direct and indirect discrimination, of baseless assumptions, paternalism and the invidious and territorial fear of difference that greet[ed] women at the door of the profession'.⁶

Appointments of women were a means of 'ensuring that, where women were overlooked in the past because of this invisibility, they are considered – on their merits as competent and capable professionals, and on an equal footing with their male colleagues'.⁷

At the time *The Age* depicted Marilyn as crashing through the glass ceiling.⁸ In the illustration by John Spooner, Marilyn is seen holding the hand of another woman, probably younger and probably a barrister, who has also crashed through the glass ceiling. That woman in turn is holding the hand of another woman practitioner who is making her way through the glass ceiling. The Honourable Margaret McMurdo, the retired President of the Queensland Court of Appeal, treasures the original of this illustration given to her by a friend, a copy of which she sent for this event.

There could be few illustrations which so accurately predicted what is one of Marilyn's legacies – the capacity to inspire, and, at times, persuade, other women to occupy positions of leadership in the legal profession. It also adverts to her capacity to make connections with other women lawyers, to undertake what she has described as 'cross-generational promotion' where women in the profession take an active role in nurturing more junior women, providing 'links in the chain, made by the helping hand of our role models and mentors'.⁹

The picture also serves as a reminder of the modernisation of the Court that has occurred under Marilyn's leadership. Marilyn is depicted wearing a long-bottomed ceremonial wig, the red winter robes, complete with fur and a black cummerbund around her waist. The wig is a sign of times past. Marilyn has in recent years abolished the wearing of all wigs, in trials and appeals. Wigs are also abolished for ceremonial purposes because, as Marilyn remarked, in ceremonies the community should see us at our most accessible.

6 'Chief Justice of Victoria, Marilyn Warren welcomed at a Ceremonial Sitting held in the Banco Court, 1 December 2003' (2003) (Summer) 127 *Victorian Bar News* 14 (Rob Hulls).

7 *Ibid.*

8 Hon Marilyn Warren, 'The feminine effect on law', *The Age* (Melbourne), 27 November 2003, 15.

9 Hon Marilyn Warren, 'Women in my Life: Leadership Across the Generations', speech delivered to the Victorian Women's Trust, 15 November 2004, 7.

Marilyn has replaced the winter robes, representative of the fussy heaviness of a bygone era, with a simple contemporary look.

There has been a move away from the exclusive appearance of an old boys' club, with garments intended for the male body shape, in all its guises, to an easy-to-wear sleek practical gown fit for all purposes and accommodating the male and female form alike. The woman judge happily modelling the new robe is Justice Anne Ferguson, our new Chief Justice who will follow so admirably in Marilyn's footsteps and protect her legacy.

Over the 15 years since the all-female bench at the admission ceremony, a further 15 women have been appointed as judges of the Supreme Court. This includes four women who have been appointed to the Court of Appeal.¹⁰

There are presently 11 women judges on the Court. This is out of a total of 44 judges.¹¹ In addition, there are now three women associate judges and four women judicial registrars. These are real milestones towards establishing 'judicial equality'.¹²

Unfortunately, the convening of an all-woman bench remains a rarity. I have had only two experiences of sitting on such a bench, both in civil appeals. The first was in August 2011¹³ when I sat with the Chief Justice and Justice Karin Emerton on a planning appeal. I believe this was the first occasion on which an all-female Full Court sat after the admission ceremony in 2002.

The next occasion was in November 2015¹⁴ when I sat with the Chief and Justice Anne Ferguson in a property dispute.

To my knowledge, there has not been as yet an all-female Full Court that has heard a criminal appeal. That is an achievement that awaits Anne's stewardship.

But the 'feminisation of the Court' for which Marilyn is responsible is not only about numbers. It is also about organisational change. It is about making the judicial environment one in which women are supported to be confident and comfortable in the performance of their judicial duties. It is about gaining, and retaining, the confidence of male colleagues.

10 The judges appointed to the Court of Appeal since 2002 have been Justices Marcia Neave, Julie Dodds-Streton, Pamela Tate, and Anne Ferguson. Justice Susan Kenny had been appointed to the Court of Appeal in 1997 and left in October 1998. The judges appointed to the Trial Division since 2002 include Justices Katherine Williams, Betty King, Elizabeth Curtain, Elizabeth Hollingworth, Jennifer Davies, Karin Emerton, Kate McMillan, Melanie Sloss, Joanne Cameron, Rita Zammit, Jane Dixon, and Maree Kennedy. (Justice Ferguson was initially appointed to the Trial Division in 2010 and Justice Dodds-Streton had been appointed to the Trial Division before 2002).

11 This figure includes the Chief Justice, the President of the Court of Appeal and Kidd J but excludes the reserve judges.

12 Hon Marilyn Warren, 'Leading from the Bench: Women Jurists as Role Models', remarks given on the occasion of the American Chamber of Commerce in Australia 'Women in Leadership' Breakfast at Crown, Melbourne, 12 February 2015, 5.

13 *Love v Roads Corporation* [2011] VSCA 434.

14 *Jakimowicz v Jacks* [2016] VSCA 42.

Lady Brenda Hale, who was recently appointed the first female President of the United Kingdom Supreme Court, has said that:

[T]he best women leaders bring a warmth, a lightness of touch and a lack of pomposity to the judiciary without in any way sacrificing the seriousness with which the work is done. The challenge lies in bringing fellow justices on board with the aim of making the court a collegiate and happy place in which to discharge our grave responsibilities.

Lady Hale has observed Marilyn at close quarters when visiting Melbourne. She goes on to say, 'From all that I have seen of her, Chief Justice Warren has risen splendidly to that challenge'.

Making the court a collegiate and happy place, and bringing fellow justices on board, has been one of Marilyn's central aims.

There is respect for the autonomy and leadership of others with judge managed specialist lists.

As part of the aim of securing cultural change within the Court, judges have been encouraged to 'find ways to dilute, vary and soften the impact of the adversarial setting'.¹⁵ Technology has been embraced.

As a means of achieving her vision of a single unified court, Marilyn encouraged a system by which Trial Division judges occasionally sit on appeals, and vice versa. This has placed less emphasis on hierarchies. It has deepened the sense of collegiality within the Court as a whole. It has contributed to the high sense of morale.

These measures have streamlined and modernised the service the Supreme Court offers to the people of Victoria, while retaining the respect and authority it enjoys as an equal arm of government charged with upholding the rule of law. It has created an environment in which women judges can thrive.

As can be expected, the cultural change has also enabled male judges to flourish. I have stopped counting the number of times male judges relate to me how much happier the Court is as an institution 'under Marilyn'.

Marilyn initiated the use of social media to communicate with the profession, and the community. For a court to do this is probably a world first.

But then Marilyn is keen on world firsts.

For thirteen years she has chaired the Judicial College of Victoria. Its ambition under Marilyn is to be nothing less than akin to a judicial university. It offers seminars on law and literature, indigenous reconciliation, and hosts High Court justices to speak on the Constitution and State Courts. It investigates what promotes well-being in the judicial environment. The Honourable Susan Denham, formerly Chief Justice of Ireland, who describes Marilyn as 'a great ambassador for the Judiciary in Australia' cites amongst Marilyn's many achievements, the Judicial College as a world leader.

Having the drive to effect change is something that comes naturally to Marilyn. No longer does the Department of Justice oversee all the staffing and resources of the courts. These decisions now lie with Court Services Victoria, chaired by Marilyn. This took vision, courage and determination. Establishing institutional autonomy for the Victorian Courts is an extraordinary legacy of Marilyn's.

Chief Justice Helen Murrell of the ACT Supreme Court has watched on admiringly. As she puts it:

Marilyn has been a great judicial leader for change. She has led what can only be described as a national 'movement' to give substance to the talk of judicial independence, implementing the International Framework for Court Excellence in Victoria and introducing independent courts administration in Victoria. To my observation, over the past four years she has been the most influential member on the Council of Chief Justices, always offering to put in the work required to develop important ideas which may have ramifications for the national judiciary and profession.

Justice Michelle Gordon of the High Court is another who has watched on from the sidelines to see revealed before her what she describes as 'undoubtedly good leadership'.

Justice Beverley McLachlin, Chief Justice of the Supreme Court of Canada, has emailed this morning to remark that Marilyn's professionalism, her love of the Law, and her courage have served as an inspiration to her.

At a personal level, Chief Justice Murrell is grateful for the marvellous mentorship and example that Marilyn has been to her, as is Chief Justice Kate Holmes of the Queensland Supreme Court and Justice Virginia Bell of the High Court. Many of you will have seen the article in the recent *Law Institute Journal* celebrating top tier women leaders in the law in the 21st century.¹⁶ It noted that this was a record of a unique moment with women holding an unprecedented number of the profession's most senior roles. Not all of this can be traced to Marilyn's success as a leader. But some of it can.

Justice Susan Kiefel, Chief Justice of the High Court, attended her first meeting of the Council of Chief Justices when it was Marilyn's last. She was pleased that it gave her the opportunity to acknowledge the considerable contributions Marilyn made during her term. She observed that it was fitting that the meeting was historic — because there was for the first time an equal number of male and female Chief Justices present. Speaking on behalf of all of us here, as well as women at all levels in the profession and in the courts, I offer my warmest congratulations to Marilyn on her successful career and tenure as Chief Justice of Victoria. I wish her all the very best for her future adventures. As a final comment, I trust that one of those adventures will be, for the delight of both her and her successor, a 2017 Grand Final win for Richmond! ■

15 Hon Marilyn Warren, 'The Litigation Contract: The Future Roles of Judges, Counsel and Lawyers in Litigation', speech given at the Victorian Bar & Law Institute of Victoria Joint Conference - High Stakes Law in Practice and the Courts, 17 October 2014.

16 *Law Institute Journal* (2017) (August).



SPEECH BY JENNIFER BATROUNEY QC, PRESIDENT OF THE VICTORIAN BAR AT THE FAREWELL CELEBRATION FOR THE CHIEF JUSTICE OF VICTORIA.

I remember the day like it was yesterday. 25 November 2003. A new Chief Justice was due to be appointed and, as always the rumour mill at the Victorian Bar was running at break neck speed...I

was President of Australian Women Lawyers and [no surprise!] we were hoping for a female appointee.

I cannot begin to tell you the elation we all felt when it was announced that Justice Marilyn Warren had been chosen to lead our profession! I raced out, bought some flowers and delivered them to the glass box and then raced back to chambers to get a press release out. In it, I said that: 'Australian Women Lawyers ... are confident that Justice Warren will lead the Victorian Supreme Court with strength, style and grace.' And ... do you know – I think that I might have been right!

I am not sure how many of you in the room are 'Game of Thrones' fans – but to my mind, the Chief is our Brienne of Tarth. To those of you who don't know, Brienne is a larger than life female warrior of unrivalled skill and loyalty.

There are moments in a woman lawyer's professional life when the pervasive male culture can be overwhelming and disheartening. In these moments, we can take comfort in the example set by Her Honour when facing discrimination and bias.

As Justice Tate mentioned, in 1976 the Chief Justice applied for a job in the criminal law branch of the Crown Solicitor's Office, only to be told the Crown Solicitor didn't think women should be employed in that branch as solicitors – or even typists – due to the unpleasant nature of the work. She argued her case on appeal and at the end of her submission she raised the matter of discrimination. This caused an 'extraordinary kerfuffle' and the Chairman of the Appeals Board sought an explanation from the law department.

Although she insists that her appeal was not some watershed moment, her courage and resilience to, as she often says, 'keep gender on the agenda' set the wheels in motion for a shift in hiring practices.

Within three months of the Chief's appeal a woman solicitor was appointed to the Crown Solicitor's Office. Within a year, the first woman solicitor was employed in the criminal law branch.

Upon signing the Bar Roll in 1985, her Honour's enduring work ethic enabled her to prevail over the predominantly male culture and look past the 'sea of men in grey suits'.¹

Her Honour's resilience was once again tested in 1996 where she accepted a brief from a partner in a major law firm only to receive a call five minutes later by the same solicitor who said: 'Sorry, Marilyn, wrong gender.'²

The client would not accept a woman barrister.

It is these encounters with discrimination that have no doubt steeled Her Honour to forge ahead and show them how wrong they were. Your Honour would never say so, but Brienne has said: 'All my life men like you've sneered at me, and all my life I've been knocking men like you into the dust.'

Through her courage and determination Her Honour has paved the way for all of us to follow.

In advocating for diversity and representation of women in the law, Her Honour has focused on four main themes – leadership, mentoring, role models and perseverance for diversity. I would like to reflect on each of these in turn.

Her Honour has often commented on the need for true leadership from both male and female lawyers. She urges senior lawyers to include women in their court teams because the best way of advertising women and their talent is for them to be seen in action.³

On the topic of leadership, Her Honour has called on us as women to be accountable, through our own actions, in facilitating equality in the law. She has caused us to reflect on our own practices and our complacency on the path to diversity. She has said: 'When the opportunity for progression arises, duty ought to prevail. When the offer of partnership, the difficult brief or judicial appointment comes – there is a duty to accept...a duty to gender.'⁴

Her Honour has prompted us to constantly ask ourselves: 'If I do not accept, who will?'⁵

We must 'lean in' – we must seek out and accept the challenge of promotion.⁶ Her Honour led by example and welcomed the opportunity for advancement as Chief Justice of the Supreme Court.

To quote Her Honour 'a woman who demonstrates leadership is a woman who possesses the power to bring difference to the profession.' Her Honour is such a woman – and her mark in the law and for women lawyers resonates in all of us here today.

Her Honour has emphasised the power that senior women lawyers possess in shaping diversity and equality in the law.

1 Karen Percy, 'Victoria's Chief Justice Marilyn Warren Urges More Diversity in Judicial System' *The ABC*, 13 April 2016 < <http://www.abc.net.au/news/2016-04-13/victorian-chief-justice-urges-more-diversity-in-judicial-system/732364>>.

2 The Hon. Justice Marilyn Warren 'Promoting Difference' (Speech presented to the Victorian Women Lawyer Achievement Awards Presentation Dinner, Parliament House, Victoria, 15 May 2003).

3 The Hon. Justice Marilyn Warren 'Promoting Difference' (Speech presented to the Victorian Women Lawyer Achievement Awards Presentation Dinner, Parliament House, Victoria, 15 May 2003).

4 *Ibid.*

5 *Ibid.*

6 The Hon. Justice Marilyn Warren AC, Chief Justice, Supreme Court of Victoria, 'Women in My Life: Leadership Across the Generations' (Speech presented to the Victorian Women's Trust, Victoria, 15 November 2004)

She has noted that:

'[S]enior women lawyers have a responsibility – an obligation even – to provide support and leadership to the generation behind... and encourage the next generation to step up... for young women lawyers, there should always be an openness for new experience and a readiness to seek assistance.'⁷

The Chief Justice has said that 'today's young lawyers must look for inspiration and strong mentorship from a new generation of women lawyers.'⁸

Your Honour has been this inspiration for many women lawyers – both for those established women lawyers and the women entering the profession.

In August last year, the Chief Justice spoke to 200 year 11 and 12 students from Broadmeadows. In this suburb, two out of every five people speak a language other than English – and the Chief Justice emphasised that the law is open to anyone from any background and also that the courts must reflect the communities it serves.

The Law Student Mentoring Program – run jointly by Victorian Women Lawyers and Women Barrister's Association – aims to meet the need for mentors by connecting law students with women lawyers to undertake a formal mentoring relationship of at least 12 months. This program has now matched over 1,350 pairs in mentoring relationships since the program's inception.

Along with mentors, role models are necessary at all levels of the profession. They ensure that women feel valued, supported and are likely to remain in the profession long enough to reach its senior echelons.

They provide women with tangible examples of all they could achieve, all the barriers they could dismantle, all the change they could make. Chief Justice Warren has been a firm believer in the importance of role models for women in the law. She notes that 'good role models are invaluable...in that they continue to inspire women's aspirations to follow their lead. They keep the doors open.'⁹

With this in mind, the Chief supported a photograph collage in the *Law Institute Journal* entitled '21 women leaders in the law in the 21st century'.

This fold out photo and the accompanying articles highlighted the sheer number of women in respected leadership positions in the legal profession.

Although she insists that there is 'nothing special' about her or what she has done, her contribution to diversity and promotion of women in the law suggests otherwise.

Continuing the warrior analogy – the Chief has always had our back. In her role as the modern day Brienne of the legal profession, the Chief Justice has gone into battle for us to uphold equality in the legal profession.

7 *Ibid.*

8 *Ibid.*

9 The Hon. Justice Marilyn Warren AC, Chief Justice, Supreme Court of Victoria, 'Leading from the Bench: Women Jurists as Role Models' (Speech Given on the Occasion of American Chamber of Commerce in Australia 'Women in Leadership' Breakfast, Melbourne, 12 February 2015).

In response to an article in *The Australian*, which implied that the elite level of the commercial bar is exclusively male,¹⁰ Her Honour rounded up all the relevant Chief Justices and Presidents of Courts of Appeal in Australia and together they wrote to the publisher and stated, in the strongest terms, that not only did *The Australian* ignore the facts – but argued that the article's failure to include women resulted in a disservice to the Bar.¹¹

During her career, Her Honour has been an avid supporter and patron of VWL and WBA. She has always been happy to contribute to the profession. For example, she was a key presenter, along with all her heads of jurisdiction at the Australian Bar Association conference in Melbourne last year. She also delivered a cracking speech at the Victorian Bar dinner last year entitled 'A day in the life of a Chief Justice'. Finally, she was a strong supporter of the VWL and WBA Regional Practitioner event recently held at Government House.

Her Honour's involvement in the establishment of the Warren Moot in 2015 has encouraged women lawyers to participate in public speaking and obtain an insight into a career at the Bar. It has proved to be a space for women to empower themselves by testing and honing their advocacy talents.¹²

In 2013 Her Honour made the observation that whilst she was presiding in two large commercial appeals in the Court of Appeal, she saw a total of 17 barristers and none were women.¹³ Sadly, not much has changed.

Recent figures released by the Court of Appeal establish that, in commercial matters, only 6% of speaking roles were undertaken by women.

But we have hard evidence now, that things can be changed – and changed by you!

Her Honour has encouraged the profession to move on from hollow rhetoric to practical action to increase the number of women being briefed.

Leading by example, Her Honour was an active supporter of the CommBar equitable briefing project. This involved workshops between the Judiciary, law firm commercial litigation partners and in-house counsel to identify practical ways to combat the under-representation of women in commercial law matters. Head litigation partners sat up and noticed and asked the clerks to tell them what percentage of their firms' briefs went to women. Many were startled by the results and initiated change in their firm's briefing practices. These workshops have resulted in positive and remarkable increases in the rates of briefing junior women. It can be done!

10 *The Australian Legal Review* May 27 2016 "Bosses of the Bar".

11 *The Australian* Letter to the Editor from CJ Warren, CJ Bathurst, CJ Allsop, President Maxwell and President Beazley June 2016.

12 Victorian Women Lawyers, 'Inaugural Warren Moot Set to Foster New Generation of Women Advocates', <<https://wwl.asn.au/inaugural-warren-moot-grand-final-to-showcase-new-generation-of-women-advocates/>>.

13 The Hon. Justice Marilyn Warren AC, Chief Justice, Supreme Court of Victoria, 'Joan Rosanove Would be Happy' (Speech presented to the Women Barristers' Association 20th Anniversary Dinner, Melbourne, 5 June 2013).

The Chief Justice has demonstrated, in words and by example, that we can succeed, not *despite* our differences but *because* of them. We can succeed as women and be proud of it. Her encouragement to 'keep gender on the agenda' helps to remind us that although we have come a long way, there is still progress to be made. Her call for us to uphold our 'duty to gender' echoes in the halls of law schools, law firms and chambers. The WBA and VWL will shatter the glass ceiling that inhibits women from occupying an equal share of the influential roles in our legal system.

When Her Honour was appointed Chief Justice in 2003, I said then, in my capacity as President of AWL, that your Honour commanded the respect of the entire legal profession and would bring a unique perspective to the administration of justice in Victoria. It is personally

satisfying to now be able to say, in my capacity as President of the Victorian Bar, that I couldn't agree with me more!

May I say on behalf of all of us present here today (and indeed the female legal profession generally), that your presence on the Court has been immensely powerful and reassuring. During your career, you have been an avid and active supporter and patron of VWL and WBA.

You have been our standard bearer, the strength in our arm and our champion.

Please join with me in thanking the Chief Justice for her vast contribution to the legal profession. ■



**REMARKS OF THE
HONOURABLE JUSTICE
MARILYN WARREN AC,
CHIEF JUSTICE OF VICTORIA AT
THE FAREWELL CELEBRATION
FOR THE CHIEF JUSTICE
OF VICTORIA.**

I wish to thank Victoria Women Lawyers (VWL) and Women Barristers Association (WBA) for the honour that you extend to me

this morning. It is a privilege to be here, and I am so grateful for your overwhelming recognition of the work that I have done over the years.

May I say that it has been an absolute privilege to be patron of both institutions, to watch them grow and to admire everything that they have done. Indeed, it all culminated, in a sense, with the Law Institute of Victoria photograph in the August journal last month; a truly seismic moment in that it brought the message home well and truly from the Premier's office down across the state, that women are here, they matter, and they are significant.

I do want to thank VWL and WBA for their personal support to me over the years. They have acknowledged by appointment as Chief Justice both by sponsoring the commissioning of portraits which have been placed in strategic locations, reminding the men, as they walk past – that there is a woman in charge.

I also wanted to particularly thank VWL for the establishment of the Warren Moot. It was a great honour and, indeed, that concept has been embraced by Justice Tate now with the Special Appellate Advocacy programs that her Honour has been running in the Court of Appeal which I acknowledge and pay tribute to her for.

Being here this morning and knowing that I am on my way out the door, I had this very strong maternal sense that I must tell you something, I must convey some advice to you. I have struggled with this over the last month as to what I may say that I've not said before, but I do have this sense of urgency which is almost at a level of anxiety. It is important to recognise the significance of sorority, and indeed, we have that with VWL and WBA.

So, can I say, nurture and value those institutions because of all the benefit they can provide. They provide opportunities for cross-generational support, they facilitate lobbying and representation at all levels, State and national. I especially wish to acknowledge the work of Fiona McLeod, presently President of the Law Council of Australia, for all that she has done with the pursuit of an establishment of the briefing policy.

I did want to say to you that we must continue to feature gender in the discussion in the community. If we think about it, there are major social topics which are dominating the discussion: LGBTI, same sex marriage, family violence and diversity are some I will mention, each in their own right a very significant social issue. I observe what is happening is that the vital topic of gender is being merged in with those other significant social topics. There is often a sense that the job has been done. So as I go out the door, I do want to say to you, keep gender on the agenda as a separate, distinct and powerful topic. It is now recognised that gender is important in State and Federal political sectors, but I do wonder about the private sector, particularly each time, with my colleagues, when I go into the Court of Appeal and I consistently see only male barristers at the Bar table.

It was, indeed, significant that Justice Ferguson, as a woman, was announced as my successor. As Justice Tate pointed out, among other things, the importance of that appointment lay in the fact that a woman succeeded a woman, and the fact that a woman could be Chief Justice was the norm. It was not the case of saying, 'Well, yes, we had one of those, now let's get back to that other norm'

You will have my enduring support. I will always be watching, looking, and there to support you. Thank you for the honour and the tribute that you paid to me this morning.

I also pay tribute to my Chief Justice sister, Diana Bryant, who retires shortly after me, and who has made such an important contribution to family law.

Finally, can I suggest, you have not been acknowledging me, Marilyn Warren. What you have really been doing is acknowledging our gender and our gender's success. I wish you all well and great career paths in all that lies ahead. ■

WANT TO WORK IN LONDON?

KATHERINE GOUGH, STEPHANIE PASHARIS AND HILARY TAYLOR

LONDON IS ONE OF THE LEGAL CENTRES OF THE WORLD AND HAS FOR DECADES ATTRACTED AUSTRALIAN LAWYERS. THERE ARE VARIOUS REASONS FOR ITS ALLURE. THE UNITED KINGDOM IS THE BIRTHPLACE OF COMMON LAW AND ITS COURTS AND ARBITRATION FACILITIES ARE A DESTINATION OF CHOICE FOR INTERNATIONAL LITIGANTS. AS A FINANCIAL CENTRE, LONDON ALSO ATTRACTS SOME OF THE BIGGEST DEALS IN M&A AND CORPORATE FINANCE IN THE WORLD.

WHY GO

London offers the prospect of a unique career experience, the chance to live in a major metropolis, and of course, proximity to Europe.

For Neena Aynsley, moving to work in London was an *'opportunity to feel at the centre of what was going on.'* Working at Linklaters, a 'Magic Circle' firm, allowed her to work with brilliant lawyers at the top of their game.

For Eliza McDonald, one of the main draw cards of moving to London with Baker McKenzie was the opportunity to work on diverse, large scale matters. She considers the experience has made her a better lawyer and has been beneficial to her career. *'You are given a lot more responsibility in London ... its sink or swim'* she says. Now back in Australia, she has continued working with the network of contacts she made in London, bringing new matters to Baker McKenzie's Melbourne office.

WHAT TO EXPECT

Just as in Victoria, working culture in London can vary greatly depending on where you work. 'Magic Circle' and very large firms are known to demand *'hard work and very long hours.'* At Linklaters, Neena Ansley found that lawyers could go months without making it home for dinner. However, Neena also found there was a resistance to work on the weekend and that *'the working week was jam-packed to avoid the need to do so.'* In the United Kingdom there is also a culture of taking leave, as you get five weeks annual leave and if you do not use it that year, you lose it.



Phoebe Roberts is enjoying the balance in her role as an associate at Mishcon de Reya, a law firm with approximately 700 employees and offices in London and New York. *'I have really interesting work, a supportive team, and a genuine work life balance.'*

Roberta Foster, an associate at the MinterEllison London office, has found her experience similar to working in a boutique or small firm. *'The culture is very collegial and friendly, and you are provided a huge amount of support and guidance. Working in a smaller office also means you work very closely with partners, which is a great learning experience.'*

HOW TO GET A JOB

The London legal market

It is important to think carefully about the type of role you want, as this may largely determine the experience you will have in London.

The London legal market is much larger and more diverse than in Victoria, Shobana Richmond of recruitment firm Taylor Root explains. 'Magic Circle' and 'Silver Circle' firms demand high standards and working expectations. These firms therefore pay the highest salaries, and may even pay for the costs of relocating to London. These firms usually only consider candidates with top tier experience.

Several US firms also have offices in London. The remuneration at these firms is higher and working expectations are similarly (if not more) demanding than Magic Circle and Silver Circle firms.

There are also numerous 'top' and 'mid' tier firms which have a huge diversity in culture, remuneration and matters, as well as niche and 'West End' firms. While these firms typically have lower salaries than Magic Circle and Silver Circle firms, they generally offer greater work life balance.

Opportunities in public law are also available for those not geared towards private practice, such as in-house and government roles.

Recruiters

According to recruiter Shobana Richmond, in the wake of 'Brexit' it is harder than it used to be for Australian lawyers to line up a job ahead of moving to London.

Speaking to a recruiter in Australia is therefore a great place to start looking for jobs, and they can help you gauge what roles are available in London, and how your previous experience may be viewed.

Shobana notes that there is currently significant demand in London for 2-6 year post-qualification experience (PQE) lawyers in the areas of Construction and Projects, Banking and Finance, Intellectual Property,

Information Technology and Outsourcing, Corporate, M&A and Private Equity, Energy and Natural Resources, and Dispute Resolution.

Another option is to move to London and look for a job on the ground as Phoebe Roberts did. *'I didn't have a job locked down when I arrived ... but I did have recruiters and firms to speak to already lined up for a few weeks after I landed. I knew when I wanted to be in London, so I just booked the flights!'* Phoebe found that interviewing with potential employers was much easier in person than over the phone. After a month or so, she was successful in securing a position.

Secondments

For lawyers at international or alliance firms, secondment opportunities can provide a relatively straight forward way to move overseas. For Roberta Foster, going on a secondment from an Australian firm had obvious advantages including not needing to plan her move very far in advance, and knowing she has a job to return to back in Australia.

WHEN TO GO

The lawyers we spoke to recommended moving to London at around 2-3 years PQE. *'There is a high demand for lawyers at or around this level and it's a terrific time in your career to be exposed to a new learning environment.'*

UK law firms will generally discount approximately two years of an Australian lawyer's experience. This means that a 2.5-3 PQE lawyer can expect to be regarded as a 1 PQE lawyer in the UK.

THE PAPERWORK

Visas

Currently, two year working visas are available to Australian citizens aged between 18 and 30. Alternatively, an Australian citizen offered a skilled job in the United Kingdom by a licensed employee may be eligible for a three year visa. Once you are granted a visa, you should continuously monitor its conditions, and be mindful of possible restrictions, including on the type or number of jobs you can hold, or your ability to bring family members or dependents with you.

Practising certificates

Australian lawyers are generally permitted to practise in the United Kingdom without undergoing a separate registration process, provided they are not engaging in 'reserved legal activities', including:

- the exercise of a right of audience
- the conduct of litigation
- reserved instrument activities
- probate activities
- notarial activities
- the administration of oaths

Under the *Legal Services Act 2007* (UK) it is an offence to carry out these activities, unless you are supervised, or registered with the Solicitors Regulation Authority (SRA). However, if these are areas of law you wish to practice in while in London, you can register with the SRA as a foreign lawyer. To be eligible, you must be a member of a regulated legal profession, such as the Law Institute of Victoria, and be entitled to practice in that regulated jurisdiction. It is therefore important that you continue to comply with the requirements of your Australian practising certificate, such as CPD requirements. ■

MAJOR SPONSOR WOTTON+KEARNEY



The Law Counsel of Australia's *National Attrition and Re-engagement Study Report* found that a relative lack of women in senior leadership positions contributes to a male dominated culture in which it is difficult for women to progress. How is Wotton+Kearney supporting women into leadership positions?

Wotton+Kearney is an Australian insurance law firm that has grown from one office with six lawyers in 2002, to 130 lawyers and a national presence today.

In 2017, over 70% of our lawyers are female, with women constituting 29% of our partnership. Initiatives we have introduced to support women into leadership roles include professional development programs, membership to key associations, mentorship, flexible work arrangements and extended leave. New parents are supported through paid parental leave, breastfeeding facilities and graduated return to work options.

To give an individual perspective, we asked Yen Seah, Senior Associate in our Melbourne office, what Wotton+Kearney is doing to support women into leadership positions. 'From my perspective, I have two exceptional male mentors, Cain Jackson and Nick Lux that constantly provide me with support and opportunities to extend myself'. She added, 'I'm also a firm believer that if you don't ask, you don't get.' The combination of open communication together with the flexible work conditions is what Yen believes is the cornerstone to her success. 'I'm always consulted on matters as they arise and am encouraged to speak up if I need additional support, and it's always provided without recourse. At the same time, from day one, I've always been encouraged to believe in my own ability.' ■

Yen Seah, Senior Associate

REPORTING ON GENDER EQUALITY IN THE LEGAL SECTOR

LIBBY LYONS

FOUR YEARS AGO, THE WORKPLACE GENDER EQUALITY AGENCY AND THE BUSINESS COMMUNITY JOINED FORCES TO EMBARK ON AN AMBITIOUS UNDERTAKING – THE CREATION OF A REPORTING SCHEME TO MEASURE THE STATE OF PLAY FOR WOMEN AND MEN IN AUSTRALIAN WORKPLACES.

Since then, the Agency has received around 20,000 reports from employers covering about 40% of the Australian workforce. The scale and quality of data the Agency collects is unique; it provides a comprehensive picture of women's and men's experiences at work and is rich with detail on promotion rates, employer actions and employee remuneration across occupations and manager categories.

After four years, the data set shows improvement against key gender equality indicators. The overall gender pay gap has improved year-on-year, although there have been some variations in sub-sectors or certain industries. The representation of women across all managerial categories has steadily increased and the rates of promotion of women into managerial roles suggest this trend will continue. More employers are taking action to improve gender equality outcomes and, for the first time, this year, over 70% of Australian organisations reported having policies in place to support workplace gender equality.

Perhaps the biggest change is that annual reporting on gender equality has become a business-as-usual practice for Australian employers. The levels of compliance and engagement are very high. Organisations can now access customised reports comparing their gender equality performance with that of their competitors.

Over time we have expanded the resources available to employers to include resources on flexible working, pay equity for small business, our very popular gender equality strategy toolkit and many other topics. We have even placed our data onto our interactive Data Explorer website: data.wgea.gov.au.

As international recognition of the economic imperative for supporting women's participation and progress in the paid workforce grows, the successful implementation of the *Workplace Gender Equality Act 2012* has established Australia as a global leader in the field of gender reporting. Indeed, the UK and Germany have recently implemented their own versions of gender equality reporting.

However, our dataset also reveals that there is more work to be done to achieve true gender equality at work. The average total remuneration pay gap between women and men for full-time employees in the legal services industry is 30.5% or a difference of \$42,462 every year. This has declined by 5.1 percentage points since our first year of reporting but it is still far too high.

One key cause is obvious – the lack of women in senior roles. Across the legal services sector, seven out of ten employees are female. This partly reflects the fact that women dominate the administrative positions in legal services. Yet our data also shows women comprise the majority of junior professional levels. Given this preponderance of women, it is appalling that only a quarter of equity partners are female. Indeed, our data shows that just 6% of legal services managing partners or CEOs are women.

Increasingly, we can see that employers are taking this seriously. Seven out of ten legal employers have a gender equality policy (which is about the same as the national average) and an increase in the industry overall by 6.8 percentage points from our first year of reporting. Clearly, the framework for change is there. This is a great sign. Yet, to really embed gender equality in their offices, law firms have to commit to affording real change in the way they work and the cultures they tolerate. These ingrained work practices and attitudes must be challenged and changed.

This will start with all law firms analysing their pay gap, reporting the results to their managing partners and, most importantly, taking action based on the results.

In the legal industry, seven out of ten employers have analysed their payroll for pay gaps, which is far higher than the national average. Conversely, this also means that three out of ten employers do not know if a pay gap exists in their firm. Of those organisations that conducted a pay gap analysis, only one in three went on to report the results to their executive. Sunlight is the best disinfectant; a firm's leadership must know where their pay gap is and the reasons for it in order for it to be addressed.

Other key drivers of gender inequality in the legal industry are billable hours, client demands and commitments at home. Flexible working arrangements may well be the silver bullet in helping lawyers to manage these competing responsibilities. Indeed, our data shows that nine out of ten law firms have a flexible work policy or strategy. However, it's likely that many law firms and lawyers do not see implementing and integrating a flexible working policy in their workplace as being compatible with building a client network and developing a practice. This has to change. Given our ageing population, law firms cannot expect talented lawyers to eschew their home life for their job in the future. If law firms want to remain competitive and attract and retain the best, the all-hours culture has to change, particularly for younger practitioners.

The attitude towards male lawyers also has to change. Our data shows that, on average, secondary carers in the legal services industry receive just 1.9 weeks parental leave. If we are serious about encouraging flexible working, then men, as well as women, need to be able to fulfil their responsibilities at home and in the office.

I acknowledge that clients have a part to play in changing this dynamic. Client companies need to understand that just as they promote flexible working within their own organisation, they should also demand flexible working from their law firm. I believe this is already happening. The number of companies who speak to me about ethical procurement practices is increasing, and I encourage them to consider their legal services suppliers in this process.

Senior lawyers also have to establish the expectation that junior staff members can access those flexible working policies. The idea that 'I did the long hours so you can do them too' is no longer acceptable.

In October 2017, I will launch the Agency's 2016-2017 dataset. I know that it will continue to show unequal outcomes for women and men in the legal sector. My hope, however, is that in another four years' time the differences will be very much improved. It is now up to law firms, their partners and managing partners to make this happen. ■



About the author

Libby Lyons was appointed Director of the Workplace Gender Equality Agency in October 2015. She oversees a statutory reporting process which gathers gender equality data from over 12,000 employers and covers more than 4 million Australian employees.

Libby is focused on working closely with employers to create workplaces in which the skills, experience and ambitions of employees are equally recognised and rewarded, regardless of their gender. Prior to joining the Agency, Libby had a distinguished career in corporate affairs and government relations, most recently heading BHP Billiton's Olympic Dam corporate affairs division.

MAJOR SPONSOR

MAURICE BLACKBURN



The Law Council of Australia's *National Attrition and Re-engagement Study Report* found that approximately one in four women have been discriminated against due to family or carer responsibilities. How important is parental leave and flexible working arrangements to the career success of women?

We've made significant progress since our grandmother's generation. We no longer have to quit work once we get pregnant. The introduction of parental leave and flexible work has been integral to that, however, there is still progress to be made.

One in four women lawyers experience discrimination due to family or carers responsibilities. The Australian Human Rights Commission reports that one in two women experience discrimination either while pregnant, on parental leave, or upon their return to work. My experience as an employment lawyer suggests discrimination is even more rampant.

The barriers to gender equality in the law are complex, subtle, structural and deeply rooted in the traditional practice of law. These barriers are hard to overcome and address in isolation.

There is also no quick fix, but parental leave and flexible work arrangements are a key component. I've seen some fantastic flexible working arrangements that have mutually benefited lawyers, employers and clients. I myself have benefited greatly from my flexible working arrangements.

However, if we truly want to see greater representation of women in partnership and as senior members of the bar and judiciary, the system must also change. Flexible work and parental leave should no longer be seen as the exception or solely for women. Flexible work should be the norm in workplaces, for men and women, whether they have kids, or want to train for a triathlon or just seek greater work life balance.

We also need greater education around flexible working. Broadly speaking, it means working different hours and/or in different locations to the traditional model of working nine to five, five days a week in the office. Secondly, it's not working five days but being paid four. Workload and expectations should be proportionate and commensurate to the flexible work arrangement.

The legal profession can and should do better in adjusting or realigning workload demands, expectations and promotion pathways to fit with an agreed flexible work arrangement.

These systemic changes are a fundamental shift that will likely require cultural, societal, structural and legislative change. It won't happen overnight but it should be the goal. ■

Emma Starkey, Senior Associate

INTERVIEW WITH THE HONOURABLE JUSTICE MAXWELL PRESIDENT OF THE COURT OF APPEAL

ALEXANDRA HODSMAN AND HILARY TAYLOR

JUSTICE CHRIS MAXWELL AC, PRESIDENT OF THE COURT OF APPEAL, IS PASSIONATE ABOUT GENDER EQUALITY IN THE LEGAL PROFESSION. SPEAKING TO VWL IN SEPTEMBER THIS YEAR, JUSTICE MAXWELL SHARED HOW HE IS CHALLENGING THE STATUS QUO IN WHAT STILL REMAINS A MALE DOMINATED PROFESSION.

In 2015, Kate Jenkins, the then Commissioner of the Victorian Equal Opportunity and Human Rights Commission, invited His Honour to become a Male Champion of Change. For Justice Maxwell it was great challenge.

'I would have always thought of myself as a feminist. And yet I realised when Kate rang me, I had never done anything about it.'

'It is quite simply a matter of fundamental human rights.'

'Gender should not affect the opportunities individuals have to pursue a profession or to lead any life they choose. It is a pretty simple proposition. If it's the fact, as it appears to be, that women are prevented from pursuing their profession in the law because they are women, it is outrageous. It doesn't withstand a moment's scrutiny.'

The Victorian Male Champions of Change, an initiative established in April 2015, brings together a group of 24 influential men drawn from a range of fields with the purpose of exploring how they can help remove obstacles to promote and advance women into positions of leadership.

'It is a fight women have been waging for decades,' Justice Maxwell says. The idea behind the Champions of Change initiative, according to His Honour, is to ask 'What are you blokes going to do about helping the fight?'

On joining the Champions of Change, Justice Maxwell hosted 'listen and learn' meetings with both male and female barristers and solicitors. 'It was truly shocking to hear the anecdotal evidence of gender inequality.'

'One woman recounted how an invitation had gone around in her firm to come to drinks at an all-male club after work. None of the female associates had been invited.'

'Another woman told me, 'I went to an all-girls school and they told me girls can do anything...I came to the Bar and realised it wasn't true.' This experience has caused Justice Maxwell to reflect deeply on the issue of gender inequality in the legal profession and he admits that his awareness of the issue has grown exponentially since being drawn into the battle.

'GENDER SHOULD NOT AFFECT THE OPPORTUNITIES INDIVIDUALS HAVE TO PURSUE A PROFESSION OR TO LEAD ANY LIFE THEY CHOOSE. IT IS A PRETTY SIMPLE PROPOSITION.'

'Women are being obstructed in the legal profession partly because of indefensible biases, whether conscious and unconscious, and partly because of the inertia of what has been a male dominated profession.'

His answer to the issue is twofold: accountability and measurement.

The Champions of Change meet for two hours every three months to set individual goals within their respective industries and report back to the group how they are meeting these targets. The group is divided into sub-groups that are responsible for implementing different policies. Justice Maxwell is part of the measurement and

accountability sub-group, which ensures that the Champions of Change continue to action change and make progress.

Justice Maxwell believes that the profession should be recording statistics, and setting targets, on gender to ensure the profession is held accountable. An example is the Law Council of Australia's Equitable Briefing Policy, which includes interim and long-term targets with the aim of briefing women in at least 30% of all matters and paying 30% of the value of all brief fees by 2020.

'I am a great believer in targets and measurements...and that statistics should be reported publicly. It becomes a matter of your reputation being at stake. Firms should be competing to show how far they've gone in achieving goals of equitable briefing.'

As a way of spurring on this healthy competition, Justice Maxwell recommended that each Male Champion CEO encourage the law firms engaged by his organisation to adopt the Equitable Briefing Policy. The group unanimously endorsed the proposal and each CEO was provided with draft letters for their organisation to send to their respective law firms to request they take part in the Equitable Briefing Policy.

Justice Maxwell encourages all lawyers to recommend female counsel. Having been told about the occasional prejudice exhibited by clients against female counsel, he encourages all lawyers to assume an advocacy role in the face of reluctance from a client.

'If you think you need a male barrister then you clearly don't understand what the role of a barrister is.'

'After 12 years at the Court of Appeal I can tell you that advocacy has nothing to do with being bullish and punchy – it's got to do with clarity of expression and depth of preparation. An advocate must have forensic capability and knowledge of the law – none of which has to do with gender.'

Another initiative of Justice Maxwell's has been to recruit his own groups of male advocates for change. He has convened meetings with a group of senior counsel and a group of junior counsel to discuss how male barristers can advance gender equality at the Victorian Bar.

'It occurred to me that just as my awareness has grown steeply having been drawn into this, I might raise awareness with groups of male lawyers and ask them, 'what are you going to do about this?''

Having worked to implement initiatives at the Victorian Bar, Justice Maxwell has now set his sights on how he can do the same with solicitors. In particular, he sees the gender pay gap between men and women at law firms as an issue of serious concern. 'I am shocked by the gender pay gap, which is reinforced by the shroud of secrecy law firms put over salary information. As the *Law Institute Journal* reported last November,

men are being paid significantly more than women of the same seniority and experience. It is incomprehensible and indefensible. I hope that in the next phase of my work as a male champion I'll be able to challenge that.'

Justice Maxwell considers that the Courts also have an important role to play in creating change. 'As uncontroversial as it is for the Court to talk about ethics, it is equally appropriate for the Court to talk about the importance of gender equality.'

'The Court is an exemplar of human rights – the way it conducts itself, the way it acts, and how it employs people.'

'We are still learning about what the Court can do to advance gender equality in the profession. For instance, increasing awareness of how Court timetables can be managed to accommodate part-time and flexible workers so that they are not disadvantaged.'

At the initiative of the Honourable Justice Tate, the Court of Appeal of the Supreme Court of Victoria now records the gender of counsel who appear and, in doing so, is ensuring the profession is held accountable. By recording the statistics that demonstrate the underrepresentation of women in appeals, Justice Maxwell believes the strategy is creating awareness and provoking thought within the minds of the legal community.

'Unless we push harder, embarrass people a bit by highlighting what's happening, the comfortable status quo will persist... Things aren't changing and unless we make ourselves a bit uncomfortable and embarrassed about the state of affairs, then, we'll only progress at a glacial speed.'

In encouraging others to champion for change Justice Maxwell says, 'The main thing is to have your eyes and ears open and think about what you can do towards the goal.' ■

MAJOR SPONSOR MINTERELLISON



Many would say that 'face time' is valued in law firms, despite research demonstrating it does not lead to top performance outcomes (Catalyst 2013). How does MinterEllison foster a culture that is accepting of flexible work arrangements?

MinterEllison's ambition is to be recognised as our clients' best partner. To achieve this, we know that it is critical that all our people are empowered to decide how and where they work to be at their best every day. Through our firm engagement surveys, we regularly seek to understand what makes the difference between a good workplace experience and a great one.

What we have learned is that autonomy and empowerment are key. This also means that some of our best work is often delivered from locations away from the traditional office environment.

While this insight is hardly surprising, particularly given the range of technology which enables remote working to be so effective and the importance of close client collaboration, there remains a real challenge in creating a truly agile firm. In a profession that until recently almost universally judged value on an inputs basis, measuring success in terms of hours recorded and billed rather than the actual value delivered from the perspective of our clients, a cultural shift must occur.

At MinterEllison we are part way through a transformation designed to deliver a distinctive people and client experience. Our Empower program is a strategic initiative focused on redesigning work practices. It encourages our people to explore how they can deliver better outcomes to their clients, by making choices about how and where they work. This allows us to connect the concept of flexibility with commercial outcomes. For example, depending on the piece of work, where it is best done might differ based on circumstances – it could be at home (I need to focus and not be interrupted), at the client premises (working side by side with my client), or at the office (collaborating with my team). Introducing agility offers a sustainable approach to working and enables MinterEllison lawyers to deliver their best work and achieve their full potential. ■

*Geraldine Johns-Putra, Partner and Fiona Glendinning,
Chief Experience Officer*

HOW TO ADDRESS IMAGE-BASED ABUSE?

DR NICOLA HENRY, PRIYA WAKHLU AND MAI GO

SINCE 2007, THE KARDASHIANS HAVE NOT ONLY ESTABLISHED THEMSELVES AS CULTURAL ICONS BUT ALSO PIONEERS IN THEIR USE OF SOCIAL MEDIA.

Demonstrating an unparalleled degree of foresight and intuition, the Kardashians have exploited social media platforms to amass personal fortunes and maintain public interest in the minutiae of their lives. This use of social media took a decidedly darker turn in July this year when the younger brother of Kim Kardashian, Robert Kardashian, used Instagram to share with his 9.4 million followers intimate images and videos of his ex-partner, Blac Chyna, engaging in sexual activity.

Kardashian alleged that Blac Chyna sent him this content during the course of and following the conclusion of their relationship. Kardashian captioned the images with body shaming comments, accusations of drug use and infidelity. As reported by *Business Insider*, after Instagram shut down his account, Kardashian directed his followers to Twitter where he continued to share those images; his actions inciting extensive criticism and sparking debate about the legalities surrounding image-based abuse.

WHAT IS IMAGE-BASED ABUSE?

Image-based abuse is not limited to Hollywood celebrities and reality television stars. A 2017 study conducted by Henry, Powell and Flynn at RMIT University found that 1 in 5 Australians reported being a victim of image-based abuse. In February of this year, a Brisbane man was jailed for superimposing his ex-girlfriend's head onto images of naked women alongside her address and phone number, inviting men to rape and torture her. *ABC News* reported these images were posted onto adult websites and other webpages between 2011 and 2015, resulting in more than 50 random men appearing at her house.

The term 'image-based abuse' is preferable to that of 'revenge pornography', a media-generated term that is used predominantly to describe the non-consensual sharing of nude or sexual images, typically in the aftermath of a relationship breakup. While the term 'revenge porn' has helped to garner widespread attention to this particular issue, the term is overly narrow and misleading. First, it fails to capture the wide range of motivations for sharing images without consent, such as blackmail, control, sexual gratification, social status building and monetary gain.

THE PATCHWORK OF
LEGISLATION ADDRESSING
IMAGE-BASED ABUSE MEANS
THAT A VICTIM'S ABILITY TO
SEEK REDRESS IS CONTINGENT
ON THE JURISDICTION IN
WHICH THE OFFENCE WAS
COMMITTED.

Second, the term focuses exclusively on the non-consensual sharing of intimate images, and fails to capture instances where someone threatens to share such images, or when someone takes an image (secretly or openly) of another person without their consent. And third, the term minimises the harm done to victims by likening the non-consensual imagery to the production of commercial pornography, and focusing on the content of the image, rather than on the abusive actions of the perpetrator. Image-based abuse, on the other hand, more accurately captures the complexity of perpetrator actions and motivations, as well as victim impacts. Henry and Powell consider

this term can be used to encompass the following three key behaviours: (1) the non-consensual taking of nude or sexual images; (2) the non-consensual sharing of nude or sexual images; and (3) the threats to share nude or sexual images.

ISSUES WITH CURRENT LEGISLATION

Criminal Penalties

Robert Kardashian may face criminal charges for his conduct as the *California Penal Code* prohibits the distribution of intimate images or images of an act of sexual intercourse without the consent of the depicted person. Blac Chyna has also obtained a restraining order against Kardashian that prohibits him posting images of her on social media.

Although Blac Chyna may be able to seek criminal redress, that option is not available to all Australian victims of image-based abuse. Despite the prevalence of image-based abuse, there has not been a uniform approach adopted in response to this conduct in Australia.

At the state and territory level, there has been a recent push towards criminalising image-based abuse. In Victoria, under the *Summary Offences Act 1966* (Vic) (Summary Offences Act) it is an offence to distribute or threaten to distribute an 'intimate image' which is 'contrary to community standards of acceptable conduct.' An intimate image is defined in the *Summary Offences Act* as either a 'person engaged in sexual activity', or 'a person in a manner or context that is sexual' or the 'the genital or anal region of a person or, in the case of a female, the breasts'. 'Community standards' are defined to include the nature and content of the image, the circumstances in which the image was captured, distributed, and the age, intellectual capacity, vulnerability or other relevant circumstances of a person depicted in the image. The *Summary Offences Act* also prohibits threats made to distribute intimate images, but only in circumstances where the victim believes that the threat will probably be carried out.

The *South Australian Summary Offences Act 1953* (SA) criminalises the distribution of 'invasive images', without the consent of the person depicted in the image, as well as threats to share invasive images.

New South Wales passed the *Crimes Amendment (Intimate Images) Act 2017* (NSW) in June this year which prohibits the creation, distribution or the threat of distribution of intimate images without the consent of the person depicted.

In 2016, the Western Australian Government amended the definition of family violence in the *Restraining Orders Act 1997* (WA) (the *Restraining Order Act*) to include image-based abuse. The *Restraining Order Act* also empowers courts in making a family violence restraining order to restrain an individual from 'distributing or publishing, or threatening to distribute or publish, intimate personal images of the person seeking to be protected'. As the provision is only enlivened in a family violence context, it does not provide an avenue for redress for people subject to image-based abuse outside of a domestic violence relationship. It is unclear why the Western Australia Government sought to redress image-based abuse solely within the family violence context, particularly given that image-based abuse can be perpetrated by offenders both known and unknown to the victim. Accordingly, the *Restraining Order Act* draws an unnecessary distinction between image-based abuse which occurs within, and outside of, a domestic violence context.

Federally, there is no specific offence which prohibits image-based abuse. Image-based abuse could, however, violate the prohibition on using a carriage service to menace, harass or cause offence under the *Crimes Legislation Amendment (Telecommunications Offences and Other Measures) Act (No. 2) 2004* (Cth). However, image-based abuse would only violate this prohibition in circumstances where the intent to 'menace, harass or cause offence' was clear. The focus on 'intent', as opposed to the distribution of content without consent, means that it is unlikely to provide sufficient protection to victims of image-based abuse.

The patchwork of legislation addressing image-based abuse means that a victim's ability to seek redress is contingent on the jurisdiction in which the offence was committed.

A focused legislative effort is needed to ensure that laws are in place to protect victims and that offenders are duly prosecuted.

Civil Penalties

Currently, a civil penalty regime specific to image-based abuse does not exist. Victims are limited to seeking civil redress through various other legal avenues such as copyright, defamation or breach of confidence, as there is no general individual right to privacy in Australia. Even then, victims face further limitations in seeking redress as, for example, to succeed under copyright law, the leaked image must be taken by the victim and not by someone else. An action of breach of confidence is also unlikely to be available against individuals who have further shared a misused image that has already been shared on popular social media platforms, as it may have lost its confidential character.

The issue with having a myriad of potential civil remedies is that it can lead to inconsistent outcomes for victims. Further, the few remedies which are available have not been designed to take into account the nature of image-based abuse and are therefore not sufficiently robust. For example, in the case involving the Brisbane man referred to above, the swift removal of the misused images through a takedown notice could have mitigated the harm caused, by reducing the visibility of the images by ensuring they did not appear on popular social media platforms or adult websites. Remarkably, current legislation does not provide for such measures.

WHAT HAPPENS NEXT?

The Australian Government has taken some initial steps in developing a specific civil penalty regime for image-based abuse. In May 2017, the Government consulted on a proposed civil penalty regime for the non-consensual sharing of intimate images, which includes powers such as issuing takedown notices. It was proposed that the role of the eSafety Commissioner (Commissioner) be expanded to cover image-based abuse and to regulate a civil penalty regime that is framed in a similar manner to the current cyber-bullying regime.

It is clear that a civil penalty regime specific to image-based abuse is required. For such a regime to be effective, it should ensure that any civil monetary penalty is formulated to appropriately recognise the serious nature of the harm that flows from image-based abuse, and to act as an effective deterrent. Further, given the nature of the internet and the large role online content hosts and social media platforms have in image-based abuse, it is strongly recommended that the Commissioner consistently engage with online content hosts to coordinate the timely take-down of misused images and to create a safe online environment for its users.

While it is important that governments strengthen privacy protections and introduce specific criminal offences as well as civil penalties, other measures are crucial for both responding to, and preventing, image-based abuse. For example, social media and website providers can do more to improve detection and removal of image-based abuse material. Information and support services need to be available and tailored to assist image-based abuse victims.

And finally, it is important that educational programs are introduced that foster understanding and awareness of the nature and scope of the problem, as well as the impacts on victims. Such programs should focus on perpetrators and bystanders, and work towards encouraging a culture of respect for the privacy and sexual autonomy of others. ■

FOR FURTHER INFORMATION, PLEASE SEE:

- VWL's submissions on the Government's proposed civil and criminal penalty regimes, available at <https://vwl.asn.au/publications/>
- Henry, N., Powell, A. & Flynn, A. (2017). *Not Just 'Revenge Pornography': Australians' Experiences of Image-Based Abuse*. A Summary Report. Melbourne: RMIT University



About the authors

Dr Nicole Henry investigates the prevalence, nature and impacts of sexual violence. Her current research on technology-facilitated sexual violence focuses on the non-consensual distribution of intimate images, the recording and distribution of sexual assault images, the use of online dating and social media sites to facilitate rape/sexual assault, and online sexual harassment.



Mai Go is a lawyer at Allens and is a member of VWL's Law Reform Committee.



Priya Wakhlu is a lawyer at HWL Ebsworth and is a member of VWL's Law Reform Committee.

MAJOR SPONSOR MADDOCKS



Working remotely is becoming an increasingly common flexible work practice. What remote working policies has Maddocks implemented and what are the benefits Maddocks sees in enabling employees to work from home?

Flexible work arrangements form a key part of Maddocks' strategy to attract and retain our partners and staff. Our Flexible Work Policy offers a range of flexible work arrangements to partners and employees, including part-time work, working from home, job sharing, non-standard hours and telecommuting. Our partners and directors receive training and support in managing flexible work.

In the past year, Maddocks has invested a significant amount of time and money into improving remote access mechanisms so that lawyers working from home or otherwise remotely can have the same experience as if working in the office.

There have been two major initiatives. The first was an upgrade of our IT equipment and systems, which included the provision of laptops to all lawyers and key shared services staff, to allow our people to be able to work where it best suits them for that particular day or matter. The second major initiative has been the provision of office space in Geelong. The firm has a number of people who live in or near Geelong, and the provision of this space provides an alternative to working from home. These initiatives are part of a wider dedication to providing the option of flexible working to our partners and staff.

It is initiatives such as these that place Maddocks at the forefront of the legal profession for flexible working. Approximately 24% of our workforce (including partners) work flexibly. Enabling our people to access our systems and communicate with clients as easily from home as in the office means that client service is not disrupted by the fact that a partner or employee is not physically present in the office.

Working flexibly has allowed us to retain good people who would otherwise have left private practice or stopped practising law. It has also allowed our people to be more involved with their families, pursue studies or other outside interests. This in turn has a positive impact on their engagement with the firm and on their productivity. ■

Michelle Dixon, CEO

MAJOR SPONSOR

K&L GATES



The gender imbalance of the legal profession is well documented. What is your firm doing to address the imbalance?

Our Managing Partner in Australia leads the K&L Gates' Women in Leadership Strategy. In line with the strategy, the firm has a goal to reach a 30% representation of women in leadership roles by 2018.

After consultation with our people and key internal groups, the sentiment is that it is the collective responsibility of the partnership to drive change. In order to achieve change, much is happening around sponsorship and mentoring of women to progress in their careers.

Key initiatives include:

- Momentum Program: a program which supports women and men who are planning a period of parental leave to stay on career track. It includes a framework for supervising partners and employees to discuss career planning from the time parental leave is announced, during parental leave

and four months post return to work. It also includes plans to maintain practice and client connection throughout parental leave, to maintain career momentum and support career advancement.

- Mentoring program: a structured mentoring program is available to support all employees with their career. Many women lawyers request women partners to mentor them. Mentors may support women to find a unique way to connect and network with clients, reassure women around balancing a family and progressing in their careers, provide inspiration to continue to stay in legal practice and generally expand networks beyond their office or practice area.
- Tailored career plans: a program that provides coaching and support for lawyers who aspire to Special Counsel or Partnership. Given each candidate's unique circumstances, the program is tailored to the individual. It provides fortnightly one on one coaching session with a results trained coach and also business development support.
- Male champions: the firm has appointed one partner for each office to act as a male champion. This is a key initiative to support cultural change within the firm. The male champions sit on the Diversity and Women in Profession Committees and have a role in advocating for women within the firm and act as ambassadors for external programs and initiatives. ■

Nick Nicola, Managing Partner



Image: Nicolette Eisdell, *Leon resting* (Leon Fink AM, restaurateur & entrepreneur) (SH Ervin Gallery)

Q&A

ANNE SMYTH



How are you involved in the law?

I work in the Review and Dispute Resolution business line of the Australian Taxation Office (ATO) – which handles objections (the internal review process provided by legislation), litigation and alternative dispute resolution (ADR) processes.

My role includes representing the Commissioner in litigation and ADR, as well as assisting with objections. I am also part of the ATO's In House Facilitation (IHF) Network. IHF is a service offered by the ATO where an ATO officer with mediation training, who has no prior knowledge or involvement in the dispute, facilitates discussions between the ATO and the taxpayer. It is an interesting challenge after years of participating in ADR as a representative to step back and facilitate the discussion, instead of trying to solve the issue myself.

What has been your most memorable experience in the law?

My most memorable experience is running a case from the Administrative Appeals Tribunal through to hearing before the full bench of the High Court. It went from a factual dispute in the AAT to a constitutional challenge in the Federal and High Courts with potentially far reaching consequences for Australian workers. While my role in the litigation changed as the dispute escalated and the number of stakeholders grew, it was a great opportunity to see the litigation process from end to end.

What has been your most challenging experience in the law?

The most challenging aspect of my work is when processes, procedures and/or the law operate to result in an outcome that seems 'unfair'. This can be anything from a law which operates harshly (but as intended) in the circumstances, to a litigant or adviser who deliberately protracts or delays the resolution of a dispute. My preference would be for all matters to be resolved in a timely manner, with an outcome acceptable to all parties, and without unnecessary costs to the parties or court or tribunal, but unfortunately, and despite my best efforts, this is not always the case.

What change would you like to see for women in the law?

I would like to see full and ongoing participation by women at all levels of the legal profession. Women now make up the majority of those being admitted to practice, but still hold only a minority of senior positions. It's not just by 'choice' that they end up moving on to other roles and professions, or not progressing to senior levels – and we need to work on why that is.

What role have mentors, champions and sponsors played in your career?

I was recently compiling a list of career achievements, and looking over the list I was surprised at how many of my personal highlights had originated with others putting my name forward for an opportunity. While I work hard and am willing to take up the opportunities offered, without these people – effectively informal champions or sponsors – supporting me, the list would be much shorter.

I haven't had a formal mentor, but there are people whose work ethic and outlook I admire who I keep going back to when I need guidance. I am lucky to work with a number of people who fall into this category, so I am not always relying on the same person each time.

How can women lawyers be champions of change?

Women lawyers can be champions of change by challenging the status quo and encouraging others. It is important that we not accept things just because 'this how things have always been' or 'that is just how the legal professional works'. It's about questioning things that don't look right – even if you're labelled 'bossy', 'shrill' or 'emotional' for doing so.

I have noticed that even as structures and processes change, attitudes don't always progress at the same rate. For example, flexible work arrangements might be made available, but those taking up such arrangements can be overlooked for opportunities because it is assumed that they are not 'career focused' or that certain roles can only be performed by a full time staff member. Even well-meaning assumptions can do damage.

It is important to remember the times we have been treated differently – and to make sure we don't do it ourselves and call out others when they do. It is equally important to support and encourage others. As you progress the best thing you can do is bring others along with you. I have benefited many times from those who have put my name forward for opportunities – and try to do the same for others. ■



Image: Cynthia Breusch, *Melanie sewing* (after Vilhelm Hammershøi) (Melanie Liertz, costume & set designer) (SH Ervin Gallery)

MAJOR SPONSOR CORRS CHAMBERS WESTGARTH



We are often unwittingly influenced by our biases. What practices and procedures does your firm have in place to ensure equitable hiring?

There is a clearly defined term for when we are 'unwittingly influenced by our biases,' it is called 'unconscious bias'.

This is not a buzzword or a meaningless label; unconscious bias is real and can significantly impact people's careers.

While often thought primarily to be an issue when a person is already employed, these biases can also surface during the recruitment and hiring process.

Corrs Chambers Westgarth, has long recognised that unconscious bias exists and has actively worked on doing something about it. Unconscious bias awareness training has formed a key part of professional development for our partners, senior lawyers, business services managers, and human resources staff for almost a decade.

We have also gone further to establish recruitment and retention practices that limit the effect of unconscious bias.

Our firm has implemented a range of mechanisms, which include:

- 'Recruitment Guidelines' that promote an equitable process, to ensure the most appropriate candidate is selected based on their suitability for a given role. The firm's focus on diversity and gender equality goals is highlighted.
- Positions are advertised on our external and internal careers website and made accessible to all staff, utilising language that is non-discriminatory and gender neutral.
- Where possible, the firm will have at least one female as part of the interview and selection panel.
- The firm has adopted a target of 50% female representation for recruitment shortlists and encourages hiring managers to give thought to gender composition when short-listing candidates for interview.
- Standard interview guides, incorporating behavioural questions and selection rating criteria, are available to hiring managers to promote equitable and unbiased recruitment decisions.

We firmly believe our firm's success relies on attracting and retaining talented people with diverse ideas, backgrounds and experiences, and providing a supportive culture that enables them to contribute fully and develop to their maximum potential. We are committed to diversity, including gender equality, which we see as essential to developing creative solutions for clients and pioneering new approaches in the delivery of legal services. ■

Heidi Roberts, Partner

THE GENDER SUPER GAP: UNDERSTANDING WHY WOMEN RETIRE WITH LESS SUPER THAN MEN

SANDRA BUCKLEY AND EMMA MAIDEN

WOMEN CURRENTLY RETIRE WITH LESS THAN HALF THE SUPERANNUATION OF MEN. ACCORDING TO THE LATEST FIGURES FROM THE ASSOCIATION OF SUPERANNUATION FUNDS OF AUSTRALIA, THE AVERAGE SUPER BALANCES AT RETIREMENT TODAY ARE \$138,150 FOR WOMEN COMPARED TO \$292,500 FOR MEN. THAT'S A DIFFERENCE OF \$150,000.

Prior to the introduction of compulsory super in 1994, approximately 25% of women had superannuation. Many were automatically excluded from defined benefit plans once they got married so very few women were able to accumulate sufficient superannuation balances.

Today, despite almost 25 years of compulsory super, it is estimated that one in three women retire with no super and more than 40% of older single women live in poverty. Alarming, the fastest growing cohort of homeless people is older single women.

WHY ARE SO MANY WOMEN RETIRING WITH INADEQUATE SUPER BALANCES?

There are a number of interrelated and complex factors at play that contribute to the vastly different superannuation balances at retirement between men and women.

Female lawyers and barristers in particular face obstacles to building a super balance that will provide sufficient income for their retirement.

A major contributing factor is the gender pay gap. The ability to save for retirement and accumulate super is closely linked to pay; less pay results in fewer and lower super contributions for women, but also a loss of compounding interest returns which when put together can add up to a substantial amount over a working life of 40 to 50 years.

According to the Workplace Gender Equality Agency, the gender pay gap for full-time employees in legal services is 30.5%.

This is 7.4% wider than the pay gap in total remuneration for all full-time employees. Further, senior women lawyers continue to be under-represented in law firms, notwithstanding that women make up two-thirds of law graduates.

The situation is even worse at the Bar. In June 2016, an article published in *The Age* reported a 141% pay gap for barristers based on taxable incomes reported to the Australian Taxation Office. This was the highest gap reported for those professions reported. Despite increasing numbers of women at

The average woman takes a career break of five years which usually equates to five years of little or no super contributions. Often women return to work on a part-time basis. Alternatively, with paid part-time work and/or flexible roles sometimes difficult to find, many take on positions below their levels of experience to enable them to combine work with childcare. The legal profession has struggled to offer flexible working arrangements; with facetime and hours in the office equated with performance. Anecdotally, many female barristers state that their decision to go to the Bar is to have more flexibility and opportunity in terms of career path relative to working in a law firm.

Many women who go on maternity leave simply do not return to the law. A lack of flexible work arrangements on return from maternity leave contributes significantly to this exodus of women. This is a real loss for the industry in terms of experience. It is also a loss for the women themselves.

A further factor is that women often find themselves, at a later stage in their careers, caring for elderly family members. This commonly occurs at a point when their own children have grown up and they would otherwise be in a position to take on more challenging and demanding roles.

WHAT CAN WOMEN DO TO INCREASE THEIR SUPERANNUATION BALANCES?

According to Emma Maiden, Director of Legal Super, the industry super fund for the legal services sector, younger women in law would be well advised to think about boosting their super by salary sacrificing. Even small amounts compound powerfully over a working life and can substantially reduce the impacts of lower pay, future career breaks and part-time work. Older women too can take advantage of compound interest – it's never too late to 'top up' super accounts. As Warren Buffet said, compound interest is the eighth wonder of the world and we should take full advantage by putting away as much as we can.

TODAY, DESPITE CLOSE TO 25 YEARS OF COMPULSORY SUPER, IT IS ESTIMATED THAT ONE IN THREE WOMEN RETIRE WITH NO SUPER AND MORE THAN 40% OF OLDER SINGLE WOMEN LIVE IN POVERTY.

the Bar, there remains significant scope for the advancement of women to senior positions. For barristers with less than 5 years' experience, 35% are women. Whereas, barristers with 15 years or more experience, only 12% are women. Nationally, women still make up only 10% of Senior Counsel.

Without reaching the more senior roles, and therefore higher paid positions, women will continue to accumulate less super than men despite their best efforts.

Another contributing factor to the gender super gap is the time women take out of the paid work force to have and care for children.

Women should also look to consolidate their super accounts, paying close attention to the fees and look around for a fund providing lower fees with a good long-term performance track record. Taking the time to call their superannuation provider and asking questions about their fund and strategies for boosting their super is also a good starting point. As is taking a look at one of the many superannuation websites such as ASIC's Money Smart which has an excellent super calculator.

For self-employed lawyers and barristers, super is not compulsory. Despite the same tax advantages existing between self-employed and employed lawyers, many self-employed lawyers and barristers do not make it a priority and therefore do not pay themselves super. Self-employed women lawyers and barristers should ensure that they are paying themselves enough super to be financially secure when they retire.

HOW CAN WE ADDRESS THE GENDER SUPER GAP?

Women alone will not solve the gender super gap and it is not their sole responsibility to bare. As the 2016 Senate Inquiry into Women's Economic Security in Retirement found, there is no silver bullet that will improve women's retirement outcomes. Telling women to 'take control of their finances' or 'become more financially literate' is not a solution. Nor is the outdated belief that a husband is a retirement plan. Structural inequity requires structural solutions and we need to change the system to take account of the different working patterns of women; their lower average earnings and reduced capacity to work based on their caring responsibilities.

While the superannuation industry itself needs to better communicate the challenges faced by women, there are moves in the right direction with increased media attention being paid to the gender super gap and concerted efforts to advocate for change.

As a country we have not prioritised improving women's retirement outcomes. It is fair to say that momentum for change is growing, as is the recognition that action needs to be taken now to stem the growing numbers of women retiring with little or no super and to ensure the super system delivers them the dignified retirement they deserve. ■



Image: Wendy Sharpe, *Self Portrait with Menin Gate* (SH Ervin Gallery)

ABOUT WOMEN IN SUPER

Women in Super is a national advocacy and networking group for women employed in the superannuation and wider financial services industries and recently launched its Make Super Fair campaign (www.makesuperfair.com) aimed at creating a more equitable system that sees women and low income earners reach greater economic security in retirement.



About the authors

Sandra is the Executive Officer of Women in Super. Prior to taking up this role in 2014, Sandra spent over 20 years in senior roles in asset management and private wealth management with a number of international banks.



Emma Maiden has been a Director of legalsuper since 2008. Legalsuper is the \$3 billion plus industry superannuation fund for Australia's legal community and 75% of its members are women.

She is also currently the Assistant Secretary, Unions NSW. Previously Emma worked as a lawyer specialising in employment and industrial law.

Q&A

ROBIN TAYLOR



How are you involved in the law?

I'm currently an in-house lawyer at Arts Centre Melbourne (ACM). I work with the General Counsel to identify legal risks, establish legal and regulatory compliance processes and provide advice in the context of ACM's statutory and commercial functions.

I contribute to major projects such as the Australian Music Vault and Supersense Festival, as well as ongoing engagements with companies like The Australian Ballet, Melbourne Festival, and small-scale service providers. I also work closely with the State Collection of Performing Arts and Public Art Collection on exhibitions and collections management.

What has been your most memorable experience in the law?

I recently completed a Diploma in Law and Collections Management with the Institute of Art and Law. The course was run out of the Museum of Applied Arts and Sciences in Sydney and helped me build on the advice I give to registrars and curators managing the collections at ACM.

What has been your most challenging experience in the law?

Working in-house, I'm often faced with situations that challenge my legal and ethical duties as a lawyer. In-house teams can sometimes be seen as a 'road block', imposing legal processes that unnecessarily complicate day-to-day work. My biggest challenge is communicating to the business that taking the time to assess risks or comply with certain processes (instead of circumventing them) is in their best interests.

What change would you like to see for women in the law?

Women in the law can use their privilege to advocate for greater diversity in the profession. The growing recognition of intersectionality in feminism gives women lawyers a unique opportunity to consider and break down the barriers posed by race, class and other factors in successfully navigating the legal system – let alone gaining access to legal education. We need to support women of colour, as well as queer, trans, non-binary, disabled and neurodiverse people, who might not have the opportunity to get into an elite law school and ultimately gain access to the legal profession.

How can women lawyers be champions of change?

We can advocate for better work-life balance and the need to improve mental health in the profession. We can choose to support other women in spite of the competitive nature of the workplace. We can embrace different working styles and personality types in our teams. We can recognise that there are different ways to 'do law' and that working in government, the community legal sector or an NGO is as valid as working at a top tier law firm. We can include underrepresented people, particularly Indigenous women, women of colour, trans women, working class women, and women with a disability in conversations about the profession. These are all small things, but they will make our lives brighter and help make the profession more diverse and dynamic. ■

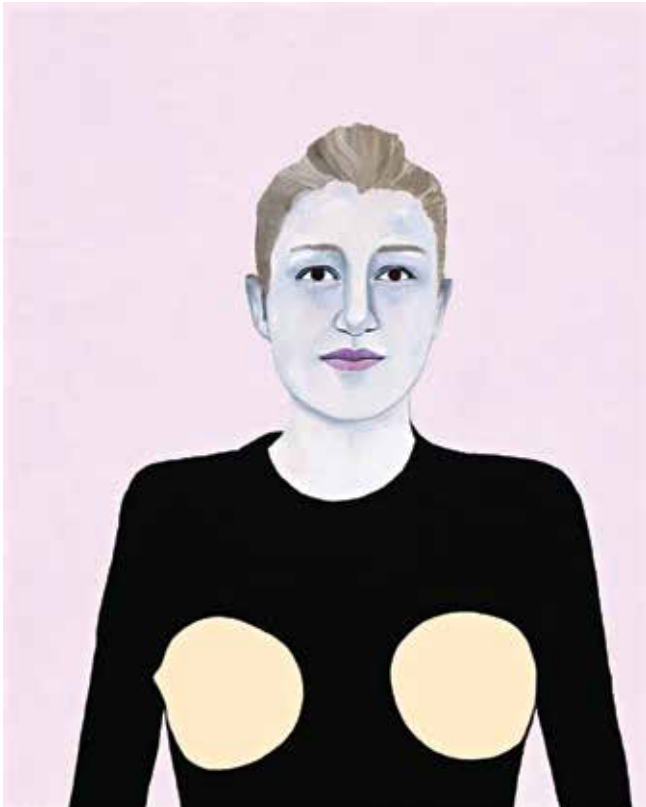


Image: Sally Ross, Skye (Skye Klingender, design consultant)
(SH Ervin Gallery)

ASSOCIATE SPONSOR

NICHOLLES FAMILY LAWYERS



The Victorian judiciary has noted that women barristers are significantly underrepresented at the bar table. What policies does Nicholes Family Lawyers have in place to ensure equitable briefing of barristers?

The Victorian Bar has long been concerned about the statistical imbalance between male and female barristers. It has taken steps to remedy the situation, working internally and with other related organisations. Its Quantum Leap program notes that progress has been slow, stating that a 'new boldness is required to break through entrenched difficulties.' More positively, leading law firms and organisations have signed up to a three-year Charter of Commitment aiming to achieve gender equity among barristers.

Nicholes Family Lawyers is a successful boutique family law firm established in 2005. Our lawyers are mostly female and are experienced in specialised family law services, including complex property settlements and children's matters.

Our firm instructs both female and male barristers. We have close relationships with several women barristers who are ex-employees. We recognise that women have a special talent and empathy in family law matters, both in the parenting and property aspects of the law.

Our senior management is committed to gender equity among barristers. We try to be aware of the numbers of women at the Victorian Bar. We understand the need to develop targets and to decide to measure the benefits of using how our more women barristers.

We believe that our firm is integrally involved in bringing about cultural change by tackling fixed mindsets, by reducing unconscious bias and by adopting a consultative approach. We look forward to the time when there are equal numbers of female and male barristers at the bar! ■

Sally Nicholes, Partner

ASSOCIATE SPONSOR

SIGMA EXECUTIVE



It has been observed that women will not apply for a position unless they meet all of the criteria while men do not have the same hesitation. What should women consider when applying for leadership positions?

In August 2016, the Australia Government Workplace Gender Equality Agency released a troubling report revealing that women comprise 46.2% of the Australian workforce, yet occupy just 27.4% of key management personnel.

One cause of this discrepancy, identified in a 2014 *Harvard Business Review* study, is a significant disparity in the tendencies of men and women to even apply for senior leadership positions. In fact, according to the study, women are unlikely to apply unless they meet 100% of the predetermined key selection criteria, whereas men are likely to apply even if they meet just 60%.

At Sigma Executive, we've observed talented and accomplished women who are overdue for progression into leadership positions but still lack the confidence to apply. To all women, but especially those feeling hesitant about the next stage of their careers, we offer the following advice:

- Often, the most suitable candidates in the pool meet only 60 or 70% of the key selection criteria. Focus your application on the areas you do meet, because they are might just be enough to put on the top of the pile.
- Employers will often revert to a crude and inflexible laundry list of positive qualities as selection criteria. These qualities might not actually reflect the ideal candidate, or might not be essential.
- People lead organisations, not CVs. 'Softer' skills such as natural leadership qualities, business development potential and emotional intelligence are essential, and equally likely to be your point of distinction. You are probably more qualified than you feel.
- 'Imposter syndrome', that nagging sensation of being out of your depth, is more commonly caused by under-confidence than under-competence. If you can identify the critical voice inside you that's reinforcing that feeling, then you can overcome it. ■

Jackie Gillies, Director, and Ashley Kamien, Senior Consultant

WOMEN AT THE TOP

CATHERINE GLOUTNAY, ISABELLA KELLY AND STEPHANIE PASHARIS

IN 2017, A MONUMENTAL PHOTOGRAPH (PICTURED) CAPTURED OF SOME OF AUSTRALIA'S LEADING WOMEN IN LAW. COMMISSIONED BY THE LAW INSTITUTE OF VICTORIA AND PUBLISHED IN THE AUGUST 2017 *LAW INSTITUTE JOURNAL*, IT MEMORIALISES A HISTORIC MOMENT OF WOMEN HOLDING AN UNPRECEDENTED NUMBER OF THE MOST SENIOR ROLES IN THE PROFESSION.

Among those depicted in this image are the Honourable Chief Justice Susan Kiefel of the High Court of Australia, the Honourable Chief Justice Marilyn Warren of the Supreme Court of Victoria, and the Honourable Chief Justice of the Family Court of Australia Diana Bryant. 2017 was also an eventful year for these women, with Chief Justice Kiefel commencing office in January, and both Chief Justice Warren and Chief Justice Bryant retiring in October. Each has a remarkable career and their stories highlight the immense progress women have made in the legal profession. In the spirit of celebrating success, and in honour of their extraordinary achievements, we share some of their inspirational stories.

CHIEF JUSTICE SUSAN KIEFEL

Chief Justice Susan Kiefel's appointment to the High Court on 30 January 2017 made history, as she became the first female Chief Justice of the High Court.

Having left high school when she was just 15 years old, Chief Justice Kiefel worked as a legal receptionist in a Queensland law firm. She later completed the remainder of her high school studies at night and then enrolled in a law degree. Soon after completing her degree, Chief Justice Kiefel was called to the Bar when she was 21 years old. She would later become Queensland's first female Queen's Counsel in 1987. Chief Justice Kiefel held numerous judicial roles before her appointment as Chief Justice – she was appointed to the Supreme Court of Queensland in 1993, the Federal Court of Australia in 1994, and the High Court in 2007.

We congratulate Chief Justice Kiefel on her appointment and we are confident her intellectual leadership of the High Court will be exemplary.

CHIEF JUSTICE MARILYN WARREN

A Monash law graduate, Chief Justice Marilyn Warren commenced her legal career as a clerk for the Victorian government in 1974. She was called to the Bar in 1985 and was appointed silk in 1997. In 1998, she was appointed as a judge of the Supreme Court, later becoming the Chief Justice of the Supreme Court on 25 November 2003 – the first female Chief Justice of any State court.

The Chief Justice's presence on the Court has been immensely powerful. She has generated a transformation and womanisation of the Supreme Court, which has seen a tremendous shift in attitudes towards women in the legal profession. As Patron of VWL, she has been instrumental in assisting the professional development of women lawyers, particularly as advocates.

We thank the Chief Justice for her contribution to the legal community and her ongoing support of VWL.



CHIEF JUSTICE DIANA BRYANT

Chief Justice Diana Bryant was admitted to practice in Victoria in 1970 before practising as a solicitor at Phillips Fox (now DLA Piper) in family law. She was called to the Bar in 1990, becoming Queen's Counsel in 1997, and was appointed to the Federal Magistrates' Court in 2000. She became Chief Justice of the Family Court of Australia in 2004. She was the second female to fill the role.

During her time as Chief Justice of the Family Court, she was dedicated towards building the institution's reputation and overcoming criticisms with its operation that had plagued the Court for years. Notably, she introduced a less adversarial trial in children's cases and highlighted the need to change laws that require children with body dysphoria to obtain approval from the Family Court before taking steps to change their gender.

In 2009, Chief Justice Bryant was appointed Patron of Australian Women Lawyers, in recognition of her support for women lawyers and commitment to promoting equality for women in the community.

We thank the Chief Justice for her contribution to the legal community and her support for women lawyers. ■

Image (left to right):

Marilyn Warren, Chief Justice of the Supreme Court of Victoria

Susan Kiefel, Chief Justice of the High Court of Australia

Diana Bryant, Chief Justice of the Family Court of Australia

Fiona Bennett, Chair, Victorian Legal Services Board

Nerida Wallace, CEO, Law Institute of Victoria

Samantha Hauge, CEO, Coroners Court of Victoria

Sarah Fregon, CEO, Victorian Bar

Professor Rocque Reynolds, Dean of Law, Australian Catholic University

Keryn Negri, CEO, Victorian Civil and Administrative Tribunal

Judge Amanda Chambers, President, Children's Court of Victoria

Fiona McLeod, SC, President, Law Council of Australia

Belinda Wilson, President, Law Institute of Victoria

Fiona Chamberlain, CEO, County Court of Victoria

Samantha Burchell, CEO, Judicial College of Victoria

Jennifer Batrouney, QC, President, Victorian Bar

Marlo Baragwanath, Victorian Government Solicitor

Louise Anderson, CEO, Supreme Court of Victoria

Judge Sara Hinchey, Victorian State Coroner

Bronwyn Lincoln, Chair - Melbourne Commercial Arbitration and Mediation Centre

Professor Carolyn Evans, Dean, Melbourne Law School

Linda Dessau, Governor of Victoria

Photography by Michael Lawrence and courtesy of the LIV.



MAJOR SPONSOR

ALLENS



How does Allens help men and women access flexible working?

Allens understands the benefits of an inclusive workplace. We are committed to having the right structure, support for flexibility and culture of inclusion in place to help all our people thrive and realise their full potential.

Flexibility is a key priority for us. We are moving away from having flexibility 'arrangements', to a culture where flexibility is the norm rather than the exception. We are a partner in the Diversity Council Australia's new Future-Flex initiative. Future-Flex is a new way of thinking about workplace flexibility, beyond just accommodating an individual's needs – it is about redesigning work at a team or organisation level to maximise performance and wellbeing.

We use inclusion 'hot seats' to have our practice groups and corporate services teams report regularly to our Executive Committee on:

- development, promotion and retention of female partners and senior lawyers
- parental leave – transition support and return rates
- flexibility – uptake and initiatives, and
- practice group / corporate services team specific interventions to improve inclusion outcomes, including gender equality

Support for working parents is very important to Allens. In addition to our leave program for primary and non-primary carers, we also provide transition coaching, subsidised childcare and on demand emergency childcare.

We also have a long-running Women@Allens program, an employee network group focused on developing and accelerating of outstanding female professionals in all areas of our firm.

Building a diverse, inclusive and engaged team is a key theme in our strategy and we are proud of the long standing initiatives we have in place to advance inclusion and diversity at Allens. ■

Richard Spurio, Managing Partner

MAJOR SPONSOR

CLAYTON UTZ



Expectations about attributes and behaviours appropriate to women or men are shaped by culture. What does your firm do to foster a culture of equality?

In 2014, Clayton Utz set a target of 35% female partners by 2025. We are on track, but not because we favour one gender over another. Our programs, which were implemented to achieve the target, have largely been gender neutral. We've looked at what underpins psychological safety and we've seen that through initiatives such as strong leadership, unconscious bias training, leadership and development programs, clearer career paths and new policies, everyone stands to gain – not just women.

Our diversity and inclusion programs have generated a dialogue that extends beyond our events, training or meetings. These frequent conversations have led to a greater level of understanding, sophistication and confidence around diversity and inclusion issues. We no longer respond, for example, that 'time is the answer' for achieving gender equality. Instead, we embrace the 2016 Law Council of Australia's stretch targets set for gender equitable briefing.

An objective of our recently refreshed diversity and inclusion strategy is to shift the narrative to focus on inclusion to build better connections between our diversity streams. This focus also recognises that our people possess more than one social identity and helps remove siloed thinking, which assists to foster a culture where people feel safe being authentic.

This combination of bolder actions, informed conversations on diversity and inclusion, and a strategic focus on finding common ground, fosters a culture of equality at Clayton Utz. ■

Kate Jordan, Deputy Chief Executive Partner and Alison Woolsey, Head of Strategy and Diversity

Q&A

JOANNA FLETCHER



How are you involved in the law?

I am the CEO of Women's Legal Service Victoria (WLSV), a not-for-profit organisation that has been providing free legal services to women since 1982. Prior to becoming CEO, I was managing WLSV's policy and advocacy work and was the

national law reform coordinator and spokesperson. I am currently a member of the Family Violence Steering Committee, which is overseeing family violence reform to respond and implement the Royal Commission into Family Violence recommendations.

What has been your most memorable experience in the law?

If I have to name a single experience, then I would have to say that it was defending a 'paternity fraud' lawsuit. A father had brought a claim against my client seeking damages for fraudulent misrepresentation on the basis that my client had represented that all three children born to her during the marriage were his children. In fact he was not the biological father of two of the three children. This was a first in Australia and the father was ultimately unsuccessful following several appeals.

What has been your most challenging experience in the law?

Having been at WLSV for 16 years, I have observed the treatment of family violence in our legal system going two steps forward at the state level and one step back at the federal level. Sometimes it's frustrating to have to expend time and energy fighting negative changes when you would much rather direct all your resources to creating significant positive change.

An even broader challenge for all of us in the law is to address gender inequity and violence supportive attitudes where they exist within the profession and the courts. We very often frame "the problem" of family violence as being "out there" somewhere.

However, the best international research tells us that the key drivers of violence against women are gender inequity and violence supportive attitudes and that to address these drivers we need to work on where they exist in the legal and justice setting, amongst others.

What change would you like to see for women in the law?

I would like to see quotas for partnership, for briefing and for judicial appointments. Firms should adopt family friendly practices, to support both mothers and fathers. We also need to get better at supporting parents (usually mothers) returning to work after parental leave, including reducing the long term financial impact of time out of the workforce.

What role have mentors, champions and sponsors played in your career?

Principal Lazarus Dobelsky gave me an excellent grounding as a litigator and guided me through the early years of my career.

Former WLSV CEO, Gillian Dallwitz, my boss for eight years, was a fantastic people manager. I have never met anyone who could get to the heart of what was going on in an interaction like she could. Gill encouraged me to think critically about how to approach a task and not feel bad about seeking support.

How can women lawyers be champions of change?

Women lawyers can be champions of change by getting involved in campaigns on law and policy that impact women, for example I would encourage all family lawyers to engage with the upcoming Australian Law Reform Commission Review of Family Law.

Within law firms, both women and men need to ask about gender balance, particularly in senior roles. They need to challenge behaviour that is abusive or undermining or the excusing of this sort of behaviour. Until we challenge and change gender inequity and attitudes that support or condone violence, the legal profession will be part of the problem and definitely not the solution for violence against women. ■



Image: Zoe Young, *My mother, myself* (self portrait) (SH Ervin Gallery)

ASSOCIATE SPONSOR

JUSTITIA



How does Justitia recognise and promote the achievements of women?

Justitia challenges the traditional hierarchical law firm model through innovative and creative work practices that promote and support women to reach their full potential.

Many workplace practices, particularly in law firms, hinder both women and men from realising their full potential, as they dictate rigid working hours and budgets. Justitia promotes a commitment to personal life, which enhances employee performance and in turn enhances the service we deliver. Professional development and individual wellbeing are equally valued as we recognise their co-dependence. Justitia has achieved this through a sincere attention to flexible work practices.

Flexible working is presumed for employees at Justitia, irrespective of their personal circumstances. Lawyers have an opportunity to tailor their work schedule around their personal commitments. Many employees are working flexibly in a variety of ways, such as part-time or remotely. This approach is challenging the foundation of regular working structures, and the outcome has been very positive.

In order for flexible work practices to transcend the traditional model, a high level of communication and information sharing between employees is required to be able to deliver a seamless service. The by-product of increased communication and a collegiate approach is a service that encompasses the combined expertise of more than one lawyer, and a prompt and practical delivery. Our clients are very receptive to our adaptive approach and regularly have a close rapport with more than one lawyer. Strong, purposive, progressive and inclusive leadership practices have enabled this culture to flourish.

Justitia challenges many gendered assumptions that attach to women entering the workforce. It has set an example towards which young women can aim, and most importantly, believe in. ■

Julia Heyward, Legal Research Assistant



LAW ARTS

Interview with Ruth Wykes	50	Podcast Review: <i>Sisteria</i>	53
Excerpt: <i>Stone Cold</i>	51	Recipe: Green Smoothie Bowl	54
Book Review: <i>Difficult Women</i>	53		

INTERVIEW WITH RUTH WYKES

ISABELLA KELLY

RUTH WYKES WAS THE 2016 WINNER OF THE ANNUAL SISTERS IN CRIME'S 23RD SCARLET STILETTO SHORT STORY AWARD FOR HER SHORT STORY *STONE COLD*. EARLIER THIS YEAR, VWL SPOKE TO RUTH ABOUT WINNING THE AWARD AND HER PASSION FOR CRIME WRITING.

A prolific true crime writer, Ruth had a slow introduction to this vocation. She grew up on a farm in rural New South Wales and spent the first portion of her life as a self-proclaimed 'drifter', dropping out of school at 14, traveling around the country and finding herself in a variety of transient jobs. At 28, she moved to Perth and commenced volunteer work at the AIDS Council. 'Working in something like that, you do tend to burn out,' she says. She was then looking for her next move.

Ruth always loved writing: she started *Women Out West*, a lesbian magazine that she coordinated for the next ten years whilst she completed her education. At the end of that decade, Ruth could see the writing on the wall – small print media was dying. But her writing career was only beginning. She went on to co-author two true crime novels, one with Lindy Cameron called *Women Who Kill* and a second with Kylie Fox called *Invisible Women*.

Women Who Kill recounts murders committed by women, while *Invisible Women* tells the stories of murdered sex workers in Australia and comments on why the murder of these women hardly forms a blip on our media landscape.



In her novels, Ruth and her co-authors analyse and challenge the stereotypical attitudes towards women.

So how does Ruth choose a crime topic? 'It has to hit me in the gut,' she says. Funnily enough, the inspiration for *Stone Cold* came from an unwitting young teenage girl Ruth served at Bunnings, where Ruth works on the Mornington Peninsula. The look this girl gave Ruth at the checkout affected her so much, that she wrote down four lines on scrap of paper, which would months later become the inspiration for her winning short story. 'That poor child', said Ruth, 'no one knew that a few months later I would turn her into a murderer. There's something really wrong with us writers!'

Image (above): Ruth Wykes

Image (left): Ruth Wykes and Nicole da Silva

Photography by Deb Bodinnar

Ruth has no plans on removing those scarlet stilettos any time soon. Her third book, and second with co-author Kylie Fox, is in the works, which addresses the psychological impacts caused to police, lawyers, paramedics, coroners and the like, confronted with the aftermath of violent crimes on a daily basis.

An excerpt of the award winning short story *Stone Cold* is extracted on the following page. ■

EXCERPT: *STONE COLD*

RUTH WYKES

THE DOORS TO ACCIDENT AND EMERGENCY SLID OPEN AND I WALKED INTO THE CHAOS OF A TYPICAL WINTER'S DAY. EAST JINDABYNE WAS BASE CAMP FOR SKIERS AND THEIR CRONIES WHOSE DREAMS OF CONQUERING THREDBO OFTEN ENDED UP IN SPLINTS AND CRUTCHES. I DODGED A GURNEY WHERE A TEENAGER SUCKED ON A GREEN WHISTLE. THE GLISTENING BONE THAT JUTTED FROM HIS ANKLE ALMOST MADE ME FEEL SICKER THAN HE WAS.

The doors to Accident and Emergency slid open and I walked into the chaos of a typical winter's day. East Jindabyne was Base Camp for skiers and their cronies whose dreams of conquering Thredbo often ended up in splints and crutches. I dodged a gurney where a teenager sucked on a green whistle. The glistening bone that jutted from his ankle almost made me feel sicker than he was.

Mitchell Rayne's room was stark relief. I don't know what it is about hospital beds but they always make people look smaller, more vulnerable than they probably are.

'Can't you people leave me alone?' He tossed aside the newspaper he was reading.

'I brought you a coffee, a decent one.' I scraped a chair towards his bed.

'I got nothing, detective. Nothing to tell you.'

'I'm not here to ask you anything. I'm here to give you an update.'

He smirked at me.

'We searched your house yesterday, and your ute. Divers are going into the lake today. Are we going to find Max?'

He shrugged, struggled to make eye contact with me, and failed.

'Mate, help me understand. Why did you have those photos on your computer?'

'They weren't mine. My brother put them there.'

'Mitchell, look at me. I'm not judging you. I just want to understand.'

'Really? More like you've come here to play good cop and get me to confess to something I didn't do.'

'Didn't you? Then help me. Did you see Max at school the other day?'

He flared. 'You bastards couldn't find a beer in brewery. Didn't you even look at the photos on my computer? It's girls I love, not boys. You fucking blame me for everything that farts in this town just because you're too small minded to understand that what I feel for these girls is love. And I would never hurt them.'

'Girls like Nikita Jones?'

'She's too old.'

'She's 13.'

'Like I said, she's too old.'

He was rigid with anger.

'Alright, mate. Calm down. Have you ever acted on this love?'

'No, but there's a couple of girls here in town. And I know by the way they look at me they want it as bad as I do.'

Fire ants crawled under my skin and it was a massive effort to appear neutral.

'Is that why you were at the primary school?'

'I told you I wasn't there.'

'Yeah you were, mate. Mitchell, how old are you?'

'I'll be 23 next week.'

'Have you ever acted on your fantasies?'

'None of your business.'

The sexual exploitation of children most certainly was my business, but I let it go.

'It's not a crime to think, or even to fantasise. But there's a line, and you can never ever cross it. I think you saw Max from a distance, and you thought he was a girl. And I think that by the time you realised you'd made a mistake it was too late. Where is he, mate?'

I saw in his eyes that he wanted to hit me. I was still grappling with my next question when my phone rang. It was the duty sergeant.

'Kate, they've found him.'

I held my breath, not yet wanting the answer to the only question in my head. As the sarge filled me in I started to run.

.....

I don't care how tough you are, or how thick a skin you wear there are moments in this job that rip your heart out of your chest. The lifeless body of Max Newstead protruded from an abandoned dog kennel at the back of a garden shed. Bloodied, matted hair was all we could see and we needed to leave it that way until crime scene got here from Cooma.

It was a big yard, at least half an acre, that backed onto the primary school's sports oval. I sidestepped a puddle of vomit as I walked back to the verandah. On the way I called the station and barked to the sarge that he needed to send someone over to the Newsteads. Now.

Ross Howard reminded me of every Mullumbimby dropout I have ever met. A 50-something hippie, he looked spaced-out.

'I thought I smelt something yesterday afternoon when I was working in the shed, but I put it down to a dead animal.'

'Were you home on Tuesday?'

'What? Ah, no. I was at work. I think.' Shock seemed to have stolen his faculties, and I understood that. But my own coping skills were threatening to fray. I had to focus.

'You think? Where do you work?'

'Got a ski hire business on the main street.'

'Did you see or hear anything unusual when you got home?' I peppered him with questions as the hive of the crime scene began to get busy.

A while later the coroner called me and Bull back to the shed. 'I've had them take the roof off the dog kennel. Do you want to see him while he's in situ?'

I did. And I didn't. ■

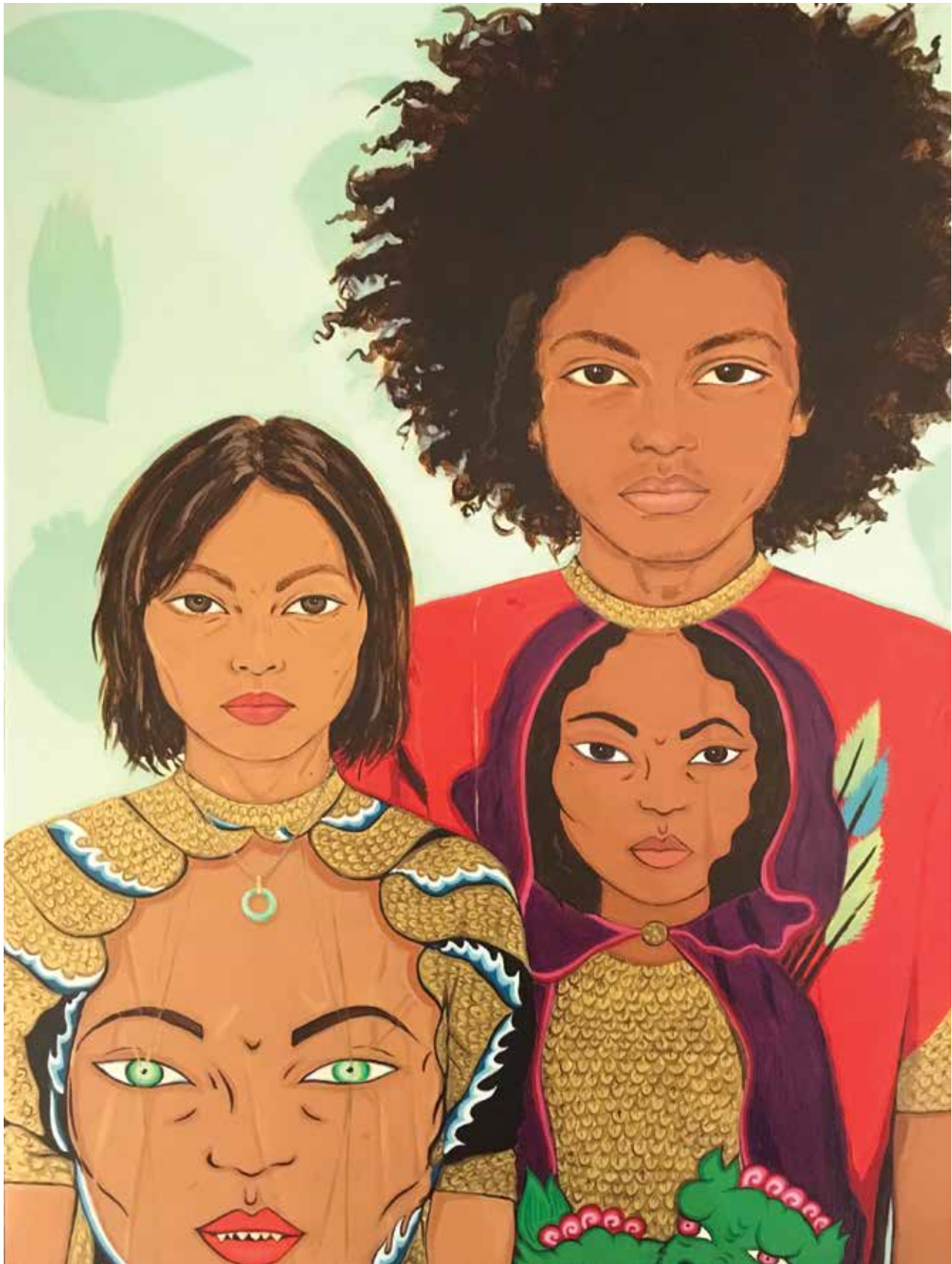


Image: Kate Beynon, *Self Portrait with son Rali, wearing warrior women shirts* (SH Ervin Gallery)

BOOK REVIEW: *DIFFICULT WOMEN*

JESSICA AWAD

HEARTACHE. LOSS. SADNESS. THESE ARE JUST SOME OF THE EMOTIONS THAT COME TO LIGHT IN EACH SHORT STORY IN *DIFFICULT WOMEN*.

American writer, professor, editor and commentator Roxane Gay delivers a series of stories highlighting the chilling situations many women find themselves in at the hands of the men in their lives. From poverty to privilege, passion and hate, each story has a powerful message about human connection, emotional blackmail, abuse and the everyday lives of women.

'You've broken yourself enough. You're coming home.' Many of the women in the stories in *Difficult Women* are under constant threat at the hands of men, or are scapegoats blamed for men's actions. From rape, violence, oppression, to abusive relationships and racial oppression, each story shows a woman dealing with, and trying to overcome, adversity.

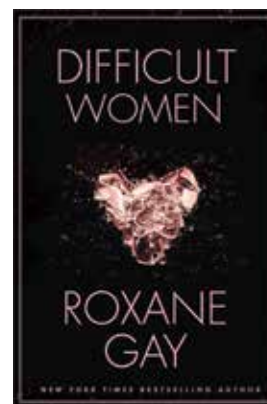
Some of their lives are mundane. Some exciting. And in others, women are complicit in the stereotypes enforced by men.

'My husband is a hunter. I am a knife.'

Each and every story and character sends us a message about relationships – both good and bad. The beginning of each story captures your attention; it reels you in. It is difficult to put the book down.

Some of the stories might haunt you. Some of them may make you cry. Some will even confront you, cause discomfort. Every character has a backstory, a reason for being the way they are. Some end in sadness, others in happiness. You might believe happiness is unachievable. But wait until you read the story about the man who destroyed the sun.

'Since then, the days have been dark, the nights bright.'



In a society that continues to oppress women in politics, business, and everyday life, *Difficult Women* reassures you that you are not alone in your struggles. It brings to light issues women face in society, and the importance of intersectionality in the public conversations about women and gender. ■

Published by Hachette Australia 10th January
2017 Trade Paperback 9781472152770 \$29.99

PODCAST REVIEW: *SISTERIA*

CATHERINE GLOUTNAY

***SISTERIA* IS AN ARTS AND CULTURE PODCAST CREATED BY WOMEN, ABOUT WOMEN, AND THEIR EXPERIENCES AS CREATORS AND CONSUMERS OF ARTS AND CULTURE.**

Motivated by a desire to recognise and celebrate Australian women artists, hosts Stephanie Van Schilt and Veronica Sullivan and producer Izzy Roberts-Orr launched *Sisteria* late in 2016, following their successful pop culture criticism podcast *The Rereaders*.

Season one comprises of six episodes, each a conversation or 'spotlight' with a female artist spanning their work, career trajectory and experiences of gender in the creative industries. In episode one, Hannah Kent, best-selling author of *Burial Rites* discusses her creative process, dealing with the success of *Burial Rites*, and battling imposter syndrome and creative anxiety of writing a second novel.

Kent's *Burial Rites* reimagines the story of Agnes Magnúsdóttir, the last person to be executed in Iceland. Visiting Iceland as a teenager, she first heard about Agnes's story and was struck by her portrayal as an 'evil witch'.

Her intense interest in the story of Agnes cumulated years later into an honours thesis, and then a novel, *Burial Rites*.

An overnight success for the first-time author, the novel won numerous awards and has been translated into over 30 languages. The process of writing her second novel was plagued with self-doubt. Kent speaks about how she developed her writing method and managed her anxiety to produce her second novel, *The Good People*. The hosts discuss managing anxiety as part of the creative process and the benefit of taking risks to overcome creative inertia.



Sisteria also has a recurring segment, *Arrogant Aunts*, which answers listener questions and aims to create an open dialogue on the doubts and barriers faced by women in creative industries.

Van Schilt and Sullivan are engaging interviewers; their style is informal and conversational. They bring an in-depth knowledge of Australia's literary arts scene and a warmth and vivacity to the episodes. One to listen out for. ■

Image courtesy of Sisteria

RECIPE: GREEN SMOOTHIE BOWL

SARAH HOLLOWAY

INGREDIENTS

250 mL coconut milk or milk of choice
1 tsp matcha powder
1 small banana, frozen
20-30 grams baby spinach (one handful)
2 tsp chia seeds
1 tbsp coconut oil (or any nut butter)
1/2 cup ice cubes (optional)

INSTRUCTIONS

1. Place all ingredients into a blender and process until nice and smooth. Serve immediately.
2. You can top this with something crunchy; we love cacao nibs, buckinis or home made granola.

Makes 1 serve



About the author

Sarah began her working life as a mergers and acquisitions lawyer at a leading international law firm.

While she enjoyed several years building strong professional foundations and invaluable business acumen, she found it increasingly challenging to reconcile the all-consuming corporate lifestyle with her personal passions for health, wellbeing, creativity and adventure. In pursuit of balance, Sarah and her partner started a creative side project in late 2014, Matcha Maiden, capitalising on a gap they discovered in the health food market for matcha green tea powder.

Two years on, this vibrant green superfood is one of the world's premier health food trends. Sarah has now hung up the suits and heels to step into the business full time. In April last year, Sarah and her partner opened Matcha Mylkbar and a second venue is on its way in Sydney in 2017. ■

Photography by Matcha Maiden



COMMITTEES

Special Report from the Sponsorship Officer

Jackie Gillies 56

Special report from the Treasurer

Elizabeth Cooper 56

Communications

Isabella Kelly & Hilary Taylor 57

Networking

Deborah Kliger & Ella van de Schans 57

Justice

Jessica Dawson-Field & Marquita Nolan 58

Law Reform

Vanessa Shambrook & Jasmina Davis 58

Women in Government

Pia Whirte & Sanishya Fernando 59

Membership

Brooke Mentiplay & Hannah Cohley 59

Cultural Diversity

Elva Zhang & Biya Sun 60

Work Practices

Claire Dekoeyer & Priya Wakhlu 60

SPECIAL REPORT FROM THE SPONSORSHIP OFFICER

JACKIE GILLIES

2017 UPDATE

The work of VWL would not be possible without the ongoing support of our principal sponsor, the Law Institute of Victoria and our major sponsors: Allens, Corrs Chambers Westgarth, Clayton Utz, K&L Gates, Maddocks, Maurice Blackburn, MinterEllison and Wotton+Kearney; and our associate sponsors: Nicholes Family Lawyers, Justitia, and Sigma Executive.

This year, the following sponsors generously hosted an event on their premises:

- Clayton Utz: *Past Reform and Areas of Change for Women and the LGBTI Community*
- K&L Gates: *Launch of the 10th Annual Law Student Mentoring Program*
- Maddocks: the annual Warren Moot competition
- Maurice Blackburn: *Cultural Diversity in the Legal Profession; Pregnancy and Returning to Work in the Legal Profession; and Culturally Sensitive Legal Advice: Family Law and Family Violence*

- MinterEllison: *Homelessness and the Law*
- Wotton+Kearney: *Women In New Law: How New Technologies and Firm Models Affect Women Lawyers*

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

- Monash Law Chambers: *Future Public Sector Leaders* (sponsored by Green's List)
- Cornwall Stodart: the screening of the Prison Songs documentary
- King & Wood Mallesons: *Launch Yourself: Personal Branding for Career Success*
- Russell Kennedy: *Integrity in the Public Sector: Reflections on Anti-Corruption Initiatives, Gender, and Power*
- Hall & Wilcox: our Annual General Meeting and Christmas Party
- DLA Piper: *Women in Prison*
- Taylor Root: sponsoring the annual *Members & Guests Evening*

We would like to sincerely thank all our sponsors for their ongoing support throughout the year. We are also pleased to welcome and thank our new associate sponsor, Law In Order. We look forward to working alongside these firms during 2018 and beyond. ■

SPECIAL REPORT FROM THE TREASURER

ELIZABETH COOPER

2017 UPDATE

2017 saw VWL receive almost all sponsor revenue on time and membership earnings increase with around 720 members joined or renewed by October. Nearly a third of members are student members, with many joining to partake in the popular annual mentoring program.

This year, the newly introduced category of 'regional member' has also attracted new members, reflecting the success of VWL's regional events. Event revenue grew slightly, driven in part by the attendance of non-members at many events, notably the celebration of AWL's 20th anniversary and the Dame Roma luncheon. The interest income was 18% higher than the prior year, reflecting extra effort made to ensure all funds are carefully invested.

Administration costs increased in line with Award rate increases and accounting costs were unchanged. The AWL membership fee reduced as fees for one full year were paid this financial year, compared to fees for an 18-month period in the 2016 financial year. The costs associated with *Portia* increased as additional copies were ordered to satisfy an increasing membership base. The website expenses reflected a contracted maintenance monthly charge. Event expenses were as budgeted and the same as the prior year.

VWL recorded a surplus mainly due to growth in sponsorship income (resulting from the introduction of new mid-tier sponsors) growth in memberships, reduction in conference costs, and reduction in media expenses.

FOCUS AREAS FOR 2018

From a finance perspective, 2018 will see the LIV, VWL's major sponsor, alter its funding of VWL to a grant-based model. This will see a reduction in LIV sponsorship income, which will be partly replaced by new mid-tier sponsors partnering with VWL.

Final VWL accounts will be available on our website shortly after the AGM. There will be continued focus on cost reduction, especially in overhead areas. ■



COMMUNICATIONS

ISABELLA KELLY
& HILARY TAYLOR

ROLE

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

2017 ACHIEVEMENTS

We are proud of our 2017 edition of *Portia* that celebrates men and women who are championing change in the legal profession. A great deal of work goes into producing *Portia* each year and we are pleased to finally share the publication with our members.

We have also continued the production of our monthly newsletter, *VWL List* and the maintenance of our social media platforms via our Communications Executive Committee representative.

SPECIAL MENTIONS

Special mentions to our wonderful Committee members: Jessica Awad, Georgia Dobbyn, Cara Friedman, Catherine Gloutnay, Alexandra Hodsman, Katherine Gough, Stephanie Pasharis, and Amanda May.

Thanks also to our generous feature contributors and interviewees.

INSPIRATIONS

We are inspired by the work of our contributors in championing change both within the legal profession and throughout the legal system. We are motivated by the legacy of the Honourable Justice Marilyn Warren, Chief Justice of Victoria and we hope to continue Her Honour's work in 'keeping gender on the agenda'. ■

NETWORKING

DEBORAH KLIGER &
ELLA VAN DER SCHANS

ROLE

To hold a variety of events that support women's professional development by creating opportunities for networking, mentoring, career planning and information exchange.

2017 ACHIEVEMENTS

The Committee's extensive portfolio of events in 2017 included:

- the 21st *Annual Members and Guests Evening*
- a panel discussion on personal branding for career success
- a speed networking evening, in conjunction with WBA
- the annual *Coming to the Bar* event, launched by the Honourable Justice Maxwell, President of the Court of Appeal
- VWL Annual General Meeting and Christmas Party

This year we made a deliberate effort to diversify our speakers and audience by inviting suburban lawyers, male practitioners,

lawyers working outside commercial law and students to our events. This resulted in unprecedented numbers and positive feedback from guests.

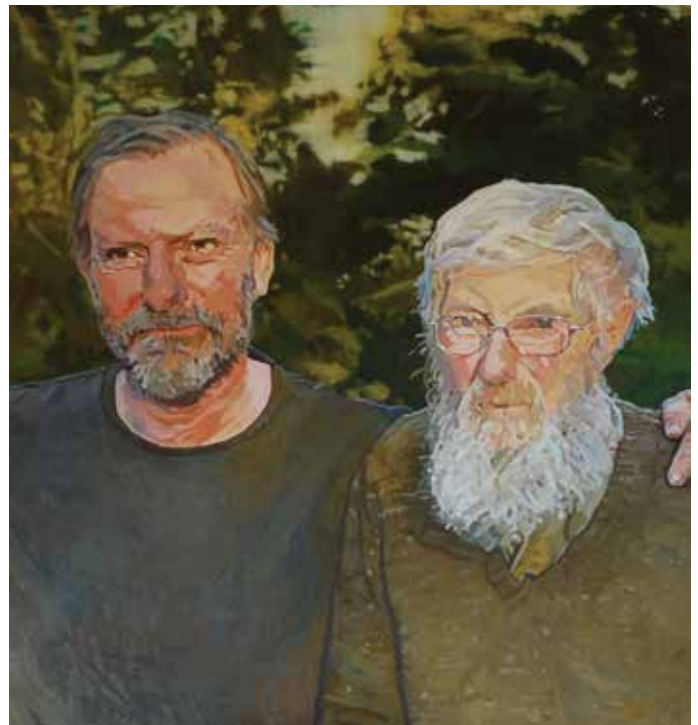
SPECIAL MENTIONS

Thanks to our fabulous Committee for all of their hard work and creative ideas: Hannah Dunai, Elizabeth Guarino, Michelle Berry, Natalie Plumridge, Nina Janic, Kiera Love, Melissa Cohen, Sophie Lefebvre, Catherine Moroney, Zefy Souvlakis, Lucy Prowse, Olivia Roslaniec, Elisa Turco, Theresa Tezengi, Rowdy Johnson, Sarah Saliba, Louise Hvala, Eleanor Weir, Annika Memery and Bonnie Phillips.

INSPIRATIONS

We decided to invite women at the top of their game to speak at our events. We hope that their influence and messages instilled confidence in our attendees:

- Darcy Vesico, for being a pioneer in women's professional football
- Melissa Lewis, who coaches leading women in the legal and professional services industry
- Sheree Rubinstein, CEO of One Roof and Telstra Business Award winner for female entrepreneurship. ■



Images: (opposite page) Sinead Davis, *Fionnbharr Davies* (cyber security analyst) (SH Ervin Gallery)

(This page) Kate Stevens, *My father's father* (Damian Stevens, arts administrator & Len Stevens) (SH Ervin Gallery)

JUSTICE

JESSICA DAWSON-FIELD
& MARQUITA NOLAN

ROLE

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

2017 ACHIEVEMENTS

This year, the Committee focused on the issue of women in prison. In order to do so, the Committee has held the following events:

- a film screening of *Prison Songs* followed by a panel discussion
- a panel discussion with Debbie Kilroy OAM, Sisters Inside; Jill Prior, Law and Advocacy Centre for Women; and Simone Lawrie, Dame Phyllis Frost Centre

The Committee has also drafted submissions for the Victorian Government's inquiry into penalty rates and fair pay and for the Federal Parliamentary inquiry on improving safety in the family law system in family violence cases.

SPECIAL MENTIONS

We would like to thank our Committee for their enthusiasm and commitment throughout the year.

Special mentions go to the panel members, the host firms, and the all those who contributed to our 2017 events.

INSPIRATIONS

We are inspired by women who exit the justice system and then commit to helping women facing a similar fate. We continue to be inspired by the women working at the front line to tackle family violence. ■

LAW REFORM

VANESSA SHAMBROOK
& JASMINA DAVIS

ROLE

To monitor state and federal law reform bodies, participate and encourage discussion on law reform activities that impact on and interest our members.

2017 ACHIEVEMENTS

In 2017, the Committee held the following events:

- *Pregnancy and Returning to Work in the Legal Profession*: a seminar to equip women with information about their legal rights and practical tools to navigate employment when pregnant
- *Homelessness and the Law*: a panel discussion regarding the proposed changes to reform Melbourne City Council by-laws and how this will impact Melbourne's homeless community, especially women and children

The Committee prepared a number of submissions on law reform, which can be found under the 'Publications' on the VWL website.

SPECIAL MENTIONS

We would like to thank our Committee members who dedicate their time and energy to contribute to the Committee's objectives and in particular, Hayley Chester, Alex Dworjany, Kate Rietdyk and Mai Go.

Thanks to Maurice Blackburn and MinterEllison for hosting our events.

The Committee thanks Vanessa Shambrook and Jasmina Davis who stepped down as co-chairs, for their contributions and commitment during their tenure!

A warm welcome to the new co-chairs Hayley Chester and Alex Dworjany.

INSPIRATIONS

We have been inspired by VWL's assistant convener Michelle Berry for her guidance and support and continuing contribution to VWL's key objectives. ■

Image: Clare Thackway, *Bend* (Laura Bracken, dancer & writer) (SH Ervin Gallery)



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.

2017 ACHIEVEMENTS

For the third year running, the Committee co-hosted a careers seminar, this year with the support of Green's List. The seminar was moderated by barrister Anna Robertson and attendees were treated to career insights and advice from a panel of prominent government lawyers including Marlo Baragwanath, the Victorian Government Solicitor; Joanne Smith, Office of the Chief Examiner; and Helen Fatouros, Victorian Legal Aid.

SPECIAL MENTIONS

Special mentions go to our wonderful speakers and moderators, our outgoing co-chairs, Tessa Plueckhahn and Bianca Paridaen, as well as each of our Committee members.

INSPIRATIONS

The courage and resilience of Bonita Mersiades inspired all attendees at our *Integrity in the Public Sector* event as she spoke of the challenges she faced for 'blowing the whistle' on corruption in Australia's FIFA World Cup bid. ■

MEMBERSHIP

BROOKE MENTIPLAY
& HANNAH COHLEY

ROLE

To broaden the membership of VWL within the profession and community. We ensure that VWL attracts and retains a diverse membership, and keeps in touch with members' needs and interests, including via initiatives that accommodates the different conditions in which women lawyers work and creating links with practitioners in suburban and rural areas.

2017 ACHIEVEMENTS

This year, the Committee continued its work to broaden VWL's membership base by hosting events aimed at regional and suburban practitioners and LGBTI practitioners.

This year's events included:

- tips for negotiating salaries and flexible working arrangements in Geelong
- a networking event in Ringwood
- a discussion with the Human Rights Law Centre on reform and areas of change for women and the LGBTI community
- a discussion on mental health for law students and lawyers in Geelong

SPECIAL MENTIONS

Thanks to all our Committee members for their hard work this year, Deakin Law Students Society for promoting our events, and Clayton Utz for hosting an event.

INSPIRATIONS

We have been inspired by the speakers at our events this year, including Canda Glanville, Maurice Blackburn Lawyers, and Lee Carnie, Human Rights Law Centre. ■

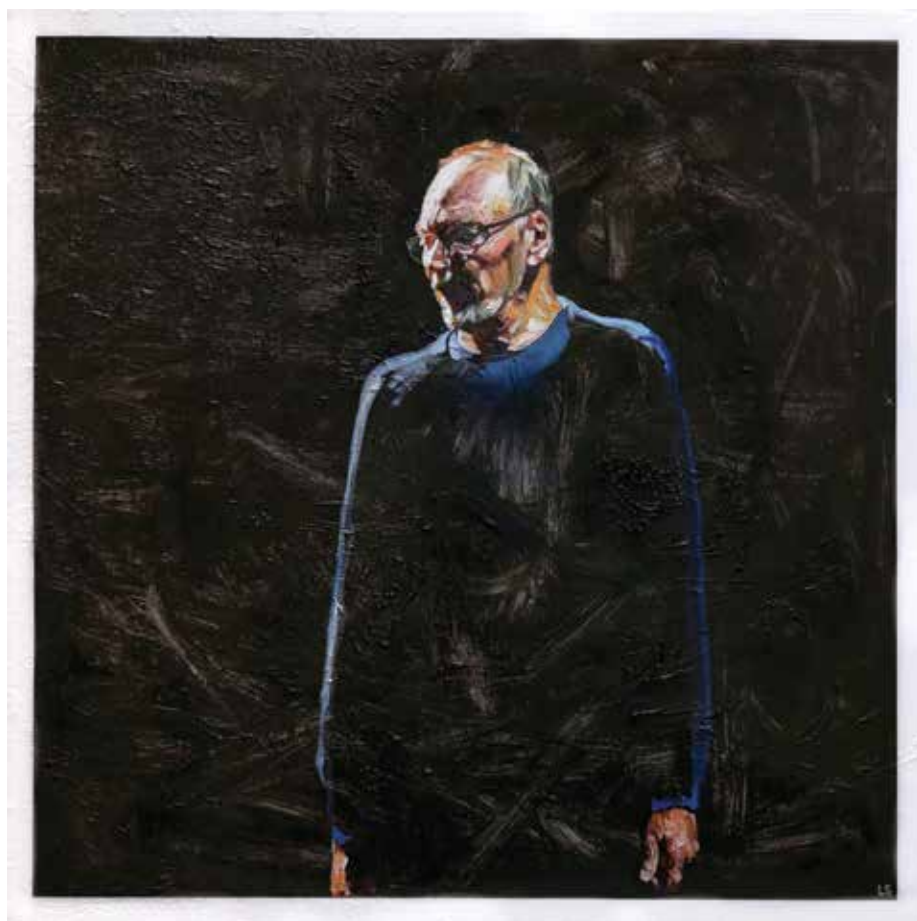


Image: Loribelle Spirovski, *Brief candle* (John Bell AO, OBE, actor) (SH Ervin Gallery)

CULTURAL DIVERSITY

ELVA ZHANG & BIYA SUN

ROLE

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

2017 ACHIEVEMENTS

In 2017, the Committee hosted three events to advance its core objectives. In March, the Committee held a panel discussion on Cultural Diversity in the Legal Profession. In July, in conjunction with the Asian Australian Lawyers Association (AALA), the committee hosted Professor Frank Wu. In October 2017, the Committee hosted a panel discussion on providing legal advice to CALD women experience family violence.

The Committee has continued to produce multilingual cards designed to assist CALD women experiencing family violence and distributes these cards to a variety of organisations who have contact with CALD women.

The Committee has been working closely with the Women Lawyers Association of NSW and AALA to develop surveys to collect data on the cultural diversity of the legal profession. We hope to continue this work and to expand our network to promote this cause.

SPECIAL MENTIONS

We would like to thank our Committee members for their ongoing support and effort in helping the Committee to advance its objectives: Anna Nguyen, Anika Baset, Allana Smith, Marta Vezzosi, Naomi Hickey-Humble, Perveen Maan, Thelma, Oriana Catherine Torcasio Barberis, Sarah Sorrell, Julie Zhou, Sanela Osmanovic. We also would like to thank Maurice Blackburn and King & Wood Mallesons for their support in hosting events.

INSPIRATIONS

2017 has seen an increase in awareness in the legal profession on cultural diversity, and our Committee is inspired by this gradual shift to continue our work with commitment and passion. ■

WORK PRACTICES

CLAIRE DEKOEYER
& PRIYA WAKHLU

ROLE

To examine and respond to the impact of work practices on women lawyers – with particular focus on issues such as flexibility, attrition, discrimination, pay equity and the progression of female lawyers into leadership roles.

2017 ACHIEVEMENTS

This year the Committee's efforts concentrated on pay equity and transparency, career progression – including barriers faced by female lawyers, and the availability of flexible work arrangements within the legal profession.

The Committee's main event for 2017 was a panel discussion on the effect of emerging technologies and new firm models on the working lives of female lawyers. The panellists gave an insight into how traditional and new firm models were responding to rapid changes in the technological and legal industries, and the challenges faced by female lawyers.

SPECIAL MENTIONS

We would like to extend a very large thank you to our Committee members, whose passion and hard work has truly been inspiring. In particular, we would like to recognise the efforts of Hannah Biggins, Sophie Brown, Naomi Hickey Humble, Emma Henderson, Margaret Ryan, Ruby Ananda and Julia White.

INSPIRATIONS

We are constantly inspired by the resilience and tireless efforts of women, including our Committee members, who have campaigned, educated and protested to ensure that women are both recognised and welcomed. In the words of the Honourable Marilyn Warren, Chief Justice of Victoria, 'Women are here, they matter and they are significant', and the work of these many wonderful women ensures that this message is not forgotten. ■



Image: Sophia Hewson, *Untitled* (Self portrait wrestling Ron Jeremy) (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: Louisa Chircop, *Jane Caro* (author, lecturer, social commentator, columnist, speaker, broadcaster) (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 contact@vwl.asn.au

Disclaimer

This journal is published by
Victorian Women Lawyers'
Association Inc.

The views expressed are those
of the respective authors and
not necessarily representative
of Victorian Women Lawyers'
Association Inc. or its members.

No responsibility is accepted
by Victorian Women Lawyers'
Association Inc. or its members
for the accuracy of information
contained in this journal.

2017 SPONSORS

PRINCIPAL SPONSOR



MAJOR SPONSORS

Allens > < Linklaters

ashurst

CLAYTON UTZ

CORRS
CHAMBERS
WESTGARTH
lawyers

K&L GATES

KING & WOOD
MALLESONS

Maddocks

Maurice
Blackburn
Lawyers
Since 1919

**WE
FIGHT
FOR
FAIR®**

MinterEllison

wotton
kearney+

ASSOCIATE SPONSORS

JUSTITIA
LAWYERS AND CONSULTANTS

i
NICHOLLES
Family Lawyers

Σ SIGMA
EXECUTIVE

LAW IN ORDER

*vw**l*

VICTORIAN
WOMEN
LAWYERS

GPO Box 2314 or DX350
Melbourne VIC 3001

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

Email: contact@vw.l.asn.au
Website: www.vwl.asn.au