

# WOMEN LAWYERS ASSOCIATION ACT

## NEWSLETTER MARCH 2018, ISSUE 12

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## PRESIDENT'S NOTE

Welcome to the first WLA ACT newsletter of the 2018 legal year!

We are off to a roaring start this year and we have already held our first two events of the year. Our first Mentor Breakfast of the year with Associate Justice Verity McWilliam was held at Hotel Hotel on 13 February 2018. We held a Panel event in honour of International Women's Day on the #MeToo Movement on 14 March 2018 and with the support of Clayton Utz. Full accounts of the events we have held since our last edition can be found on page 6.

We have just hit over 1000 followers on Facebook and our Instagram is going from strength to strength. If you haven't already, follow us on our social media platforms to keep up to date with our events, photos and your colleagues' achievements.

We have a jam packed calendar of events this year and I look forward to seeing all of you at these events. If there are events that you would like to see happen I urge you to email us at [contact@wlaact.org.au](mailto:contact@wlaact.org.au).

International Women's Day, held on 8 March 2018, has been and gone. Be sure to check out the articles on the origins of International Women's Day. Now, more than ever, sexual harassment in the workplace is at the forefront of the media and policy. One of our articles in this edition explains why your firm needs a sexual harassment policy – and it might not be for the reason you think!

I am thrilled to announce that WLA ACT has commenced offering gratis memberships for Canberra law students. This offer has been accepted with gusto by ANU and UC Law Students, and our membership has swelled to over 570 members.

Do you know someone you think would benefit from our events and publications? We are currently offering a discounted half year membership – so it is never too late to get your colleagues involved in WLA ACT! More details on our membership deals can be found on page 13.

WLA ACT wrapped up the Pay & Conditions Survey on 9 February 2018. We will be holding a launch event for the results in May 2018. I am excited to see what insights into the ACT legal industry the results reveal. The winner of the \$200 Aubergine Voucher is revealed on page 10.

I would like to take this opportunity to thank all our sponsors. Our events wouldn't be possible without their generosity.



*Danielle Mildren  
WLA ACT President*

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## YOUR STORIES: MEET A MEMBER

IN THIS ISSUE, WE MEET **ELAINE LI** ROBINSON + MCGUINNESS FAMILY LAW



*Ms Elaine Li*

### WHY DID YOU JOIN WLA?

I joined WLA to become part of a community of women lawyers who regularly meet to exchange ideas and network together. Through WLA, I have met women lawyers from diverse legal, organisational and cultural backgrounds. I have also had the opportunity to attend the WLA hosted social events and seminars that offer a unique perspective on gender issues.

### WHAT WLA EVENT HAVE YOU ENJOYED ATTENDING THIS YEAR AND WHY?

I particularly enjoyed the Annual Law Week Dinner this year, with the formidable Clementine Ford as

guest speaker. The dinner was held at the Deck at Regatta Point and the atmosphere felt very intimate even though there were a high turnout of attendees.

### WHO IS A PROFESSIONAL THAT YOU LOOK UP TO AND WHY?

I am very grateful for the strong, intelligent and compassionate women who have been my mentors since early on in my career. I look up to all of them as they have led by example and set a high standard of professionalism and personal integrity. Over the years, these women have offered me guidance and advice, and encouraged me to apply for new positions and negotiate working conditions.

### IF YOU COULD GIVE ONE PIECE OF ADVICE TO YOUR FIRST-YEAR PROFESSIONAL SELF, WHAT WOULD IT BE?

Embrace every challenge as a learning opportunity and practise in as many areas of law as you can. Within my first year, I was able to practise in civil law, family law, domestic violence litigation, and even did a couple of bail hearings on Saturdays just for the fun of it. It can be a rewarding experience exploring different areas of law and gaining a better understanding of your strengths and interests.

**ROBINSON +  
MCGUINNESS**  
FAMILY LAW

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## #WOMENLAWYERSOFTHEACT



*Alisa Taylor, Meyer Vandenberg*



*Belinda Miller, Women's Legal Centre*



*Jodie Newall, Mills Oakley*

WHAT PERSONALITY TRAITS DO YOU THINK FEMALE LAWYERS NEED TO SUCCEED?

“Females particularly need to be confident within themselves. They don't necessarily need to be bossy or boisterous, but they do need to have the confidence to speak up and have a voice. You also need attention to detail, you need attention to detail to be any kind of lawyer! And of course compassion for your clients and your colleagues – even in commercial law!”

YOU WERE RECENTLY AWARDED THE ACT YOUNG LAWYER OF THE YEAR AWARD, DO YOU HAVE ANY ADVICE FOR YOUNG LAWYERS?

Join things, meet people and don't be afraid to ask questions. I have asked some genuinely stupid questions, like where do I stand when I go into a courtroom and no one has ever made me feel stupid for asking them. I have never come out worse off for having asked those stupid questions. There is a great legal community in Canberra. The best advantage to young lawyers here is that community. So being able to meet other lawyers, chat to them and learn what you can is the best thing a young lawyer can do

ANY ADVICE FOR WOMEN LAWYERS?

Go for it. There's no reason why you can't do both, whatever your 'both' is. For me it's sport and law. It won't be easy and you will have plenty of doubters but you have to stick your neck out and stand up for yourself. Be prepared to ask the question, convince people why they should take a chance and then prove to them it's worth it. My first serious dressage coach, who was assistant trainer when Aus won eventing gold at the Olympics always said “follow mainstream advice and you'll get mainstream results.” Go out there and prove why mainstream is second rate.”

*WLA ACT's Instagram features #womenlawyersoftheact, with members photos and a short interview about their legal career.*

*If you would like to be featured, or you would like to nominate someone else, please email contact@wlaact.org.au*

# WOMEN LAWYERS ASSOCIATION ACT

## WHY YOUR FIRM NEEDS A SEXUAL HARASSMENT POLICY (HINT: IT'S NOT BECAUSE OF #METOO)



Kirsty Easdale, Associate at Meyer Vandenberg Lawyers & Communications Sub-Committee Co-Chair, WLA ACT

The #MeToo Movement spread virally online in October 2017 as a hashtag used on social media to demonstrate the widespread prevalence of sexual assault and harassment, especially in the workplace. The hashtag reached prominence shortly after the sexual misconduct allegations against Harvey Weinstein came to light. Rose McGowan, best known for her portrayal of one of the *Charmed* sisters, was one of the first to popularize the hashtag. McGowan urged women to use the hashtag to give the world a sense of the "magnitude of the problem." Scores of women took to Twitter and Facebook to recount their stories of sexual harassment and assault in their workplaces. So what on earth does this Hollywood endorsed hashtag have to do with law firms in the ACT?

A survey conducted by the Australian Bureau of Statistics in November 2017 found that half of all Australian women say they have been sexually harassed.<sup>3</sup> In 2012

a survey run by the Australian Human Rights Commission indicated that 25% of women and one in six men had experienced sexual harassment in the workplace.

These statistics indicate that sexual harassment occurs regularly in the Australian workforce, but it has also become clear that the legal industry has one of the highest rates of sexual harassment. Jane Needham SC recently recounted how she was sexually harassed in an elevator by a Judge she was appearing before the next week. A recent survey of lawyers in the United Kingdom revealed that 42% of women working in law firms had been subjected to sexual harassment, with nearly half of the most recent occurrences taking place within the last year.<sup>1</sup> In December 2017 in the United States of America, six former staffers publically accused 9<sup>th</sup> Circuit Court of Appeal Judge Alex Kozinski of sexual misconduct.<sup>2</sup> The Judge announced his retirement in the same month. So, the legal industry is far from immune from the pervasive #MeToo Movement.

### LEGAL FRAMEWORK

The *Sex Discrimination Act 1984* (Cth) states that sexual harassment is unlawful where a person:

- makes an unwelcome sexual advance, or an unwelcome request for sexual favours to another person; or
- engages in other unwelcome conduct of a sexu-

al nature in relation to another person;

in circumstances in which a reasonable person, having regard to all the circumstances would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.<sup>4</sup>

The perpetrator of the harassment is liable, but so too are employers that cannot demonstrate that they took all reasonable steps to prevent the harassment.<sup>5</sup> Damages payable for sexual harassment claims are also increasing. Quite apart from this liability, sexual harassment and discrimination will reduce productivity and increase staff turnover. There are simple steps that employers can take to reduce their liability

### ALL REASONABLE STEPS

The question of what constitutes "all reasonable steps" was first set down in *Richardson v Oracle Corporation Australia Pty Ltd* [2014] FCAFC 82 (15 July 2014). At the outset it should be noted that simply having a policy addressing sexual harassment will not be enough. Companies should have a policy, launch the policy, regularly train their staff in the policy and take swift, consistent action if there are any complaints made under the policy.

### WHAT NEEDS TO BE IN THE POLICY?

To be effective in mitigating liability a policy should contain statements to the effect that:

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- the employer is committed ensuring a safe work environment free from sexual harassment
- employers can be held vicariously liable for sexual harassment in the workplace
- sexual harassment will not be tolerated in any circumstances
- swift disciplinary action will be taken against anyone that breaches the policy
- bystanders will be supported to take action against sexual harassment
- appropriate standard of conduct applies at all times
- sexual harassment can occur in any work related context e.g. conferences, work functions, Christmas parties
- all staff are required to comply with the policy, but that managers and supervisors have additional responsibilities to monitor the work environment, model appropriate behaviour, promote the policy, treat all complaints seriously and take swift action.

Any policy should make an express mention of the legislation that makes sexual harassment unlawful. The policy should also contain a complaints mechanism, and a commitment to deal with

complaints in accordance with the principles of procedural fairness and confidentiality. The policy should be enforced consistently. Perpetrators of sexual harassment should be disciplined. At this juncture it is worth noting that any dismissals carried out for sexual misconduct will be strengthened by virtue of having a policy that is enforced consistently.

A policy should also include a definition of sexual harassment and include pertinent examples of what sexual harassment might look like.

## TRAINING ON POLICY

It is not enough to simply introduce the policy. Educating staff about the policy is the crucial next step in earning the “all reasonable steps” defence. The Australian Human Rights Commission recommends holding an official launch of the policy, emailing a copy of the policy to all staff members, displaying the policy on any staff intranet, including the policy in any induction manuals for new staff, and requiring staff to sign a copy of the policy acknowledging that they understand the content and agree to comply with the policy.

Employers should also hold regular training on the policy, including when the policy is first introduced, for all new staff members and at regular intervals of at least two years.

## WORD OF CAUTION

Before introducing any new policy employers should be careful to confirm that all staff contracts do not incorporate policies by reference. Employment contracts that contain a clause stating “[y]ou are

required to comply with our policies and procedures”, without the disclaimer that “these policies do not, however, form a part of your employment contract” may incorporate policies by reference, meaning that any breach of a policy by an employer may amount to a breach of the employment contract.

While the ubiquitous hashtag has brought sexual harassment to the fore, and creates an impetus to ask ourselves (and our employers) what we are doing to prevent sexual harassment, the reasons for introducing a policy do not include #MeToo. ACT law firms should be introducing sexual harassment policies to mitigate their liability in a growing jurisdiction of complaint, increase productivity and reduce staff turnover. If, as a corollary, the ACT legal industry is able to send a strong message about the conduct that will be tolerated in this jurisdiction, then that will be an added benefit.

<sup>1</sup><https://www.thelawyer.com/metoo-lawyer-sex-harassment-survey-2018-2/>

<sup>2</sup>[https://www.washingtonpost.com/world/national-security/federal-appeals-judge-announces-immediate-retirement-amid-investigation-prompted-by-accusations-of-sexual-misconduct/2017/12/18/6e38ada4-e3fd-11e7-a65d-1ac0fd7f097e\\_story.html?utm\\_term=.737a795e67d3](https://www.washingtonpost.com/world/national-security/federal-appeals-judge-announces-immediate-retirement-amid-investigation-prompted-by-accusations-of-sexual-misconduct/2017/12/18/6e38ada4-e3fd-11e7-a65d-1ac0fd7f097e_story.html?utm_term=.737a795e67d3)

<sup>3</sup><https://www.smh.com.au/national/survey-reveals-how-widespread-sexual-harassment-is-in-australia-20171108-gzgvpz.html>

<sup>4</sup> *Sex Discrimination Act 1984* (Cth), s28A (1).

<sup>5</sup> *Ibid*, s106(2).

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## RECENT EVENTS AND COMMUNITY NEWS

### CHRISTMAS MEMBER DRINKS



Members at Highball Express

WLA ACT held its inaugural Christmas Member Drinks on 30 November 2017.

Christmas cheer began early for members of the WLA ACT. Around 60 members, law students and solicitors alike gathered at The Highball Express for some drinks to celebrate the end of the year and holiday season.



WLA ACT hosted the intimate event to thank its members for their continued support. Members had a great time mingling and sharing laughs. We have it on good authority that rosé is the tiple of choice for WLA ACT members!

### MENTOR BREAKFAST WITH ASSOCIATE JUSTICE VERITY MCWILLIAM

On 12 February 2018, the ACT Supreme Court's Associate Justice Verity McWilliam addressed WLA ACT's first Mentor Breakfast of 2018.

Her Honour shared her advice on goal setting and mentoring to a sold out crowd at Hotel Hotel in New Acton.

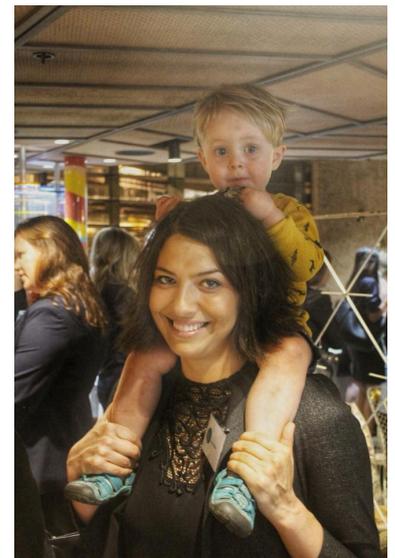
Associate Justice McWilliam was born in Canberra and practiced extensively in NSW, including as a solicitor at PriceWaterhouseCoopers and the Crown Solicitor's Office of NSW, as a legal associate to three Federal judges, as a barrister and as a lecturer. She returned to Canberra to take up her position on the ACT bench in June 2017.



Associate Justice McWilliam speaking at the Mentor Breakfast

One of the key messages Associate Justice McWilliam delivered was the importance of setting five year goals, both in our personal and professional lives. Inspired by the Judges she worked for as an associate, Associate Justice McWilliam

decided early on in her career that she wanted to be a judicial officer and set incremental goals throughout her career that helped her achieve that goal.



All of our events are child friendly!

She encouraged guests to make sure that they are always working towards something rather instead of toiling aimlessly. The Associate Justice was also candid about the challenges she has faced as a woman in the legal industry and spoke about the importance of female professional networks, like WLA ACT. We were very flattered to hear that one of the first things Her Honour did on returning to the Territory was to join WLA ACT!



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The second key message Associate Justice McWilliam delivered was the importance of seeking out meaningful mentors. She spoke about the mentors she has had in her own career, including former High Court Justice Mary Gaudron, and shared some tips with guests on how to approach potential mentors. She was clear that there is no perfect mentor, that they can be men or women, and that there is always something to be learnt from each mentor.



Associate Justice McWilliam's address contained practical takeaway messages to help guests achieve their goals and seek meaningful mentors.

WLA ACT extends its most sincere thanks to Her Honour for taking the time to share her experiences and advice.

## INTERNATIONAL WOMEN'S DAY PRESS FOR PROGRESS PANEL

On 14 March 2018 WLA ACT held a panel event with Prue Bindon, Jennifer Wyborn and Simone Ey to examine what the #MeToo Movement means for legal practice and legal workplaces.

The event was generously hosted by Clayton Utz in its New Acton's offices.

The panelists discussed the meaning of sexual harassment and em-

phasised that an act can be sexual harassment even if the perpetrator would not consider it to be so. It is more important to examine how the receiving person perceived the conduct. The panelists emphasized the need for further training and education on sexual harassment and noted that the lack of reporting of incidences of sexual harassment is a huge issue.



Some general advice to employers from the panel is to:

- understand that sexual harassment is a bad thing and a big issue
- have a policy in place to deal with sexual harassment in the workplace
- have regular training on sexual harassment and the associated policies
- make sure the organisation and its leaders act in line with its policies, including to build trust with employees and make available more access to complaint avenues.

The #MeToo movement has generated much discussion about this issue and the panelists encouraged us all to continue having a conversation about it.

WLA ACT extends its thanks to Prue, Jennifer, and Simone for taking the time to share their experience and views.

WLA ACT would also like to thank Michael Miller from MLC Advice. We are grateful for the continued support, without which we couldn't put on these events. We would also like to thank Clayton Utz for their generosity in hosting this event.

## UPCOMING EVENTS

WLA ACT has a jam packed events calendar for 2018. A taster of our upcoming events is set out below:'

- Australian Women Lawyers 7<sup>th</sup> Annual Conference – 24-26 August 2018 – [BUY YOUR TICKETS HERE](#)
- 2018 ACT Women Lawyers Awards – **Friday 26 October 2018**
- Launch of the Pay & Conditions Survey Report
- Careers Panel for UC & ANU Law Students – How to write a cover letter, CV and how to nail that interview

Be sure to follow us on Facebook, Twitter and Instagram to keep up to date with when tickets go on sale for each of our events!

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## THE ORIGINS OF INTERNATIONAL WOMEN'S DAY & THE LEGAL PROFESSION



Jessica Ng, Solicitor ACT Government Solicitor

8 March marked International Women's Day (IWD), a day when the social, economic, cultural and political achievements of women all around the world are recognised and celebrated.

The origins of the IWD can be traced back to 1908, when some 15,000 women marched through the streets of New York City in demand of voting rights, better pay and shorter working hours. The first ever IWD was celebrated on 19 March 1911 in Austria, Denmark, Germany and Switzerland where more than one million women and men campaigned for the rights of women.

A campaign theme for IWD is chosen each year to empower women to take impactful steps, small or large, towards gender parity. In 2017, women were encouraged to #BeBoldforChange. And women were bold. We saw the conception of the #MeToo campaign, a mass

mobilisation against sexual harassment and assault, achieved through an unprecedented number of women publicly sharing their experiences in conventional and social media. Many Australian women added their voices to the hashtag movement, which quickly grew from an insight into the Hollywood film and media industry into a global movement.

As women's voices grow louder and more prominent than ever before in public discourse, it is important to not only recognise how far we have come, but also how far we have to go. Gender parity for women has still not been realized. We must still #PressforProgress.

A gender gap persists across the globe. According to the World Economic Forum (WEF), it is anticipated that the overall global gender gap might only close a century from now, in 2117. In many countries, from major cities to rural communities, women are still not present in equal numbers to men in business or politics. Figures from the 2017 Global Gender Gap Report by the WEF show that globally, women's education and health are still worse than that of men.

Even closer to home, the gender divide remains rife in the legal profession. The National Profile of Solicitors 2015 Report noted that in 2015, 12.9% of female private practitioners were principal solicitors in a law practice, compared to 24.3% for the profession as a whole (not including sole practitioners). Furthermore, the estimated mean income of female practitioners at

\$118,012 was approximately 10% lower compared to the profession as a whole (\$129,886).

Women practising as barristers are not immune to gender disparity. Research from the Australian National University's Centre for Social Research and Methods indicated that the gender pay gap for barristers in 2013-2014 was around 184%. The average male barrister declared an annual taxable income of \$169,000 while the average female barrister declared just \$60,000.

In the book 'Women & Power', classicist Mary Beard argued that women's relationship with power has contributed to the global gender gap. Through Greek and Roman antiquity, the author demonstrated that the exclusion of women from power is culturally embedded. Beard posited: "you cannot easily fit women into a structure that is already coded as male; you have to change the structure." Beard encouraged us to think about power differently as a step towards gender parity. She urged us to decouple power from public prestige. Think about the power of followers not just of leaders. Think about power as an attribute or even a verb ("to power"), not as a possession.

We have witnessed great power from the growing legion of courageous women who have projected their voices in the #MeToo movement. How will you #PressforProgress?

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## AUSTRALIAN WOMEN LAWYERS UPDATE



**Australian  
Women Lawyers**

### WHAT IS THE AUSTRALIAN WOMEN LAWYERS?

Did you know that, as a WLA ACT member, you are automatically a member of Australian Women Lawyers?

AWL brings together representatives from each state and territory women lawyers' body to discuss national issues, foster collaboration and cooperation and advocate on issue relevant to the position of women in the law.

Connect with AWL via Facebook and Twitter.

### RECENT ACTIVITY

As always the emails are flying thick and fast around the AWL Board.

In December 2017 we met in Brisbane to reflect on our organizational goals, and to set the agenda for the coming 12 months. At the top of that agenda is planning for the 2018 AWL National Conference to be held in Sydney in August 2018. The conference will offer a wealth of CPD points, strategic networking and inspiration to women lawyers young and seasoned.

AWL's mission for 2018 is to continue seeking out opportunities to recognize and support women at all levels of the legal profession.

One such opportunity arose recently in the form of International Women's Day, and AWL (via our President, Ann-Maree David) contributed to a piece in Lawyers Weekly celebrating the achievements of some incredible women lawyers in the past year, and reminding us of the tasks still ahead.

Our next highlight will be the (long awaited) launch of our slick new website, which we hope will be bookmarked in WLA ACT members' browsers in the near future.

### TO DO LIST

- Read [Counting Wins for Women in the Law](#)
- Set the groundwork with your manager for your attendance at the 2018 National Conference

**Liana Westcott** (ACT representative on the AWL Board)

## AUSTRALIAN WOMEN LAWYERS 7<sup>TH</sup> ANNUAL CONFERENCE 24-26 AUGUST 2018

Australian Women Lawyers is holding its National Conference between 24-26 August 2018 at the Sofitel Sydney Wentworth. All of the details (including registration) can be found [HERE](#).

Early bird registrations are open until 15 June 2018. Early bird registrations attract a \$185 discount. Student and corporate group rates are also available.

The conference has a fascinating program and includes sessions on Wellness, Innovation & Technology, Sustainable Work, International In-house Women Leaders, Building

Your Social Media Brand, and Unconscious Bias Training. The complete program can be found [HERE](#).

There will also be a Conference Gala Dinner on the Saturday night. We look forward to seeing you there!

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## PAY AND CONDITIONS SURVEY

TIME TO DRAW THE WINNER OF THE \$200 AUBERGINE VOUCHER!

WLA ACT's 2017/18 Pay & Conditions Survey closed on 9 February 2018. Previously the Junior Lawyers Pay and Conditions Survey, this year WLA ACT expanded the survey to all lawyers in the ACT thanks to the generous sponsorship of King & Wood Mallesons, Minter Ellison, Clayton Utz, Blumers Lawyers and Aulich Civil Law.

We had a total of 377 responses to the survey, which is 243 more than the previous year. WLA ACT is thrilled with the response from the profession and extends its thanks to those who completed the survey and pestered their colleagues to do the same.

The results have been handed over to Michelle Irving, a research consultant, for analysis, and will be delivered at a launch later this year.

### WHO WON THE VOUCHER?

Without further ado the winner of the coveted voucher is Tina Webster from the Grains Research and Development Corporation.

### WHY SHOULD I BE EXCITED FOR THE LAUNCH EVENT?

The ACT is a small jurisdiction and information about employment, pay and conditions is often unavailable in the public sphere, making it difficult for lawyers to find an independent benchmark from which to negotiate their entitlements.

The purpose of this survey is to collect data about the characteristics of individual lawyers working in the ACT, and the nature of their employment, pay and conditions. The WLA ACT and the ACT Young Lawyers Committee will collate and publish the findings of the survey with the aim of providing ACT lawyers with an insight into their professional community.

The launch event will highlight some key trends and interesting insights into the ACT profession. Copies of the report will be available at the launch and there will be wine and cheese!

### HIGHLIGHTS FROM THE PREVIOUS SURVEY RESULTS

The last survey revealed some interesting findings about young lawyers in the ACT. Below are just a few.

Overall 66% of respondents were satisfied with their pay. For respondents who were employed by a government employer, the overwhelming majority were satisfied with their pay (78% were satisfied).

The majority of respondents (67%) indicated that they felt guilty taking sick or personal leave.

Measures identified were: including awareness training, equal opportunity policies and harassment policies, harassment officers, reporting mechanisms and contact persons to provide support to victims, and the APS Code of Conduct. Of con-

cern, one respondent indicated that whilst their employer had policies/measures in place they did not seem to implement them.

Most respondents were not sure if their employer had policies/measures in place to promote good mental health in the workplace.

Responses to the questions what can employers do better for women lawyers included:

- Provide flexible working arrangements (including working from home) and cater for work-life balance.
- Ensure equal pay (no pay gap).
- Equal opportunities for women.
- Offer paternity leave (equal to maternity leave).
- Provide subsidised child care or child care onsite (like some government departments have).

A copy of the 2016/17 Report can be found on [our website](#).

The 2017/18 Survey has been made possible with the assistance of the following sponsors.

MinterEllison

CLAYTON UTZ

KING & WOOD  
MALLESONS

BLUMERS  
PERSONAL INJURY LAWYERS

ACL AULICH CIVIL LAW

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## HIGHLIGHTS FROM THE HEADLINES

### LAWYERS DON'T HAVE TO TOLERATE SEXUAL HARASSMENT

WLA ACT's very own President, Danielle Mildren recently spoke to Lawyers Weekly about sexual harassment in the legal industry.

You can read a complete copy of the article here - [Lawyers don't have to tolerate sexual harassment, WLA president says](#).

The article covers everything from Danielle's start in the legal industry, some of our recent events, flexible

working arrangements and the work yet to be done on tackling sexism in the legal profession.

If you, or someone you know, has been the victim of sexual harassment you can learn more in these following links about making a complaint, who to make a complaint to, and where to get advice about making a complaint:

<https://knowtheline.humanrights.gov.au/>

<https://www.humanrights.gov.au/http://hrc.act.gov.au/>

The ACT Law Society also has a free confidential counselling program available for members. You can contact the provider on 1300 364 273.

### BARNABY JOYCE RESIGNS AS LEADER OF THE NATIONALS PARTY FOLLOWING THE THIRD WEEK OF SCANDAL

In what looks to shake the almost century long alliance between two of Australia's oldest political parties for all the right reasons; Barnaby Joyce has resigned as leader of the Nationals Party. This follows a long three weeks of public condemnation about not only his affair with a paid staffer: but amid disclosure of inappropriate behaviour towards other members of staff and individuals at Nationals events.

The most recent disclosure is by former Western Australian Rural Woman of the Year, Catherine Marriott, who made a private complaint to the Nationals federal executive following an alleged incident in 2011. Marriott has said Joyce should be held accountable, and it appears this is likely to ring true, with an investigation currently underway by the Nationals Party into Joyce's alleged conduct.

As we have heard from our members and the broader legal profession, sexual harassment does not make exception for those in power or leadership. It most often occurs when individuals are allowed to use their power for personal benefit. We are now seeing not only women coming forward and sharing their stories; but powerful organisations looking to hold those offending to account

### TARA COSTIGAN THREE YEARS ON: WHAT HAS CHANGED ON THE FRONT LINE OF FAMILY VIOLENCE

Tara Costigan had done everything "by the book" in seeking protection from her former partner Marcus Rappel. She had given him sufficient warning that his behaviour towards her was not appropriate. She had assured him he would still be able to see his newborn baby regardless of any action she took. Despite all this, shortly after applying for and receiving an Interim Domestic Violence Order against Rappel, Costigan was killed by him in

her own home. She died holding her newborn baby while her two older children were present.

This was February 2015, and Costigan's murder was the first of four-family violence related murders to occur in the Australian Capital Territory that year. Reflecting on the anniversary of Costigan's death, much has been done to ensure the legal system does not fail those like her again. The response by the

government was positive and robust: sweeping reform was brought to the law, the way in which services were accessed and the funding allocated to assist those on the front line. The ACT government did more than just talk the talk, it broadened the definition of family violence under the Family Violence Act 2016 to include emotional, financial and psychological abuse. In the broader national community, Rosie Batty has this month indicat-

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ed she will step down from the foundation she established following the death of her son, Luke. Luke was killed by his father at cricket practice, in front of onlookers and Batty herself.

As family violence has started to come out into the open from behind closed doors, the legal profession has also done more, providing their time and skills to help those starting again. We as a membership can use

this time to again broach the conversation about family violence, and what we can do to not only offers our services as a profession but better support the community to face family violence head on.

## 2018 MARKS 100 YEARS SINCE WOMEN COULD PRACTICE LAW IN NSW

New South Wales did not pass legislation permitting women to practice law until 1918. Even then, the first woman lawyer admitted to practice in New South Wales still had to wait two years until she could be admitted. In 1921 Ada Evans became the first woman lawyer admitted to practice in New South Wales.

New South Wales was exceedingly tardy in its enactment of legislation enabling women to be admitted to legal practice. Legislation was passed in New Zealand in 1896, in Victoria in 1903, in Tasmania in 1904, in Queensland in 1905, in South Australia in 1911, and in Western Australia in 1923. The Vic-

torian legislation enabled the admission, in 1905, of Flos Greig as the first woman lawyer in Australia. Agnes McWhinney became the first woman admitted in Queensland in 1915, Mary Kitson in South Australia in 1916, Alice May Cummins in Western Australia in 1930, and Helen McPhee in Tasmania in 1935. Coincidentally, women could not be admitted to legal practice in the United Kingdom until 1921.

New South Wales may have been slow in enacting legislation enabling women to be admitted to practice, but, in 1952, 22 women lawyers banded together to establish the Women Lawyers Association of New South Wales, one of the first of

its kind in Australia. An association was formed in Tasmania in 1972, in Queensland in 1978, in Western Australia in 1982, in the Northern Territory in 1986, in the Australian Capital Territory in 1988, in South Australia in 1989 and, last but not least, the Victorian Women Barristers Association was formed in 1993 and the Victorian Women Lawyers Association in 1996.

# WOMEN LAWYERS ASSOCIATION ACT

## CORPORATE NEWS

### CORPORATE MEMBERS

We thank our following Corporate Members for their ongoing support:

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**Australian Women Lawyers Representative:** Liana Westcott

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### INTERESTED IN THE WLA ACT COMMITTEE?

WLA ACT is always looking for new subcommittee members. If you are interested in working with the Executive Committee to support our events, policy work and communications team, send an email through to [contact@wlaact.org.au](mailto:contact@wlaact.org.au) with your details and a little bit about yourself!

### HALF YEAR MEMBERSHIP

WLA ACT is offering half price half year memberships. Be sure to let your friends and colleagues know that it is not too late to get involved!

You can register to become a member [online](#).

# WOMEN LAWYERS ASSOCIATION ACT

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## STUDENT MEMBERSHIP

For the first time WLA ACT is offering free memberships to ANU and UC Law Students. You can register to become a member [online](#).

## STAY IN CONTACT

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**This Newsletter has been edited by Kirsty Easdale, Associate, Meyer Vandenberg**