

Remarks of the Hon Marilyn Warren AC  
Chief Justice of Victoria  
Victorian Women Lawyers 20<sup>th</sup> Anniversary Celebration  
Thursday 20 October 2016

**Marking 20 Years – And Going Strong**

It is twenty years since the Victorian Women Lawyers were established with the magnificent support of the Law Institute of Victoria. The LIV showed extraordinary vision and leadership in supporting the establishment of the VWL through valuable funding and office accommodation. In fact, without the support of the LIV it is hard to see that the group would have advanced and achieved what it has. Hence, on behalf of the women in the law of Victoria I acknowledge and thank the LIV for all it has done and look forward to its enduring support of women lawyers.

Importantly, also, a number of the large law firms stepped in and provided funding to support the establishment and ongoing existence of VWL. I congratulate you too.

What purpose then has the VWL served over the last 10 years?

It has been an important lobby and influence group. It has advised the LIV, government and government agencies, courts, the Bar and the community of the importance and value of a legal profession that welcomes and supports the views of women. A Chinese philosopher (or was it politician?) once said 'women hold up half the sky'. Twenty years ago such a philosophical approach was not reflected in the placements and recognition of women across the legal profession.

My how things have changed!

Let me nominate seven ways the representation of women in the law has changed in Victoria in the last twenty years.

1. There are more of us – the statistics are glorious. The numbers of female lawyers being admitted to practice in this State (I see everyone on admission days) are running at over 60 per cent. We know that the law schools are graduating women at over 60 per cent. These gender proportions have been sustained for some time. This year the Victorian Bar enrolled more women than men in the Bar Readers' course for the first time in the Bar's history. This morning I attended a *Women in Law Breakfast* as part of the National Family Law Conference. 550 people attended (about 30 of whom were men).

There is strength in numbers. The presence of women in the law cannot be denied.

2. There are more of us in higher positions – It is not unusual, indeed, commonplace for partners and senior associates to be women (there are just not enough of them yet). In Victoria we have three heads of jurisdiction who are women. The LIV and

the Victorian Bar have all had women as presidents. Most recently, Katie Miller was President of the LIV. Around a third of judicial officers in Victoria are now women. The Premier of Victoria announced in late 2014 that his government would appoint women to 50 per cent of government appointed positions including appointments to the judiciary.

In positions of power and authority women are able to be even stronger advocates. There is increased impact and capacity to make the audience listen.

3. Better recognition of the parenting role – whilst not yet universal, parental leave is recognized as an essential social need. Men have come to be included as playing a part in supporting women in juggling the demands of family. Legal practices have recognised the need to provide flexibility in working arrangements to keep female staff. Truly supportive

and wise legal practices provide emergency support for parents who have a sudden family crisis.

With better recognition comes the capacity of the woman lawyer to be able to focus more effectively on the professional role without the distractions of familial worry.

4. Community wide recognition and reaction to women's issues – women's health is appreciated and accommodated far more effectively. Childcare is acknowledged as an essential part of the needs of the modern working female lawyer. Importantly for all, family violence is finally on the table and out in the open. The report of the Royal Commission into Family Violence is being taken seriously at all levels of government, the courts and the judiciary. This will permeate through into the legal profession.

5. Law reform (actual or contemplated) – there have been dramatic reforms in the laws relating to sex offences and the

procedure for criminal trials, abortion, fertility procedures and adoption. As lawyers we apply these laws but separately many of us are directly affected by them. Significantly, women and groups such as the VWL have been consulted.

6. Recognition of human rights – in Victoria we now have the *Human Rights Charter* which embodies the protection of the human right not to be subjected to sex discrimination. Additionally, there is increased awareness of sex discrimination and exploitation and the obligation on the community but also within the legal profession to ensure it does not occur. [Whilst the recent statements and exchanges between the United States presidential candidates have often been undignified, or indeed appalling, it has had the benefit of heightening awareness of discrimination].

7. Lesbian and same sex relationships recognition - Twenty years ago, no-one had realised, lesbian women are important

contributors to the rights and needs of female lawyers. There has been significant movement on this issue with the national consciousness of it developing dramatically over the years.

These few examples show how much things have changed in 20 years. That said, there is still so much to be done. The VWL through the energy, innovation and commitment of the current generation of young women lawyers is truly exciting for me to observe as a mature aged lawyer. I would never have had the wherewithal, aplomb and capacity to achieve what the current VWL leadership do.

Let me give you a few examples of what is happening:

- Training in addressing the gender pay gap and teaching young women lawyers how to negotiate.
- Training in how to tackle sexism in the workplace.
- Training in countering unconscious bias.
- Advice on making the decision whether to go to the Bar.

- Mentoring programs for young female law students.
- Distribution of contact sheets in multiple languages to address family violence including information of shelters, support organisations and resource centres.
- Devising and managing an exhilarating moot program to enable women lawyers to develop their capacities as advocates in court.

All this with more to come.

To VWL I say congratulations. As Patron it brings me immense pride but a great sense of honour and privilege to be involved with VWL. I cannot wait to witness the effectiveness and change that VWL will bring in the next 20 years. For anyone thinking that VWL is no longer necessary, then I say take a long hard look at the representation of women in partner numbers, senior associate positions, the gender pay gap, the difficulties with childcare support and flexible work arrangements on the ground



– they are not uniform – and the representation of women on the Bench. We still have a long way to go. All power then to the VWL.