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Kelly McIntyre, Barrister-at-Law

Welcome to the new year and the first edition of Inspire for 2015.

Feminism is a word that has attracted a significant amount of media attention over the last 12 months, with some commentators suggesting it is the new 'F' word and derives negative connotations for those willing to label themselves as feminists. TIME Magazine included the word 'Feminism' on their 'which words should be banned in 2015' list, where previous winners include 'twerk' and 'OMG'.

Why is it that a word, or indeed a movement, which is defined in the Oxford English Dictionary as, "The advocacy of women's rights on the grounds of political, social, and economic equality to men" is now perceived as aggressive, anti-men and unattractive.

Why are celebrities such as Madonna, Demi Moore, Lady Gaga and Susan Sarandon referring to themselves as 'humanists' rather than feminists? And why is it that some of our leading female politicians are decrying the need to associate with the word? What sort of message does this send young and impressionable girls in our society?

It seems to me that perhaps we should start reclaiming the word 'feminism' for its true meaning and be proud, whether male or female, to stand for political, social and economic equality for all.

We have a big year ahead and hope that you enjoy this issue!

Acknowledgements

We extend our sincere congratulations to the Hon. Justice Roslyn Atkinson AO who was recognised in the Australia Day Honours List by being appointed to the Order of Australia in the General Division for distinguished service to the judiciary and to law reform in Queensland.

Congratulations to the Hon Justice Philippides on her appointment as a Judge of the Queensland Court of Appeal and to Mr Martin Burns, QC, on his appointment as Judge to the Supreme Court of Qld – Trial Division.

We also congratulate Ms Cathy-Ann McLennan on her appointment as Magistrate for the State of Queensland together with Mr Jeffrey Clarke and Mr Peter Hasted and welcome Deputy Chief Magistrate Gardiner.

We also extend our congratulations to the Honourable Yvette D'Ath for her appointment as Attorney General.

DISCLAIMER

This newsletter is intended to keep readers abreast of current developments.

It is not, however, to be used or relied upon as a substitute for professional advice. Before acting on any matter detailed in this newsletter, readers should discuss matters with their own professional advisers.

Articles produced in this newsletter are the opinions and observations of the author and not of the WLAQ.

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2015 Events Calendar

QLS Legal Careers Expo – WLAQ/WLS Combined Careers Stall

When 9 March 2015, 12pm – 4pm
 Where Brisbane Convention & Exhibition Centre
 Read more: [HERE](#)

2015 WLAQ Annual Inter-Professional Networking Evening

When 26 March 2015, 5.30 – 8.00pm
 Where Wesley House, College of Law
 Read more: [HERE](#)

Partners and Special Counsel Boardroom Luncheon

When 9 April 2015, 12.00 – 2.30pm
 Where Port Office Hotel, Wine Room Exclusive
 Read more: [HERE](#)

Una Prentice Awards

When 21 April 2015, 5.30 – 7.30pm
 Where Wesley House, College of Law

Darkness to Daylight Challenge

When 6 and 7 May 2015
 Read more: [HERE](#)

Brisbane – WLAQ and WLS Corporate Closet Cleanout

When 22 May 2015
 Where Hanworth House, 109 Lytton Rd, East Brisbane
 Cost Gold Coin Donation – All proceeds going to front line work of WLS.
 Read more: [HERE](#)

CPD Seminar + AGM + Networking

When 19 June 2015
 Where TBA

Cairns Luncheon & CPD

When July 2015 (date to be confirmed)
 Where Cairns

Women at the Bar: Barristers & Solicitors Networking Event

When 6 August 2015
 Where Brisbane

WLAQ Ladder Mentoring Program

When 02 September 2015
 Where TBA

WLAQ 37th Annual Awards Dinner

When 23 October 2015
 Where TBA

For more information please see our website under ‘Upcoming Events’.

PLEASE NOTE: Member prices can only be accessed by members via the member portal on our website. Members must be logged-on to access member pricing.

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Annual Inter-Professional Networking

26 March – College of Law, Wesley House

WLAQ in conjunction with The College of Law Queensland, will be hosting its Annual Inter-Professional Networking Evening on 26 March 2015.

Invite a non-legal professional to come along and join us for an evening of networking and refreshments as we launch the 2015 year and celebrate International Womens' Month.

For more information [CLICK HERE](#)

Team WLAQ - Darkness to Daylight Challenge

6 and 7 May

WLAQ is proud to be supporting the Darkness to Daylight Challenge by encouraging members to register to take part in the event. This year, WLAQ will register a team to participate in the 10km run and the 3km walk. Register with us become part of the movement!

Every year in Australia approximately 110 women, children and men die because of domestic and family violence. Australia's CEO Challenge, with the support of law firm Minter Ellison, are shining a light once again on this silent epidemic. Together we can make a difference and speak out - every step counts towards our shared vision of a world safe from violence.

For more information about how you can join the WLAQ challenge team and purchase your WLAQ team t-shirt, [CLICK HERE](#)

WLAQ & WLS – Corporate Closet Cleanout!

22 May – Hanworth House

We are calling on our members to do a closet spring clean and donate their preloved corporate clothes to a good cause. We are seeking corporate and designer clothing in great condition (including accessories, handbags and shoes). All clothes sold on the night will be reclaimed fashion!

All funds raised will go to the frontline work of WLS which assists thousands of Queensland women and their children each year who experience domestic violence. Any items not sold will be donated to Dress for Success www.dressforsuccess.org

Clothing can be dropped off at the following locations:

Women's Legal Service Annerley office
387 Ipswich Road, Brisbane (driveway in Ponsonby Street)

The College of Law Queensland
Level 5 Wesley House, 140 Ann Street, Brisbane

Griffith Chambers, care of Kylie Hillard
Level 18, 239 George Street, Brisbane

Robbins Watson Solicitors
Suite 12, 2 Executive Drive Burleigh Heads, Gold Coast

For more information, [CLICK HERE](#)

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Articles



Feminism has a PR Problem

Speech delivered by Her Honour Justice Margaret McMurdo, at the Book Launch of "Australian Feminist Judgments: Righting And Rewriting Law" Tuesday, 2 December 2014, Banco Court, Level 3, 415 George Street, Brisbane

The word "feminism" (the "f-word"), as federal MP, Fiona Scott recently noted, "has a PR problem".¹

The Australian Concise Oxford Dictionary defines "feminism" as "the advocacy of women's rights on the ground of the equality of the sexes." What reasonable person could possibly be offended by the concept of feminism? This is especially so for lawyers for the law is all about rights. Every legal academic, practising lawyer and judge should be proud to be called and to call themselves a feminist. But, sadly, feminism's PR problems mean this is often not so.

I have sometimes mused upon whether the pathological fear of the "f-word" arises from the seldom-used secondary medical meaning of "feminism" also contained in the Australian Concise Oxford Dictionary: "the development of female characteristics in a male person". Is this what has frightened off so many from embracing the label? But whatever the reason, feminism's PR problem is real.

In the foreword to *Australian Feminist Judgments*, the Hon Sally Brown AM notes that during her welcome ceremony as a Family Court judge in 1993, despite being cautioned against using the "f-word", she proudly declared herself a feminist, shocking at least one of her male colleagues.

Two years earlier in Queensland in 1991, the Hon Judge Helen O'Sullivan, also a contributor to this book, similarly used the "f-word" as self-description during her swearing-in ceremony. Some chattering lawyers questioned whether feminist judges could impartially resolve conflicts between male and female litigants or witnesses, as required by their oaths or affirmations of office. Male litigants and witnesses, the chatterers argued, could reasonably apprehend they may not get a fair go.

This was not a peculiarly Queensland notion. In the foreword to the 2010 English forerunner to this book, *Feminist Judgments From Theory to Practice*, edited by Rosemary Hunter, Clare McGlynn and Erika Rackley, Baroness Brenda Hale, Deputy President and the only female justice ever appointed to the Supreme Court of the United Kingdom, also questioned "Is it possible to be both a judge and a feminist?"

Feminism's bad PR even pervades academia. The editors of this book, Heather Douglas, Francesca Bartlett, Trish Luker and Rosemary Hunter, refer in their introduction to Margaret Thornton's observations that women law students in the mid-2000s in Britain, Canada, New Zealand and Australia did not want the word "feminist" to appear on their academic transcripts in case it interfered with their employment prospects, and that "merely mentioning the 'f-word' in class is enough for students to sigh and put down their pens".²

And, only recently, Australia's first woman foreign minister and presently only female member of federal cabinet, the Hon Julie Bishop, a lawyer, gave an unquestionably feminist address to the National Press Club, launching a "Women in Media" group. When asked about the "f-word", she responded that it was "not a term I find particularly useful these days ... it is not

¹ Clementine Ford, "What's so wrong with being a feminist?" Sydney Morning Herald (online) 3 November 2014 <<http://www.smh.com.au/comment/whats-so-wrong-with-being-a-feminist-20141103-11g2dw.html>>

² Australian Feminist Judgments: Righting and Rewriting Law, eds Douglas, Bartlett, Luker and Hunter, Hart Publishing, 2014, p 16.

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because I have some pathological dislike of the term. I just don't use it ... it's not part of my lexicon."³ A whole new debate about the "f-word" and its PR problem ensued.

When I spoke at a UQ judgment writing workshop in this project in December 2012, I suggested the answer to Baroness Hale's question, "*Is it possible to be both a judge and a feminist?*" is "*Not only is it possible for judges to be feminists, but if true to their oaths and affirmations of office, arguably context may require all judicial officers, women and men, to be feminists*". The judicial oath or affirmation is in largely identical terms throughout the common law world: to sincerely promise and swear or affirm to at all times and in all things do equal justice to the poor and rich and to discharge the duties of office according to law to the best of the judge's knowledge and ability, without fear, favour or affection.⁴ How could the contextually appropriate advocating of women's rights on the ground of equality of the sexes result in a reasonable apprehension of bias? There is complete synergy between feminism and the judicial oath.

It is time to "mainstream" the "f-word", especially amongst law students, legal academics, legal practitioners and judicial officers, both male and female. In this respect, I am pleased to see that at least two of the 58 learned contributors to this book are men: Associate Professor Jonathan Crowe from UQ and Wayne Morgan from the ANU College of Law.

But, what is a feminist judgment? This book does not define the term, but I apprehend a feminist judgment contextually advocates for women's rights on the ground of the equality of the sexes; I am confident it does not develop female characteristics in a male person. Advocating for women's rights on the ground of the equality of the sexes is not a discrete women's issue; it is a key human rights concern for all.

Professor Hunter, in the introduction to this book, suggests, and the other editors adopt, the notion that a feminist judge should

- "ask the woman question" and notice the gender implications of apparently gender neutral rules, as well as the implications for other traditionally excluded groups;
- "include women", writing women's experiences into the judgment (both as litigants and collectively) and in the construction of legal rules;
- challenge gender bias;
- contextualise and particularise, reasoning from context and making individualised rather than categorical or abstract decisions;
- seek to remedy injustice and improve the conditions of women's lives;
- promote substantive equality;
- be open and accountable about the choices made between competing interests; and
- draw on feminist scholarship to inform decisions.

These should be aspirational, unexceptional, contextual targets for all judicial officers, male and female. But the harsh reality is that the temporal pressures flowing from heavy judgment writing loads mean that Australian judicial officers seldom have the luxury to fully explore these matters in their judgments. This is especially so if the parties' arguments have not raised the issue. Nevertheless, those judicial officers who take the time to dip into this book will learn a great deal about how to realise these aspirations.

The book explores 25 significant Australian legal decisions across varying time spans, and legal fields. The 25 re-imagined feminist decisions sometimes, but by no means always have the same outcome as the original, but their legal reasoning is always distinctly feminist. I formed the impression that the feminist judgment writers relished their tasks, had fun along the way, and were satisfied with the final product. Just like real judges! (You can decide if that is irony!) Each feminist judgment is preceded by a useful commentary by another distinguished legal academic.

³ Judith Ireland, "I'm no feminist: Julie Bishop" Sydney Morning Herald (online) 29 October 2014 <<http://www.smh.com.au/federal-politics/political-news/im-no-feminist-julie-bishop-20141029-11dn7m.html>>

⁴ See, for example, s 3 Oaths Act 1867 (Qld).

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This is a serious tome of over 450 pages. It will be a disciplined and determined reader who can methodically consume it from page 1 to page 451 (excluding the comprehensive index). I am not so disciplined and determined! I suggest readers commence with Sally Brown's excellent foreword and the editors' introductory chapter which gives a helpful overview of the book, together with their second chapter, "Reflections on Rewriting the Law." For the purpose of preparing today's addresses, Chief Justice Bryant and I agreed to share the rather daunting task of dipping into this book, with Diana taking on its Part 1, Public Law, which comprises Constitutional Law, Tax Law, Immigration Law and Environment Law. In Part 2, Private Law, I took on Torts and Diana, Consumer Protection and Equity. Unsurprisingly, I took on Part 3, Crime and Evidence, which comprises Criminal Law, Evidence and Sentencing and in Part 4, Interpreting Equality, Diana took on Family Law and Discrimination Law, with me taking on Treaty Law.

In the section on Torts, Kylie Burns from Griffith University reinterprets *Cattanach v Melchior*,⁵ a case in which I presided in the Court of Appeal on its way to the High Court. Unlike in real life, Burns J dismisses the appeal to the High Court, upholding Holmes J's findings at trial and my decision in the Court of Appeal, awarding Mrs Melchior tortious damages resulting from her unexpected pregnancy and the subsequent birth of her child following her negligently performed sterilisation process. Terrific judgment, that one!

Moving to Crime and Evidence, Adrian Howe, also from Griffith, agrees with the majority of the High Court in refusing special leave to appeal in the 1963 case of *Parker v The Queen*.⁶ Howe J explores the law relating to provocation in respect of men who kill their wives whom they suspect of adultery. Unlike in the original decision, her Honour notes that "*when provocation succeeds on slender or spurious evidence justice miscarries. ... [I]t is essential that if confessed or projected adultery is not to become a licence to kill, courts adhere to a strict objective standard of self-control that recognises inter alia the legal right of a woman to leave an unsatisfactory relationship.*"⁷

Penny Crofts from UTS and Renata Alexander from Monash allow Jo-Anne Taikato's appeal against her conviction for possessing a spray can of formaldehyde which she carried in her handbag for self-defence purposes. Unlike the original New South Wales Court of Criminal Appeal decision,⁸ the High Court Justices Crofts and Alexander, in determining whether Ms Taikato had a well-founded fear of attack in a public place so that she had a defence to the charge, took into account her more generalised feelings of insecurity reinforced by her prior experiences of threat.

In the real *PGA v R*⁹ the majority of the High Court held that a husband's immunity from prosecution for the rape of his wife had ceased to be part of the common law, at least in South Australia since 1935. Mary Heath from Flinders Law School and Wendy Larcombe from Melbourne Law School interestingly agree with the conclusions reached in the dissenting judgments of Heydon and Bell JJ that rape within marriage was not a crime known to the common law in 1963 so that the appellant could not be prosecuted for the rape of his wife at that time. But unlike Heydon and Bell JJ, the feminists Heath and Larcombe JJ analyse the deep wrong done to married women in the development and enforcement of that unjust law which persisted until abolished by statute.

Retired Queensland District Court judge and avowed feminist, Helen O'Sullivan, undertakes a radical re-writing of *RPS v The Queen*,¹⁰ abolishing the right to silence. Unlike the real High Court, O'Sullivan J allows trial judges to direct juries that, in assessing an accused person's guilt,

5 [2003] HCA 38.

6 (1963) 111 CLR 610.

7 Australian Feminist Judgments: Righting and Rewriting Law, eds Douglas, Bartlett, Luker and Hunter, Hart Publishing, 2014, p 240-241.

8 R v Taikato (unreported, Court of Criminal Appeal, New South Wales, Meagher JA, Abadee and Ireland JJ, 6 April 1994).

9 (2012) 245 CLR 355.

10 [2000] HCA 3.

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they can take into account any evidence they consider relevant to the question of whether it is reasonable to expect an accused to have given evidence in assessing an accused person's guilt.

In the *Phillips v R*¹¹ the accused went to trial and was convicted on multiple sexual offences involving six female complainants aged from 14 to 18. He appealed unsuccessfully to the Queensland Court of Appeal but the High Court allowed his appeal, quashed his convictions and ordered re-trials as the charges involving the different complainants were wrongly joined. Associate Professor Annie Cossins from the University of New South Wales reinterprets this vexed and complex question ensuring the voices of the six complainants are heard. Cossins J dismisses Phillips's appeal, finding that the offences were joinable as identity was not in issue and the offences established a pattern of sexual aggression, force and/or violence so that it was objectively improbable that each complainant would consent. It followed that the evidence on all charges was cross-admissible. There was a high degree of probative value sufficient to outweigh the prejudicial effect and the charges were rightly joined.¹²

All the feminist judgments on sentencing concern sentences imposed on men for crimes against women and, you guessed it, none were reduced in the re-writing. In *R v Webster*¹³ a New South Wales judge sentenced an offender to 14 years imprisonment for the murder of a 14 year old girl at a beach party. Before her death she was subjected to extremely violent non-consensual sexual intercourse, probably with many young men. Honni van Rijswijk and Lesley Townsley, both from UTS, rewrite the judgment in this dreadful case to include the perspective of the 14 year old victim. Whilst giving weight to Webster's youth and rehabilitative prospects, Townsley-van Rijswijk J (I love the way some multiple authors blend their names into the name of the fictional judge) considered the objective gravity of the crime warranted a minimum term of 14 years imprisonment to be followed by six years on parole.

In the Victorian case of *R v Middendorp*¹⁴ the offender was acquitted of murdering his wife but convicted of the lesser statutory offence of defensive homicide on the basis of excessive self-defence in the context of partner violence. In this feminist judgment, Kate Fitz-Gibbon from Deakin, and Danielle Tyson and Jude McCulloch, both from Monash, deliver a feminist-nuanced analysis of partner violence. Their judge (Justice Justicia) imposes the penalty of 17 years imprisonment, to serve a minimum of 14 and a half years, a sentence exceeding all previous sentences for this offence.

In the original *R v Morgan*¹⁵ the Victorian County Koori Court imposed a sentence of three years and six months imprisonment with a minimum non-parole period of 18 months for various offences involving serious family violence. Morgan successfully appealed and his sentence was reduced. Elena Marchetti from University of Wollongong and Janet Ransley from Griffith, in the judgment of Marsley JA, (another blended judicial name) emphasise both the female victim's voice and experiences and the Elders' views in the County Koori Court. Whilst taking into account Morgan's efforts at rehabilitation, Marsley JA positively considers the cultural appropriateness of Indigenous sentencing courts for offender, victim and the Indigenous community. Her Honour concludes that Morgan's participation in the Koori Court was not a mitigating factor; the original sentence was appropriate and his appeal is dismissed.

The last of the 25 judgments in this book concerns *Tuckiar v The Queen*,¹⁶ a seminal 1934 decision about barristers' obligations to clients in criminal cases. Nicole Watson, a member of the Birri-Gubba People and the Yugambah language group, and a Senior Researcher at UTS, has written the judgment of Foley CJ with which Watson J agrees. Their Honours are members of the First Nations Court of Australia in 2035, and s 25 of the *Treaty Between the Republic of Australia and the Confederation of Aboriginal and Torres Strait Islander Nations Act 2028* is in force. Their Honours attempt to bridge the gap between a white legalist approach and

¹¹ (2006) 225 CLR 303.

¹² Australian Feminist Judgments: Righting and Rewriting Law, eds Douglas, Bartlett, Luker and Hunter, Hart Publishing, 2014, p 304-305.

¹³ Unreported, Supreme Court of New South Wales, Wood J, 24 October 1990.

¹⁴ [2010] VSC 202.

¹⁵ [2010] VSCA 15.

¹⁶ (1934) 52 CLR 335.

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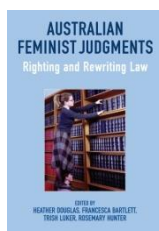
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Indigenous law. They refer to Tuckiar, a traditional Yolngu man, as Dhäkiyarr. At his original trial Dhäkiyarr was accused of murdering Constable McColl. Their Honours refer to the evidence at the trial that he had seen McColl having sex with one of Dhäkiyar's wives and that only when McColl fired at him four times did he retaliate by spearing McColl. Forcibly taking Aboriginal women and having sex with them outside customary marriage, their Honours found, were serious breaches of Yolngu law. This re-imagined judgment is written from the perspective of Dhäkiyar's wife, Djappari. The judgment empowers Djappari as a sovereign Yolngu woman. Their Honours find that Djappari was a victim of McColl's assault and conclude their judgment with this statement:

"Instead of receiving the protection of the rule of law, however, Djappari was unlawfully detained at the hands of police officers. At her husband's trial and subsequent appeal, Djappari was not even afforded a name, but referred to as a 'lubra'. In a final insult, Djappari was never told what became of her husband after his release from goal, although it has long been suspected that police officers were responsible for his death. This Court has attempted to rectify some of the harm that was inflicted on Djappari's humanity. We have recognised her sovereignty as a Yolngu woman. We have also cast a light on the pervasive roles of race and patriarchy in the evolution of Australian law. By doing so, we hope to play but a small part in rebuilding the legal system from its colonial origins to one that affords genuine equality to all citizens of the Republic."

I hope sharing my insights into *Australian Feminist Judgments: Righting and Rewriting Law* has given you a taste for this intriguing book. Whether you are a judicial officer, a practising lawyer or a legal academic, whether you are male or female, this book encourages feminist thinking in case preparation, in making oral and written submissions, in judgment writing and in the subsequent academic analysis of judgments. It will be a useful academic resource. It challenges us, when the context permits, to advocate for women's rights on the ground of the equality of the sexes whilst performing our academic, legal and judicial work. We can do this as feminists, without fear of developing female characteristics in men. This book is a reminder to us to mainstream the "f-word", to proudly be and call ourselves feminists, and to end feminism's PR problem.

Book review



'Australian Feminist Judgments, Righting and Rewriting Law' Edited by Heather Douglas, Francesca Bartlett, Trish Loader, Rosemary Hunter

Review by Kelly McIntyre, Barrister

The result of a research project *which investigates the possibilities, limits and implications of a feminist approach to legal decision-making* this book provides an interesting take on what a feminist judgement might look like by re-writing a number of Australian decisions and applying *theoretical insights to real world situations*.

Written by a number of female academics and lawyers, the content is both accurate and thought provoking. Each decision considered is prefaced by a short commentary regarding both the context of the original decision and how the re-written version differs by application of feminist theory. Cases covered include those relating to family law, sexual offences, sovereignty, immigration, taxation and environmental law.

To celebrate the launch of *Australian Feminist Judgments*, our friends at Hart Publishing Ltd are offering our members 20% off the purchase price.

To redeem this fantastic offer [CLICK HERE](#) to purchase online and use the reference **BU8** in the voucher code field and click 'apply'

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The art of using the "F" word

By Kylie Hillard, Barrister and WLAQ Committee Member¹⁷

To some the "F" word is one of true beauty that can be used in just the right way and context to add weight to what is being conveyed. Indeed, some have described the "F" word as one of the most versatile in the English language.

It's a word that enjoys wide spread use in our vernacular and if Googled there would likely be a googolplex of hits (at least 35 million anyway). It has a place in human rights, the indelible and undeniable concept that individuals are all equally entitled to rights without discrimination.¹⁸

It can be used to describe women on Facebook¹⁹ who fail to recognise the irony that their ability and right to speak freely against women's issues arose from other women who fought for that very right to free speech.

There's a place for it when discussing half of Australia's population and almost half of our work force, where women:

- earn only 64% of the average male's wage and salary income²⁰ and the gender pay gap for women is reported as 17.1%;²¹
- comprise only 3.5% of executive positions and 12.3% of board or director positions in the ASX 200;²²
- comprise only 29% in federal politics in reported figures;²³
- comprise only 34.25% of our judiciary overall;²⁴ and
- graduates across all fields in full time employment earn less than their male counterparts.²⁵

And where:

- 95% of victims in detected human trafficking cases are women²⁶
- 1 in 3 women, 36%, have experienced some form of violence since the age of 15²⁷
- 1 in 5 women, 22%,²⁸ aged 15 to 64 years have been the target of sexual harassment and some studies place the figure as high as 1 in 2 women, 48%²⁹
- women are 5 times more likely³⁰ to be the victim of the most prevalent violent crime, sexual assault,³¹ and

¹⁷ Kylie Hillard is a barrister at the bar in Queensland, and is a long standing member of the WLAQ committee. She is primarily briefed in criminal law matters, holds a variety of board and volunteer positions including Soroptimist International, International Commission of Jurists (Qld) and Equal Opportunity Subcommittee of the Bar Association of Queensland, and is an advocate for human rights and access to justice.

¹⁸ <http://www.ohchr.org/EN/Issues/Pages/WhatareHumanRights.aspx>

¹⁹ <https://www.facebook.com/WomenAgainstFeminism>

²⁰ <http://www.abs.gov.au/ausstats/abs@.nsf/MediaReleasesByCatalogue/8437AA380B280D73CA257AD9000EB6BB?OpenDocument>

²¹ https://www.wgea.gov.au/sites/default/files/Gender_Pay_Gap_Factsheet.pdf

²² <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4102.0Main+Features30Dec+2012>

²³ <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4102.0Main+Features30Dec+2012>

²⁴ <http://www.aija.org.au/JudgesMagistrates2014.pdf>

²⁵ <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/4125.0main+features2320Jan%202013>

²⁶ http://www.aic.gov.au/media_library/publications/tandi_pdf/tandi441.pdf

²⁷ <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/4906.0Chapter3002012>

²⁸ https://www.vichealth.vic.gov.au/~media/resourcecentre/publicationsandresources/pvaw/ncas_communityattitudes_report_2010.ashx

²⁹ <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/4906.0Chapter10002012>

³⁰ <http://www.aic.gov.au/dataTools/facts/vicGenderCrime.html>

³¹ <http://www.aic.gov.au/dataTools/facts/vicViolentCol.html>

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- [young women aged 13 to 17 years](#) are historically more likely to be reported as missing persons.³²

The "F" word in recent times has been one of the most tarnished, abused and reviled. Emma Watson has [said it's not a dirty word](#).³³

Julie Bishop revolts against it saying she doesn't need to self-describe as one.³⁴ Penny Wong [exhorts for all women](#) who support gender equality is one and women should be [proud to call themselves one](#).³⁵ Tanya Plibersek is one, because she recognises the [issues affecting women](#).³⁶

Even movie and TV producer, Joss Whedon (a male), is one and recognises that the more anger and talk there is about it means [change is underway](#).³⁷

Would you dare use the "F" word to argue for women's rights and risk your listeners being distracted by questions of 'what is it', 'why be one', 'will I be labelled one too' and 'do I want to be labelled one'?

Let's try the "F" word on for size in the gentle art of advocacy.

The simple "**Fact**" that half the population of Australia is marginalised, under-represented in the work force and over represented in concerning ways as victims of crime is entirely unacceptable.

There is a clear and "**Frank**" need for the advocacy of the human rights of the women of Australia evidenced by the statistics.

All Australians, male or "**Female**", have the right to advocate for the human rights of our mothers, sisters, aunts and daughters.

We must recognise that men can be allies and colleagues without pushing for "**Females**" to being preferred at all costs due to gender.

As a society we must "**Fight**" for those who have a smaller or diminished voice so that their voices can be heard.

We must push the issues to the "**Fore**" to be considered.

We must not discourage those who "**Fiercely**" defend their right to be heard.

"**Finally**", stop getting caught up in the language, labels and stereotypes, and simply act.

So, what "F" word you would use to describe the human rights issues affecting half our population? (Perhaps the "F" word you would use can't be printed).

³² <http://www.missingpersons.gov.au/en/mp-homepage/awareness/media-gallery/releases/media-release---tuesday-15-july-2008>

³³ <https://www.youtube.com/watch?v=cbVpNnuG8s>

³⁴ <http://www.smh.com.au/federal-politics/political-news/im-no-feminist-julie-bishop-20141029-11dn7m.html>

³⁵ <http://www.smh.com.au/federal-politics/political-news/acting-labor-leader-penny-wong-says-feminism-is-not-just-for-the-left-wing-20140410-zqt2d.html>;

<http://www.theguardian.com/world/2014/apr/11/feminism-is-not-an-extreme-term-says-penny-wong>;

<http://www.theguardian.com/commentisfree/2014/apr/14/feminism-liberal-women-australia>

³⁶ <http://www.smh.com.au/comment/tanya-plibersek-why-im-a-feminist-20141112-11ktdn.html>

³⁷ http://www.huffingtonpost.com/2014/11/06/joss-whedon-male-feminist_n_6114310.html

* Articles and quoted figures current as at 2 February 2015

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Women of Substance

Each month we hope to bring our members a short bio on a ‘woman of substance’ in the legal profession. If you have any suggestions as to who we should showcase, please email me at president@wlaq.com.au with the subject line ‘Woman of substance’.



Laura Neil being presented with her award by Kylie Hillard

Ms Laura Neil, Barrister-at-Law and winner of the Regional Woman Lawyer of the Year Award 2014*

By Kylie Hillard, Barrister and WLAQ Committee Member

On 24 October 2014, Cairns Barrister, Laura Neil was the only barrister shortlisted as a finalist for an award at the 36th Annual Women Lawyer of the Year Awards presented by the Women Lawyers Association of Queensland (WLAQ) and was awarded the Regional Woman Lawyer of the Year for 2014.

While Laura has been practising as a Barrister since only March 2013, having previously practised as a solicitor, the members of the Bar Association of Queensland should be pleased to call Laura one of their own.

It's easy to see why Laura is dedicated to the Far North Queensland region having grown up in Cairns and attending James Cook University in Townsville, graduating in 1994.

In 2008 Laura became a Principal at Maurice Blackburn and was the first female to do so in Queensland. Now, almost half of the partners at Maurice Blackburn are women. Laura was the Principal in charge of the Cairns and Townsville offices of Maurice Blackburn which covered a diverse geographical area servicing many clients across North Queensland.

Laura was (and remains) a founding committee member of the Far North Medical and Legal Society Inc, a society that provides a contact point and liaison opportunity between lawyers and the medical profession in North Queensland.

Laura currently holds positions as the Vice President of the Cairns Community Legal Centre and is the Rural and Regional Representative committee member of the Queensland branch of the Australian Lawyers Alliance (“ALA”).

She contributes to the legal profession in many ways. She is a member of the North Queensland Law Association, a member of FLPA, a member of the Far North Queensland Legal Association and is the co-author of the Personal Injuries chapter of the Caxton Legal Centre Handbook.

Laura has arranged events for the ALA in Cairns and Townsville and supports up and coming lawyers in regional areas (male and female of course) by volunteering her time to sponsor and mentor students at James Cook University, and through the WLAQ.

Laura runs a successful and busy practice practising primarily in personal injury and family law and boasts a sound reputation in regional Queensland. She has been described “to be a person of trust and integrity”. She is proud to tell me that she has two daughters and if Laura is anything to go by, her daughters will be amazing women too.

You can find Laura on the [Bar Association of Queensland](#) website or follow Laura on Linked In.

* The 36th Annual WLAQ Regional Woman Lawyer of the Year Award was proudly sponsored by the Griffith Law School, Griffith University. This article is reproduced in part courtesy of Hearsay – The Journal of the Bar Association of Queensland – December 2014 issue.

For the full article, please go to [Hearsay](#).

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'Thrive' - WLAQ Wellness Program

The WLAQ "Thrive" column of this newsletter supports a range of initiatives which target women lawyers' professional and personal health and well-being. In coming months we will feature articles by leading practitioners across a variety of disciplines. The theme common to all contributions will be our core objective: to see our members thrive both professionally and personally.



You only need one resolution this year – Get Organised!

By Adele Blair, Managing Director, The Concierge Collective

Most people believe that being disorganised is just the way things are in today's busy world. In fact, some people don't believe that being disorganised has any impact on their life at all.

The truth is, with time in short supply, it is more important than ever to be organised. Continuing to be disorganised can be costing you in more ways than you think possible.

By introducing an organised approach to key areas of your life this year, you will gain more time, reduce stress and also save money.

A resolution high on everyone's list is to get healthy. So how can being organised improve your health?

- Too much clutter attracts dust which can cause allergies and contribute to asthma, and makes your home more difficult to clean.
- Having a cluttered home can lead to high levels of anxiety, particularly if you feel too embarrassed to have friends or family over for a meal and have to rush around cleaning at the last minute.
- If your bedroom is too cluttered it will have a subliminal negative impact on your emotional health and definitely is not the restful environment you need for a good night's sleep.
- Being organised with your meal plans and hence your grocery shopping will help you maintain a healthy eating plan and not fill up on takeaway meals.

What about your finances? This time of year is also a key time to review financial goals and deal with the aftermath of Christmas shopping....and Christmas sales.

Being even just a little more organised around your finances, can save you money. Whilst I am not qualified to provide financial advice, these basic traps can cost you money if you are not organised.

- How many times have you been hit with a late fee because you misplaced a bill?
- Have you had to pay extra interest on your credit card due to a late payment?
- Have you missed out on rebates from Medicare or your health fund due to lost receipts?
- Have you returned an item to a store to be rewarded with a credit note, and now you can't find it?
- What about coupons or Shop-A-Dockets, you collect them, especially for petrol, but when you go to the stores you have left them stuck to the fridge?

Creating systems and establishing automatic payments is a small but effective way you can start getting your finances organised.

As professional women, we are always seeking ways to secure opportunities to progress our careers and develop professionally. Being disorganised at work can have a detrimental impact on how you are perceived in the work place, and can potentially limit those opportunities. The

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old saying of having "a cluttered desk is a sign of a cluttered mind" still rings true for some people.

Something to think about:

- Do you think a disorganised work environment can make you look unprofessional?
- Have you been overlooked for a special assignment or project because your boss thinks you can't handle extra work?
- If you are a manager, does your work area create an appropriate example to your subordinates?
- Have you been embarrassingly late for a meeting because you hadn't planned what to wear (you had no fresh pantyhose, dirty shoes, button off a blouse/shirt)?

Some people can work perfectly in this environment, but the perception can be that you are incapable of managing tasks and your lack of organisation could potentially be a CLM (Career Limiting Move!)

Was one of your resolutions to create more 'balance' or more 'time' for yourself? Unfortunately we cannot adjust the amount of hours we all get each day, but are you using that time wisely?

- How much time have you wasted looking for something you know you have, but you simply can't find? More often than not you will rush to the shops to buy a replacement, costing you even more time and money.
- Do you 'zig-zag' across town running errands because you haven't organised your trip? Not only are you wasting time, again you are adding to the cost in petrol/ or cabs.
- How many times do you run to the supermarket each week because you haven't planned your meals in advance? If you don't have time to get to the grocery store, you will probably end up with take-away food. Refer to section on health!
- Have you been charged a cancellation fee because you missed an appointment?
- What about when you are late or even missed a flight? Perhaps you didn't get your car out of the carpark in time? These will almost certainly cost you money, not to mention add to your stress!
- Have you been late to an important meeting because you hadn't organised the journey and got lost? Perhaps you left without knowing the correct address or didn't have your navigator at the ready?

On a deeper level, being disorganised can be costing you emotionally. Do you recognise any of these experiences?

- Do you ever feel fatigued, stressed or simply overwhelmed when you think about your current state of organisation?
- Have you ever had a 'tiff' with a friend because they have loaned you a treasured item and now you are unable to find it?
- Have relationships with partners become strained when extra fees or bills are being unnecessarily paid?
- Do you feel embarrassed about the state of your home should you have drop-in guests?
- Are you a Mrs Messy married to Mr Tidy or the reverse?
- Are you consistently late when catching up with friends? If constantly repeated, being late will make your friends feel second rate; whatever was making you late was more important than them.
- Do you miss out on precious time with your family because you're too busy chasing your tail?

As you can see, there are a lot of ways that being disorganised can affect your life and that of your family, friends and work colleagues. By addressing just one resolution this year – **get**

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organised! - you will be improving every aspect of your life. Start with one project or area you want to get organised, this will create a positive ripple effect.

9 things you can do to start getting organised today:

1. Do a time audit of your day or even a week. This will help you identify where time is being wasted and where you need to focus on organisation.
2. Put EVERYTHING into your diary – preferably an electronic diary so you have it with you at all times. Create a shared family calendar on google so everyone in your household knows where everyone is. Very handy if you need to quickly book an appointment for a family member.
3. Book regular appointments at the beginning of the year, ie annual doctors, dentist, opticians, massage, facials; anything you do regularly. For example, at the beginning of each year I schedule in my hair cuts for the next 12 months. Don't worry about times when you might be on holiday or out of town on business, just schedule it. Should you happen to be away for an appointment you will also be reminded (because it is already in your diary, refer tip 2 above) that you need to re-schedule your haircut perhaps to before that important business trip.

For medical appointments, book these to coincide with your annual health fund allowance renewals, does your fund renew your entitlements in January or July?
4. Plan ahead – take an hour or so on a Sunday afternoon to review the week (or even two weeks ahead). Have you got enough meals planned (or prepared), do the children need any special uniforms or equipment? Are any birthdays coming up that you need to buy for?
5. Put a shopping list on your fridge or inside your pantry to write down immediately items that you run out of. Shop online! Click and Collect is brilliant for shopping in the evening and collecting on your way home from work the following day.
6. Set up a home office filing system that ensures that bills are paid on time and documentation that needs to be retained has a place to go. Remember that filing is not the act of just putting stuff away, the real purpose of filing is easy retrieval when you need something – immediately!
7. Try and tackle one small de-clutter project. It could be your pantry or your medicine cabinet. Make a time each month to de-clutter another section of your home.
8. When organising your home the age old principle of putting similar items together ALWAYS applies. In the same way filing is about retrieval, organising your possessions “like-with-like” ensures easy retrieval every time. It is also a very easy organising method to teach children (and partners!)
9. What resources do you have available that you can utilise to be more organised and create time?

Think about it the same way you would at work. It is not economical or commercial for you to photocopy and bind every report that needs to be sent, nor is it sensible for you to sit on reception to greet all your guests. Whilst you can do it, it doesn't mean you should.

Ask yourself ‘is this the best use of my time?’ Can I get help to do this task? Would using other resources instead of my own time improve the quality of my life (and my family, friendships, and professional outcomes)?

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Member Offers and Giveaways!

After the overwhelming response we received to our giveaways in the lead up to Christmas we are excited to offer the following giveaways and promotions to our members!



Vegan Beauty – Gift Pack Giveaway!!

Vegan Beauty was created by Veronica Lee and offers a wide selection of vegan and cruelty free beauty products that are good for you and the planet. The product range is extensive and of high quality! Read more at: www.veganbeauty.com.au

This month, Vegan Beauty offers another indulgent gift pack* for one lucky member. What a great start to the new year!

The pack is valued at \$160.00 and includes:

- * Almond Hurraw! Lip Balm
- * Davroe Ends Repair
- * Pandora - Zoya nail polish
- * Giovanni Body Wash
- * Giovanni LA Hold Hairspray - purse size
- * Ecoya Hand Cream
- * Dadi Cuticle Oil
- * 2 x Vegan Beauty soaps
- * Eco Tan Deodorant (aluminium free)
- * Beauty Pod - Purple
- * OptiDerma Moisturising Skin Support



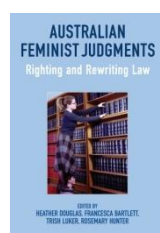
In 100 words or less tell us your goals as women in the profession in 2015 and how you hope to achieve them. Email your answers to president@wlaq.com.au by **COB Friday 27 February 2015**. *winner to collect from CBD*

West End Park Café \$50.00 Voucher

WLAQ is proud to partner with [West End Park Cafe](#) to bring yet another member offer!

Holding the mantle of West End's premier daytime dining venue for over 10 years is West End Park Café. West End Park Café offer an extensive Brisbane breakfast and lunch menu and are dedicated to using high quality and fresh ingredients. The West End Cafe also specialises in corporate catering, offering a selection of tasty hot and cold hors d'oeuvres. Located near the West End markets, stop in for a coffee and say hello next time you are in the area!

We have one voucher for Breakfast or Lunch for 2 valued up to \$50 (in total) proudly provided by the *West End Park Café*. To be in the draw for this offer, all you have to do is go to the [WLAQ facebook page](#) and tell us why you are proud to be a WLAQ member.



Australian Feminist Judgments Righting and Rewriting Law - 20% Member Discount!!

To celebrate the launch of Australian Feminist Judgments, our friends at Hart Publishing Ltd are offering our members 20% off the purchase price. To redeem this fantastic offer [CLICK HERE](#) and use the reference **BU8** in the voucher code field and click 'apply'.

NOTE: The 'Members Giveaway!' section is specifically for Members of WLAQ only. To be eligible to win or redeem any of the above giveaways, you must be a current member of WLAQ. All entrants will be reviewed against our member database to confirm member status.

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The Women of the World Festival (WOW) is being developed for Brisbane this year (QUT and QPAC, June 19 -21)!

WOW is an extraordinary three day festival of talks, workshops, ideas, and includes cultural events featuring women artists. WOW is planned with local women around the topics and speakers they want to hear, and aims to celebrate the extraordinary achievements of women and girls, to look frankly at the challenges which prevent them reaching their full potential, and build new networks and connections for women and girls from all backgrounds and personal circumstances.

WOW is for everyone – it is uplifting, forthright and fun.

For more info contact: WOWBrisbane2015@gmail.com, follow us on twitter @WOWTweetAus or like us on Facebook: [facebook.com/WOWBrisbane](https://www.facebook.com/WOWBrisbane)

Call for Articles

If you have an idea for an article that fits within the objects of WLAQ, then please email your suggestion to president@wlaq.com.au. Contributions to 'Inspire' must be received by no later than the 3rd Friday of each month or as otherwise advised by the President.

Update your details

Our website functions as our member database and it is important that all contact details are current. We also use this information to determine mailing lists for specific events (eg regional, young lawyer or practice focused). Next time you are logged in, could you please review your details to ensure they are current. Your username is your email. Please email admin@wlaq.com.au if you have any difficulties.

Contact Us

- Do you have an event that you would like us to publicise?
- Are you aware of a request for submissions that you would like to bring to our attention?
- Would you like to be involved in preparing submissions, case notes or presenting seminars for WLAQ?

If so, please contact me at president@wlaq.com.au

We hope you have enjoyed this edition of *Inspire*!