

Monday, 22 June 2020

Law Council President, Pauline Wright, statement regarding the Hon Dyson Heydon, AC, QC

All comments are to be attributed to Law Council President, Pauline Wright.

The Law Council believes that all employers have a duty to eliminate sex discrimination, sexual harassment and victimisation in the workplace.

It is pleasing that the High Court dealt with the allegations of sexual harassment in a timely and appropriate manner, by commissioning an independent inquiry.

There is no excuse for the behaviour the inquiry found to have been exhibited by the Hon Dyson Heydon, AC, QC in relation to the six female complainants.

The Law Council welcomes the commitment of the High Court to act upon the recommendations made by the independent inquiry.

It would not have been easy for these complainants to step forward, and we respect and call for others to respect their privacy.

The Law Council believes that every person working in the legal profession is entitled to feel safe and to be treated with fairness, dignity and respect. Sexual harassment is both unlawful and entirely unacceptable.

All available statistics and available information suggest that sexual harassment within the Australian legal profession is a prevalent and persistent problem.

In 2013, the Law Council conducted the National Attrition and Reengagement Study (the NARS) to investigate the progression, attrition, and reengagement rates of male and female lawyers, obtain qualitative and quantitative data, and identify gendered trends within the profession.

The NARS remains one of the most comprehensive studies of the Australian legal profession. It is often cited in discussions relating to discrimination, bullying and harassment. The NARS found that approximately one in four women experienced sexual harassment in their legal workplace. More recent studies suggest that these rates may be even higher

The Law Council is committed to ensuring a diverse and inclusive profession which facilitates a positive experience for all members and which thereby delivers quality services and justice. The Law Council considers diversity as crucial to the sustainability of the profession as a whole.

The attrition rate of women lawyers is high, and experiences of sexual harassment are a key reason why women leave the law. This is damaging and costly – for individuals, for firms, and for the current and future standing of the legal profession.

ENDS

Contact: Dr Fiona Wade, P. 0419 097 896 E. Fiona.Wade@lawcouncil.asn.au

The Law Council of Australia is the national voice of the legal profession, promoting justice and the rule of law.