



VICTORIAN BAR

# INNOVATE RECONCILIATION ACTION PLAN

OCTOBER 2021 – SEPTEMBER 2023



RECONCILIATION  
ACTION PLAN

INNOVATE



This design was created to symbolise the vision of the Victorian Bar. It alludes to the scales of justice. The image expresses a network of pathways representing the journeys of aspiring Indigenous law students and solicitors joining and developing successful careers at the Victorian Bar. The unique geometric angular patterned symbol is based on the striations of an Aboriginal shield and is reflective of South-eastern indigenous art styles. This original artwork design was created for the Victorian Bar Reconciliation Action Plan in 2012 by Marcus Lee. Marcus Lee Design is a creative agency accredited by Supply Nation.

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#### **Acknowledgement of Country:**

In the spirit of reconciliation, the Victorian Bar acknowledges and pays its deepest respects to the Traditional Custodians and Elders past, present and future of this nation and the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples.

## **FOREWORD**

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I remember meeting my first client upon becoming a solicitor at the Victorian Aboriginal Legal Service in 1978. My client stood there in silence with a look of disbelief on her face. She was stunned that greeting her was an Aboriginal man claiming to be her lawyer. She demanded to see my 'Certificate'. I had to call on a colleague who eventually convinced her I was really a lawyer. I believe I was the only Indigenous person who was a lawyer at that time in Victoria. We were a rare sighting throughout Australia!

I was very proud of the day I signed the Bar Roll on 19 November 1981. I had two great mentors and guides in John Coldrey and the late John McArdle. Coldrey fled to Alice Springs halfway through my readership and McArdle stepped in. Coldrey later claimed I was such an unruly pupil he had to flee. They both taught me a great deal and I am forever indebted to them. Camaraderie was a feature of our toils at that time. Imbedded in the DNA of the Bar was exposure to the advice and guidance of very experienced senior barristers, and it was a place of congeniality and support, an ideal space for reconciliation. I am sure that space will be enhanced by this Innovate Reconciliation Action Plan.

Reconciliation is not so much a destination, as it is a journey. Today's generation of barristers have the task to map that journey as theirs and, on the way, build the respect for Aboriginal and Torres Strait Islander barristers as valued fellow practitioners. Build the foundations, hand over the baton to the next generation, the journey has no end, each generation will lay down its own path building on the good works of the previous. It is relatively easy to set goals; the challenge is to achieve them. Building on the previous RAP, this Innovate Reconciliation Action Plan is the next challenge.

Do not leave the task to the Council President or the IJC or the Bar Office nor a handful of committed barristers nor the Aboriginal and Torres Strait Islander barristers. It is a job for all – do it well.

**Professor Michael J Dodson AM**

# PRESIDENT AND CO-CHAIRS OF INDIGENOUS JUSTICE COMMITTEE STATEMENT

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The Bar is pleased to adopt its third Reconciliation Action Plan (RAP), which will be its second Innovate RAP.

The Bar enthusiastically adopted its first RAP in 2012 for the years 2012-2016, and subsequently its first Innovate RAP for the years 2017-2020. The Bar has been actively monitoring its activities against the criteria outlined within that RAP and looking for ways to improve its commitment to reconciliation.

The Victorian Bar promotes the administration of justice by providing strong and independent legal representation and advice to all in the community.

The Bar is pleased to meet its targets in respect of the current RAP and build on the programs and projects supporting Aboriginal and Torres Strait Islander peoples, and Aboriginal and Torres Strait Islander people in the justice system. Members of the Bar have a long history of supporting Aboriginal and Torres Strait Islander persons through pro bono work and support of Aboriginal and Torres Strait Islander justice causes.

The Bar continues to put considerable effort into attracting and retaining Aboriginal and Torres Strait Islander barristers, primarily through the following initiatives:

- the Bar celebrated the remarkable contribution of Uncle Jim Berg to the provision of legal services to Aboriginal and Torres Strait Islander peoples by the naming of a new pro bono award in his name. The Uncle Jim Berg Award for outstanding pro bono advice or advocacy that enhances access to justice for First Nations clients either nationally or in Victoria, builds on Uncle Jim's legacy to promote the ongoing need for Aboriginal and Torres Strait Islander people to have access to the best legal advice and representation from members of the Victorian Bar;
- a mentoring program for Aboriginal and Torres Strait Islander law students involving Judges and barristers as mentors;
- a paid clerkship program for Aboriginal and Torres Strait Islander law students involving the Supreme Court of Victoria, the Federal Court of Australia and members of the Victorian Bar;
- a student shadowing program for law students through the Waiwa Mudena Program 2021-2023 and memorandum of understanding entered between the Bar and King & Wood Mallesons;
- a work experience program for Aboriginal and Torres Strait Islander secondary school students;
- a fee waiver in relation to the Bar Readers' course and a chambers rental subsidy for the first year of practice;
- developing and maintaining close relationships with Tarwirri (the Indigenous Law Students and Lawyers Association of Victoria) and the Institute of Koorie Education at Deakin University and participation in various legal profession committees; and
- a professional development fund for Aboriginal and Torres Strait Islander barristers. The Bar is supported in this work through the IJC, which includes consultant members from the Supreme Court, the Federal Court, the Country Court and the Magistrates' Court.

The Bar's second Innovate RAP, for the years 2021-2023, embraces these existing initiatives and activities, and provides a framework to improve and expand upon them. We are delighted to include as part of the Bar's new RAP, a foreword by Professor Michael Dodson AM. We thank all concerned for their contributions. The new RAP will be provided to all members of the Bar and will be publicly available on the Victorian Bar's website. In addition to the content of the RAP, the RAP itself is another means by which members of the Bar are pleased to facilitate, encourage and support Aboriginal and Torres Strait Islander justice in Victoria, and Australia generally.

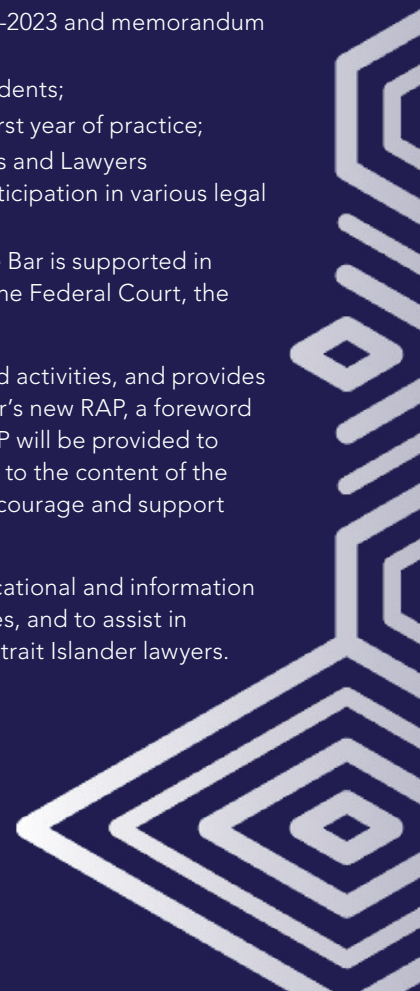
Through this second Innovate Reconciliation Action Plan, the Bar will continue to provide educational and information pathways for Aboriginal and Torres Strait Islander law students studying in Victorian universities, and to assist in providing career development opportunities and career prospects for Aboriginal and Torres Strait Islander lawyers.

We thank those involved in all aspects of the Victorian Bar's reconciliation journey.

**Róisín Annesley QC, President**

**Anne Sheehan, Co-Chair of the Indigenous Justice Committee**

**Timothy Goodwin, Co-Chair of the Indigenous Justice Committee**





# OUR VISION FOR RECONCILIATION

Our vision for reconciliation is:

- a legal profession in which Aboriginal and Torres Strait Islander peoples can expect equal treatment through access to justice; and
- that Aboriginal and Torres Strait Islander peoples who join the profession are valued, encouraged, respected, and have access to embedded support and equal opportunities to thrive.

To achieve this, it is important that:

- Aboriginal and Torres Strait Islander barristers are valued and respected practitioners with fulfilling and successful careers at the Victorian Bar and are proud role models for their communities;
- the Victorian Bar continues to attract and retain Aboriginal and Torres Strait Islander barristers and continues to adopt initiatives that positively impact upon the experience of Aboriginal and Torres Strait Islander peoples in the justice system;
- the Victorian Bar, through its leadership, fosters these outcomes by embracing and recognising Aboriginal and Torres Strait Islander cultural diversity, history, identity and the aspirations of Aboriginal and Torres Strait Islander peoples;
- there is meaningful participation by Aboriginal and Torres Strait Islander peoples in the legal profession nationally and in Victoria; and
- there is real access to justice for Aboriginal and Torres Strait Islander peoples as clients in the legal system nationally and in Victoria.

## OUR BUSINESS

The Victorian Bar is a professional association of barristers who practise in Victoria. There are currently over 2100 barristers who practise at the Victorian Bar, including five Aboriginal and/or Torres Strait Islander barristers. A strong and independent Bar promotes the better administration of justice in a democratic and just society. The Victorian Bar, located in William St Melbourne, employs 13 staff members. It currently does not have any identified Aboriginal and/or Torres Strait Islander employees.

The Victorian Bar supports its members and the community by delivering a suite of services that:

- promote the better administration of justice and the rule of law;
- enhance the reputation, effectiveness and cohesion of the Bar and the profession;
- ensure the well-being of our members.

The public interest is served by the Victorian Bar in a number of important ways, including:

- maintaining a strong and independent Bar as an integral part of our democracy and our system of law and justice;
- promoting the rule of law and the proper administration of justice;
- seeking to ensure that access to the courts is open to all members of the community;
- constructively engaging with governments and with law reform agencies with respect to legislation, law reform, rules of court and the business and procedure of courts;
- working and liaising with the independent Bars and law Societies in Australia through the Australian Bar Association and the Law Council of Australia; and
- providing and organising pro bono representation and legal assistance.

# OUR RAP

## Overview:

In December 2010, the Bar Council resolved, in principle, for the Indigenous Justice Committee to prepare a RAP on behalf of the Victorian Bar. The Bar's RAP for 2012-2016 was drafted by the IJC in consultation with Aboriginal and Torres Strait Islander and non-Aboriginal and Torres Strait Islander members of the legal profession and with guidance from Reconciliation Australia on the appropriate process for its development. In 2016, the Victorian Bar's RAP Working Group, comprised of eight members including one Aboriginal member, drafted the Bar's RAP for 2017-2020. This was done in consultation with Aboriginal and Torres Strait Islander and non-Aboriginal and Torres Strait Islander members of the legal profession, Reconciliation Australia and Tarwirri-Indigenous Law Students and Lawyers Association of Victoria. The Victorian Bar adopted the RAP for 2017-2020 on 2 March 2017, and Reconciliation Australia subsequently endorsed it.

The Victorian Bar Council adopted the Bar's third RAP for 2021-2023 on 18 October 2021, which has been endorsed by Reconciliation Australia.

## Challenges:

In 2020, the Victorian Bar's RAP Working Group developed the Bar's second Innovate RAP, which is envisaged to improve and expand on the Bar's commitment to reconciliation, whilst retaining the ongoing deliverables already set out under its first Innovate RAP. Some challenges have been:

- a. finding ways to increase Aboriginal and Torres Strait Islander membership at the Bar and the legal profession;
- b. provide targeted support to students or lawyers interested in joining the Bar and in furthering their career within the legal profession;
- c. addressing any barriers in the pathway to the legal profession and to becoming a barrister; and
- d. finding new ways to raise awareness of Aboriginal and Torres Strait Islander legal issues and provide readily accessible information resources.

## Key achievements:

- Naming of a specific pro bono award after Uncle Jim Berg, a prominent lifetime advocate for Aboriginal and Torres Strait Islander people within the justice system.
- Building relationships with key legal organisations that work closely with Aboriginal and Torres Strait Islander communities, including VLA and VALS.
- An annual feedback function coordinated by the IJC with Aboriginal and Torres Strait Islander organisations in the legal sector to consult in relation to how the Victorian Bar could improve its focus. The Bar's regular communication with Aboriginal and Torres Strait Islander organisations has led to real time action on their needs and renewing of pro bono informal networks.
- Ongoing communication with Aboriginal and Torres Strait Islander solicitors to foster their career development has been an increasing focus.
- Opportunities for Aboriginal and Torres Strait Islander solicitors to network with the Bar is an additional and ongoing focus.
- Expansion of the clerking program run by the Victorian Bar and the Courts to a maximum of 6 students per intake.
- Provision of student shadowing experiences as partner in the Waiwa Mudena program 2021-2023, connecting law students with pathways available in the legal profession.

## Learnings:

Over the past 9 years, the Bar has made significant progress with its reconciliation commitments and addressed the challenges in its reconciliation journey. The Bar continues to learn how it can actively listen to Aboriginal and Torres Strait Islander peoples and organisations to gain better knowledge about their perspectives and experiences and modify its commitment to reconciliation to improve the support that is provided to Aboriginal and Torres Strait Islander peoples in the legal sector and the community.

The Bar has learned the impact it can make in joining with other like organisations to collaborate on current projects and the value of continuing to learn from Aboriginal and Torres Strait Islander peoples about what support services can be provided and how relationships can be established, developed and maintained with all key stakeholders.

## **RAP Champion:**

The Bar's RAP Champion is the President of the Bar Council, who acts as an ambassador and champion for RAP initiatives both internal and external to the Bar, ensuring that reconciliation remains high on the agenda.

## **Indigenous Justice Committee (IJC) and RAP Working Group (RWG):**

The Bar's IJC consists of up to 12 members of currently practicing counsel who are appointed by the Victorian Bar Council.

The RWG consists of members of the IJC, one Bar Council representative and one Bar staff member. The IJC Charter provides that the composition of the IJC should reflect a range of seniorities and areas of practice and proportionate gender composition, but should also include at least one, and preferably more than one, Aboriginal and/or Torres Strait Islander barrister and barristers with particular knowledge of, or experience in, issues facing Aboriginal and Torres Strait Islander peoples. The IJC currently has two Aboriginal and Torres Strait Islander barristers as members, and the Working Group has one. Aboriginal and/or Torres Strait Islander representation on both the IJC and RWG is highly valued.

The Bar wishes to thank the following people, from the Victorian Bar's RWG, for their contributions:

Anne Sheehan (IJC Co Chair, barrister)

Timothy Goodwin (IJC Co Chair, Yuin person and barrister)

Jeremy Whelen (IJC member, barrister)

Serena Armstrong (IJC member, barrister)

Paul Kounnas (Bar Council representative, barrister)

Elizabeth Ruddle SC (Bar Council representative until 2020, barrister)

Amy Peek (IJC member until 2020, barrister)

Kai Li Zhu (Staff representative, senior in-house legal counsel)





# 1. RELATIONSHIPS

Respectful relationships between Aboriginal and Torres Strait Islander peoples and all others reflect the values of the Victorian Bar (as listed in the introduction to this RAP).

The Victorian Bar encourages meaningful relationships between its members and Aboriginal and Torres Strait Islander clients, lawyers, law students and school students interested in a possible career in law.

**Focus area:** Our priority is to grow our engagement with external stakeholders and work together to support recognition, celebration and prosperity of Aboriginal and Torres Strait Islander peoples in Australian society.

Action		Responsibility	Timeline	Deliverables
1.1	Raise awareness of and encourage Victorian Bar members to act consistently with the RAP and work to promote reconciliation through the Victorian Bar's entire sphere of influence.	Bar President and Executive Director	Review in September 2022 and 2023	Develop and implement a strategy to communicate our RAP to all internal and external stakeholders.
			Review in September 2022 and 2023	Collaborate with RAP and other like-minded organisations to develop ways to advance reconciliation.
			Review in September 2022 and 2023	Engage senior employees and the Bar.
			Review in September 2022 and 2023	Implement strategies to engage Bar Office staff in reconciliation.
			Review in September 2022 and 2023	Promote reconciliation, and constitutional recognition, through ongoing active engagement with all internal and external stakeholders to drive reconciliation outcomes.
			Review in September 2022 and 2023	Explore opportunities to positively influence our external stakeholders to drive reconciliation outcomes.
		In-house legal counsel, Bar office	October 2021	Publish the RAP on the Bar's website.
			November 2021	Provide a soft copy of the RAP 2021-2023 to all barristers within one month of its launch.
			Four meetings per year (dates unknown)	Establish, enhance and maintain relationships with legal organisations and firms that have adopted RAPs by participating in the Legal Professional Reconciliation Network (LPRN).
Education manager, Bar office	March and September of 2022 and 2023	Provide Readers with a copy of the RAP during their reading periods.		
1.2	Establish and maintain mutually beneficial relationships with Aboriginal and Torres Strait Islander stakeholders and organisations.	Bar President and IJC Co-Chairs	Review in December 2021 and 2022	Develop and implement an engagement plan to work with Aboriginal and Torres Strait Islander stakeholders and organisations.
			Review in December 2021 and 2022	Meet with local Aboriginal and Torres Strait Islander stakeholders and organisations to develop guiding principles for future engagement on an annual basis.
1.3	Establish, enhance and maintain relationships with Aboriginal and Torres Strait Islander barristers.	Bar President	Review in December 2021 and 2022	Maintain the IJC as a standing committee of the Victorian Bar
		IJC Co-Chairs	Review in December 2021 and 2022	Offer and support the development of formal and informal mentorships by advertising directly with Tarwirri and university law schools.
		IJC Co-Chairs IJC Members	Review in December 2021 and 2022	Maintain a website of resources and support available to Victorian barristers that identify as Aboriginal and/or Torres Strait Islander.
			Review in December 2021 and 2022	Seek input from Aboriginal and Torres Strait Islander members of the bar as to the types of resources that would best assist them to maintain and enhance their careers at the bar.

Action		Responsibility	Timeline	Deliverables
1.4	Establish, enhance and maintain relationships with organisations that support and empower Aboriginal and Torres Strait Islander peoples to overcome the challenges faced by them. This includes active participation of Aboriginal and Torres Strait Islander peoples in the legal profession and active engagement in programs promoting access to justice for Aboriginal and Torres Strait Islander peoples	IJC Co-Chairs	Review in December 2022	Liaise and, where appropriate, work with the Law Council of Australia (Indigenous Legal Issues Committee), the Australian Bar Association, the Law Institute of Victoria and other State or Territory bar associations.
			Review in December 2022	Consider and identify other suitable organisations with which to work, such as Victoria Legal Aid and their First Nations Staff Network.
			Review in December 2022	Directly consult with organisations that support and empower Aboriginal and Torres Strait Islander peoples to provide greater assistance and create access to justice and access to opportunities.
1.5	Establish, enhance and maintain relationships with Aboriginal and Torres Strait Islander law students	IJC Co-Chairs	Review in December 2021 and December 2022	Liaise and work with Tarwirri to ensure that Aboriginal and Torres Straits Islander law students are aware of and welcomed to initiatives organised by the Bar.
			Review in December 2021 and December 2022	Liaise and work with the Institute of Koorie Education, Deakin University, Melbourne University, Monash University, ACU, Swinburne University, Victoria University and other tertiary institutions to ensure that Aboriginal and Torres Straits Islander law students are aware of and welcomed to initiatives organised by the Bar.
			Review in December 2021 and December 2022	Provide shadowing experiences to law students through the Waiwa Mudena Program 2021-2023 and Memorandum of Understanding entered between the Bar and King & Wood Mallesons.
1.6	Establish and maintain relationships with Aboriginal and Torres Strait Islander secondary school students	IJC Co-Chairs	Review in December 2021 and December 2022	Liaise with the Student Engagement Committee of VicBar to create more opportunities for barrister shadowing and work experience.
		IJC Co-Chairs IJC Members	Review in December 2021 and December 2022	Foster contacts such as student liaison officers at secondary schools with Aboriginal and Torres Strait Islander students and liaise with them.
1.7	Celebrate National Reconciliation Week (NRW) to strengthen and maintain relationships between the Bar and Aboriginal and Torres Strait Islander peoples.	IJC Co-Chairs	27 May - 3 June, 2022, 2023	Organise at least one internal event for NRW each year and register the event via the Reconciliation Australia NRW website.
		Bar President Executive Director	27 May - 3 June, 2022, 2023	Support an external NRW event either financially, through pro bono services, volunteer work, partnering with or collaborating with another RAP organisation.
		RWG Chair	27 May - 3 June, annually	Ensure our RAP Working Group participates in an external event to recognise and celebrate NRW.
		IJC Co-Chairs	27 May 2022 and 27 May 2023	Circulate Reconciliation Australia's NRW resources and reconciliation materials to Bar Office staff.
			27 May 2022 and 27 May 2023	Encourage and support Bar Office staff and senior leaders to participate in at least one external event to recognise and celebrate NRW.
			27 May 2022 and 27 May 2023	Promote NRW events to staff members and members of the Bar via social media and the InBrief newsletter each year.
1.8	Promote positive race relations through anti-discrimination strategies	In-house Legal Counsel, Bar Office	April 2022	Conduct a review of the Bar's anti-discrimination policy and procedures to ensure compliance with anti-discrimination obligations.
			April 2022	Consult with the IJC on the policy.
		IJC Co-Chairs	Review in December 2021 and December 2022	Educate Senior Management on the effects of racism.
			Review in December 2021 and December 2022	Educate members of the Bar and the wider legal profession through senior leaders on the effects of racism and discrimination.
			Review in December 2021 and December 2022	Work in consultation with other Bar Committees, including the Equality and Diversity Committee and the Human Rights Committee to promote learning on racism to members of the Bar.

## 2. RESPECT

All people are entitled to respect. Respect for Aboriginal and Torres Strait Islander peoples encompasses:

- non- Aboriginal and Torres Strait Islander peoples having an awareness of the unique cultures of Aboriginal and Torres Strait Islander peoples, their historical treatment by non- Aboriginal and Torres Strait Islander peoples and the current social, economic and cultural disadvantages within Australian society;
- equality before the law and full access to justice;
- opportunities facilitating access to and participation in the legal profession.

**Focus area:** By demonstrating respect and acknowledging Aboriginal and Torres Strait Islander cultures, we are focused on growing our conversations with Aboriginal and Torres Strait Islander peoples and engaging our broader stakeholder network in these opportunities.

Action	Responsibility	Timeline	Deliverables
2.1 Increase knowledge and understanding of Aboriginal and Torres Strait Islander cultures, histories and achievements.	In-house legal counsel, Bar Office	January 2022	Develop, implement and review an Aboriginal and Torres Strait Islander cultural awareness-training strategy for Bar Office staff which defines continuous cultural learning needs of employees in all areas of our business and considers various ways cultural learning can be provided (online, face to face workshops or cultural immersion).
		December 2021	Contact local Traditional Owners and/or Aboriginal and Torres Strait Islander consultants to discuss opportunities to develop cultural awareness training for Bar Office staff and Victorian bar members.
		Review in December 2021	Provide opportunities for RWG members, RAP champions, and other key leadership staff to participate in cultural training.
	IJC Co-Chairs	January 2022	Conduct a review of cultural learning needs within our organisation and opportunities for recognition of members of the Bar who have completed cultural awareness training.
		December 2021	Establish a conference room that specifically acknowledges the achievements of Aboriginal and Torres Strait Islander Judicial officers, members of the Bar—past and present, and the cultural histories of Aboriginal and Torres Strait Islander people.
2.2 Celebrate <b>NAIDOC</b> (National Aboriginal and Islander Day Observance Committee) Week and provide opportunities for Aboriginal and Torres Strait Islander staff to engage with cultures and community during NAIDOC Week.	In-house legal counsel, Bar Office	First week of July, 2022, 2023	Arrange for at least one Bar representative to attend a NAIDOC Week event and provide a report to the IJC in relation to the event.
		December 2021 and December 2022	Review HR policies and procedures to ensure there are no barriers to staff participating in NAIDOC Week.
		First week of July, 2022, 2023	Provide opportunities for staff to participate in NAIDOC Week events.
	RWG Chair	First week of July, 2022, 2023	RAP Working Group to participate in an external NAIDOC Week event.
	IJC Co-Chairs	First week of July, 2022, 2023	Promote and encourage participation by staff and members of the bar in external NAIDOC events.

Action		Responsibility	Timeline	Deliverables
2.3	Acknowledge Aboriginal and Torres Strait Islander dates of significance.	IJC Co-Chairs	Review in December 2021 and December 2022	Identify, consider and, if appropriate, recommend to Bar Council, other matters and events of significance to Aboriginal and Torres Strait Islander peoples that the Victorian Bar might acknowledge and/or participate in by hosting events or publishing items on the Bar website.
			Review in December 2021 and December 2022	Identify Aboriginal and Torres Strait Islander dates of significance
			Review in December 2021 and December 2022	Acknowledge, host and/or participate in events celebrating these dates.
			Review in December 2021 and December 2022	Incorporate information on dates of significance for Indigenous barristers in acknowledgement of their success.
			Review in December 2021 and December 2022	Publicly display that information both on the website of the Bar and physically within the Bar buildings.
2.4	Demonstrate respect to Aboriginal and Torres Strait Islander peoples and communities by embedding cultural protocols in the Bar Association's processes and functions.	IJC Co-Chairs	Review in December 2021 and 2022	Invite a local Traditional Owner to provide a Welcome to Country in accordance with the Bar's Welcome to Country and Acknowledgement of Country Protocol at one or more significant events each year, for instance at the Junior Bar or Bar Conferences.
			December 2022	Maintain a list of key contacts for organising a Welcome to Country and maintaining respectful partnerships.
			Review in December 2021 and 2022	Include an Acknowledgement of Country at the commencement of all public events.
			Review in December 2021 and 2022	Encourage Bar Office staff to include an Acknowledgement of Country at the commencement of all meetings.
			Review in December 2021 and 2022	Increase staff's understanding of the purpose and significance behind cultural protocols, including Acknowledgement of Country and Welcome to Country protocols.
		In-house legal counsel, Bar Office	Review in April 2022 and 2023 as required	Review the Welcome to Country and Acknowledgement of Country Protocol periodically, consider whether additional cultural protocols should be included, and consult the IJC upon review.
2.5	Investigate opportunities to improve legal service delivery to Aboriginal and Torres Strait Islander peoples	Bar Readers' Course Committee Chair	March and September 2022 and 2023	Include at least one session on working with Aboriginal and Torres Strait Islander peoples in each readers' course curriculum.
		Bar members	Review in September 2022 and 2023	Continue to provide pro bono legal advice and legal services to Aboriginal and Torres Strait Islander peoples.
2.6	Provide continuing education for Victorian barristers on legal issues relating to Aboriginal and Torres Strait Islander peoples and/or working with Aboriginal and Torres Strait Islander peoples through the Continuing Professional Development scheme	IJC Co-Chairs	Review in December 2022	Ensure that at least one seminar on legal issues relating to Aboriginal and Torres Strait Islander peoples and/or working with Aboriginal and Torres Strait Islander peoples is presented each year
		IJC Co-Chairs IJC Members	Review in December 2021	Coordinate a panel discussion or CPD session on the topic of Uluru Statement from the Heart and constitutional recognition.

### 3. OPPORTUNITIES

The Victorian Bar recognises that there is unequal participation of Aboriginal and Torres Strait Islander peoples in the legal profession. It also acknowledges the continuing obstacles to Aboriginal and Torres Strait Islander peoples obtaining access to justice. It seeks to:

- overcome systemic barriers to Aboriginal and Torres Strait Islander careers in the law in Victoria;
- encourage and support Aboriginal and Torres Strait Islander peoples who wish to become and remain members of the Victorian Bar;
- promote equal and equitable opportunities for Aboriginal and Torres Strait Islander barristers;
- increase awareness of the Aboriginal and Torres Strait Islander barristers practising at the Victorian Bar, both within the Bar and within the legal profession more generally; and
- encourage solicitors to brief Aboriginal and Torres Strait Islander barristers at the Victorian Bar, wherever appropriate.

**Focus area:** Aboriginal and Torres Strait Islander lawyers, law students and secondary school students

Action	Responsibility	Timeline	Deliverables
3.1 Increase Aboriginal and Torres Strait Islander engagement with the Bar by continuing to promote and maintain the mentoring program for Aboriginal and Torres Strait Islander law students, graduates and lawyers with Judges and barristers	IJC Co-Chairs	Review in December 2021 and December 2022	Foster the participation of Aboriginal and Torres Strait Islander law students, graduates and lawyers in the program annually and, where possible, increase their numbers in the program by actively promoting the program by communicating with the relevant educational institutions and law practices.
		Review in December 2021 and December 2022	Continue to offer the program to Aboriginal and Torres Strait Islander barristers and actively promote the program and raise awareness in the Bar's InBrief, on its website and social media.
3.2 Increase Aboriginal and Torres Strait Islander engagement with the Bar by continuing to provide paid work experience for Aboriginal and Torres Strait Islander law students through the annual clerkship program	Bar President	Review in December 2021 and December 2022	Bar Council to continue to fund the annual IJC clerkship program.
	IJC Co-Chairs	Review in December 2021 and December 2022	Continue to administer the IJC clerkship program, which is operated in collaboration with the Supreme Court and the Federal Court.
		Review in December 2021 and December 2022	Liaise with the Courts in respect of the expansion of the clerkship program, which has been approved by the President and the ED, and report to the Bar Council.
	IJC Co-Chairs	Review in December 2021 and December 2022	Develop and maintain a list of volunteer barristers who will have responsibility for the clerks during Bar week.
	Executive Director and In-house Legal Counsel	Review in December 2021 and December 2022	Bar office to provide administrative support and assist with arranging inductions for the clerks.
3.3 Increase Aboriginal and Torres Strait Islander engagement with the Bar by continuing to promote and provide work experience for Aboriginal and Torres Strait Islander secondary students	IJC Co-Chairs	Review in December 2021 and December 2022	Assist Aboriginal and Torres Strait Islander secondary school students in finding suitable mentors and thereby creating work experience opportunities.
		Review in December 2021 and December 2022	Maintain a list of mentors and mentees at the Bar.
		Review in December 2021 and December 2022	Provide shadowing experiences to secondary school contacts.
3.4 Provide opportunities for Aboriginal and Torres Strait Islander lawyers to engage in professional educational opportunities with the Bar	IJC Co-Chairs	Review in December 2021 and December 2022	Invite Aboriginal and Torres Strait Islander lawyers to CPD events.
		Review in December 2021 and December 2022	Provide opportunities for Aboriginal and Torres Strait Islander lawyers to present at CPD events to share their knowledge and experience.
		Review in December 2021 and December 2022	Invite Aboriginal and Torres Strait Islander lawyers to events with members of the Bar to support their career progression in areas other than coming to the Bar.
		Review in December 2021 and December 2022	Design CPD events with topics focused on current legal issues and challenges faced by Aboriginal and Torres Strait Islander peoples and invite input from Aboriginal and Torres Strait Islander lawyers.

**Focus area:** Aboriginal and Torres Strait Islander candidates, readers and barristers

Action		Responsibility	Timeline	Deliverables
3.5	Encourage Aboriginal and Torres Strait Islander legal practitioners to consider the Bar as a career option, either in the short or long term	IJC Co-Chairs	Review in December 2021 and 2022	Provide opportunities to Aboriginal and Torres Strait Islander legal practitioners to consider the Bar through small group mentoring sessions with members of the Bar areas of practice that are of interest to the mentees.
			Review in December 2021 and 2022	Provide opportunities to Aboriginal and Torres Strait Islander legal practitioners to consider the Bar through formal CPD sessions that provide an introduction and opportunity to ask any questions.
3.6	Encourage and support Aboriginal and Torres Strait Islander members of the Bar and those who wish to become members of the Victorian Bar	IJC Co-Chairs	Review in December 2021 and 2022	Provide Aboriginal and Torres Strait Islander candidates with information, assistance and advice to prepare for the exam for admittance into the Bar Readers' course.
		Executive Director	Review in December 2021 and 2022	Continue to provide, and administer a fee waiver for Aboriginal and Torres Strait Islander lawyers undertaking the Bar Readers' Course.
			Review in December 2021 and 2022	Continue to provide, and administer rental assistance to Aboriginal and Torres Strait Islander barristers in accordance with the Subsidised Chambers for Indigenous Barristers Policy of the Victorian Bar.
			Review in December 2021 and 2022	Continue to provide, and administer a subsidy for Victorian Bar subscriptions for Aboriginal and Torres Strait Islander barristers receiving the benefit of this policy.
			Review in December 2021 and 2022	Continue to provide, and administer provision of complementary registrations for Aboriginal and Torres Strait Islander lawyers or law students to attend conferences hosted or co-hosted by the Bar.
		Bar President	December 2022	Increase the number of Aboriginal and Torres Strait Islander barristers.
3.7	Promote and assist Aboriginal and Torres Strait Islander readers and barristers with their practices and networking opportunities	IJC Co-Chairs	Review in December 2022	Provide Aboriginal and Torres Strait Islander readers and barristers with advice and support on the development of their practices, for example, by assisting to draft a professional CV and web profile.
			Review in December 2022	Continue to provide Aboriginal and Torres Strait Islander readers and barristers with informal introductions to other barristers working in areas of law in which they would like to practice.
			Review in December 2022	Continue to ensure that Aboriginal and Torres Strait Islander readers and barristers are connected with senior members of the Bar to enable networking and support.
3.8	Enhance work opportunities for Aboriginal and Torres Strait Islander barristers	Bar President IJC Co-Chairs	Review in December 2021 and 2022	Promote the briefing of Aboriginal and Torres Strait Islander barristers through encouraging Clerks to allocate floating work on their lists in accordance with the in accordance with the joint Victorian Bar and LIV Indigenous Equal Opportunity Briefing Policy.
			October 2021 and October 2022	Provide Clerks and list committee Chairs with a copy of the RAP and Indigenous Equal Opportunity Briefing Policy (and any updates) annually.
3.9	Promote the development of relationships between Aboriginal and Torres Strait Islander barristers and solicitors working in their areas of practice or in areas in which they would like to practise	IJC Co-Chairs	Review in December 2021 and 2022	Facilitate opportunities for Aboriginal and Torres Strait Islander barristers to meet with solicitor contacts to increase opportunity for work.
			Review in December 2021 and 2022	Facilitate opportunities for Aboriginal and Torres Strait Islander barristers to make legal presentations to groups of solicitor contacts of the Bar.
			Review in December 2021 and 2022	Offer to send letters to solicitors promoting Aboriginal and Torres Strait Islander barristers.

### 3. OPPORTUNITIES (CONTINUED)

Action		Responsibility	Timeline	Deliverables
3.10	Provide financial assistance to Aboriginal and Torres Strait Islander barristers in necessitous circumstances	Trustees of the Indigenous Barristers' Trust	Review in December 2022	Promote and maintain the Indigenous Barristers' Trust.
		Bar President		
		Manager, Finance and Membership	June 2022, June 2023	Seek donations from members of the Victorian Bar to be made to the Indigenous Barristers' Trust through the Bar's internal communications and from outside the Victorian Bar.
		Trustees of the Indigenous Barristers' Trust	Review in December 2022	Continue to provide financial assistance needed by Aboriginal and Torres Strait Islander barristers through the Indigenous Barristers' Trust.
		Trustees of the Indigenous Barristers' Trust	Review in December 2021 and 2022	Provide funding for Aboriginal and Torres Strait Islander barristers to attend or present at conferences through the Trust.
		Trustees of the Indigenous Barristers' Trust  Manager, Finance and Membership	July 2022, July 2023	Report annually to the IJC and RWG on the operation of the Trust (and to consider reporting on matters including how many applications were made to the Trust and how many of these were successful).
		IJC Co-Chairs	June 2022, June 2023	Call members for donations to the Indigenous Barristers' Trust (for example as part of the Victorian Bar subscriptions renewal process).
	Bar President	September 2022, September 2023	Seek funds for the Indigenous Barristers' Trust from newly appointed senior counsel.	

#### Focus area: Aboriginal and Torres Strait Islander clients

Action		Responsibility	Timeline	Deliverables
3.11	Promote and encourage members of the Victorian Bar to provide pro bono legal advice and representation for Aboriginal and Torres Strait Islander clients and to quantify the nature and extent of the services so provided	Bar President	Review in December 2021 and 2022	Promote and maintain the Victorian Bar's Duty Barristers' Scheme and Pro Bono Scheme.
		Pro Bono Committee Chair	Review in December 2021 and 2022	Promote the Uncle Jim Berg Award for outstanding pro bono advice or advocacy that enhances access to justice for First Nations clients either nationally or in Victoria.
		IJC Co-Chairs		

**Focus area:** Facilitating and promoting the opportunities

Action	Responsibility	Timeline	Deliverables
3.12	Investigate opportunities to incorporate Aboriginal and Torres Strait Islander supplier diversity within the Victorian Bar  In-house legal counsel, Bar Office  IJC Co-Chairs	April 2022	Review and update procurement policies and procedures to ensure there are no barriers for procuring goods and services from Aboriginal and Torres Strait Islander businesses.
		April 2022	Develop and communicate to Bar Office staff a list of Aboriginal and Torres Strait Islander businesses that can be used to procure goods and services.
		December 2022	Develop at least one commercial relationship with an Aboriginal and/or Torres Strait Islander owned business.
		April 2022	Investigate Supply Nation membership.
		April 2022	Develop and implement an Aboriginal and Torres Strait Islander procurement strategy.
3.13	Investigate opportunities to improve and increase Aboriginal and Torres Strait Islander employment outcomes within our workplace  Corporate Services	February 2022	Collect information on our current Aboriginal and Torres Strait Islander staff to inform future employment opportunities.
		February 2022	Develop and implement an Aboriginal and Torres Strait Islander recruitment, retention and professional development strategy in consultation with the IJC Co-Chairs.
		February 2022	Engage with existing Aboriginal and Torres Strait Islander staff to consult on employment strategies, including professional development.
		Review in December 2021 and December 2022	Advertise all vacancies in Aboriginal and Torres Strait Islander owned websites as well as on job search websites such as Seek or LinkedIn.
		April 2022	Review HR and recruitment procedures and policies to ensure there are no barriers to Aboriginal and Torres Strait Islander employees and future applicants participating in our workplace.

## 4. GOVERNANCE

Our purpose is to create value by delivering expert legal services, and by providing environments that enable our people to excel and members and our communities to prosper.

**Focus area:** The Victorian Bar's success will be measured by how it builds stronger relationships, increased mutual respect and sustainable opportunities for our Aboriginal and Torres Strait Islander peoples. The RAP Working Group has set actions, targets and timelines to hold us accountable to reaching our reconciliation goals.

Action		Responsibility	Timeline	Deliverables
4.1	Report RAP achievements, challenges and learnings to Reconciliation Australia	Bar President	30 September 2022, 30 September 2023	Bar Council, with the assistance of the RWG, to complete and submit the RAP Impact Measurement Questionnaire to Reconciliation Australia.
		RWG Chair	April 2022	Investigate participating in Reconciliation Australia’s biennial Workplace RAP Barometer.
4.2	Report RAP achievements, challenges and learnings internally and externally	RWG Chair	December 2021 and 2022	RWG to report annually to Bar Council regarding progress against each target and compliance with the RAP, and to publish that report on the Victorian Bar’s website.
		Bar President	December 2021 and 2022	Publicly report our RAP achievements, challenges and learnings.
		Bar President	March, June, September and December 2022, and March, June and September 2023	Communicate quarterly updates on RAP progress to all staff and members.
		In-house Legal Counsel, Bar office	March, June, September and December 2022, and March, June and September 2023	Report to the RWG following LPRN meetings and other activities with the RAP legal community.
4.3	Review, refresh and update RAP	RWG Chair	December 2022	RWG to review the RAP two years after the launch of the RAP in conjunction with the IJC, to make recommendations to the Bar Council in relation to the adoption of a new RAP and to work with Reconciliation Australia in the course of doing so.
			June 2022	Liaise with Reconciliation Australia to develop a new RAP based on learnings, challenges and achievements.
			July 2022	Send draft RAP to Reconciliation Australia for feedback.
			October 2022	Submit draft RAP to Reconciliation Australia for formal endorsement.
4.4	Collect feedback on RAP initiatives and implementation.	RWG Chair	Review in December 2022	Collect ongoing feedback from participants in Victorian Bar programs
			April 2022 and April 2023	Arrange an annual feedback event inviting Aboriginal and Torres Strait Islander organisations.

Action		Responsibility	Timeline	Deliverables
4.5	RAP Working Group (RWG) actively monitors RAP development and implementation.	Bar President	Review in December 2021	Establish and apply a Terms of Reference for the RWG.
		RWG Chair	Review in December 2021 and December 2022	Maintain the RWG comprised of members of the Bar Council, the IJC, the Bar Office and such others as are appropriate.
		Bar President	Review in September 2023	Bar President to undertake the role of internal RAP champion and, in conjunction with the RWG, to consider how the RAP can be championed at the Bar.
		Executive Director	Review in December 2021	Appoint and maintain an internal RAP Champion from senior management.
		RWG Chair	Review in December 2021, December 2022 and March 2023	Oversee the development, endorsement and launch of the RAP, and the Bar’s compliance with it.
			Review in December 2022	Ensure that Aboriginal and Torres Strait Islander peoples are consulted in relation to issues arising out of the RAP.
			Meet in March, June, September and December of 2021 and 2022	Arrange RWG meeting at least four times per year to monitor and report on RAP implementation.
			Review in December 2022	Include and maintain Aboriginal and Torres Strait Islander membership.
4.6	Provide appropriate support for effective implementation of RAP commitments.	IJC Co-Chairs	Review in December 2022	Define resource needs for RAP implementation.
			Review in December 2022	Engage our senior leaders and other staff in the delivery of RAP commitments.
		In-house Legal Counsel, Bar office	Review in December 2022	Define and maintain appropriate systems to track, measure and report on RAP commitments.

## CONTACT DETAILS

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