

1995 Women Lawyers of the Year

THE NSW WOMEN LAWYERS Association (Inc.) held its inaugural Awards Dinner at Parliament House on 23 February, an initiative to raise awareness of contributions made to the community by outstanding women lawyers in various fields of practice.

The co-winners were President of the Australian Industrial Relations Commission, Justice Deirdre O'Connor and

Eleonora Scarparo, senior workers' compensation litigation lawyer at GIO.

Present at the dinner were Chief Justice Gleeson AC and Attorney General Mr Jeff Shaw QC who presented the winners' awards.

Kerrie Leotta, President of the Women Lawyers Association, commented that many different organisations "as well as our own professional ones"

request the nomination of qualified women for many different activities.

"The Association views that need as a very serious one and it is hopeful that in the future the names of women lawyers come as easily to the fore as those of our male colleagues," she said.

"We now honour our colleagues who have traversed the sticky floors and glass ceilings

with such success that they are role models for the whole of the profession."

The awards were conducted on a nomination basis and went to two women who have "achieved a lot and made major contributions to their careers, their community and the professions", Ms Leotta said.

LSJ spoke to the two winners and gauged their views on the situation of women in law. □

A quiet achievement

CO-WINNER OF THE 1995 Woman Lawyer of the Year award Eleonora Scarparo, GIO's senior workers' compensation litigation lawyer, is a woman of drive, professionalism and modesty, qualities that have earned her recognition from colleagues as "the quiet achiever".

In her 35 years with the organisation, she has been instrumental in successfully resolving "mountains of pieces of litigation".

"So many people in the profession seem to know my name from court documents yet I've met few of them. I don't have a high profile about town at functions and the like."

When Ms Scarparo graduated in law at Sydney University in 1960 she was not only distinguishable by her gender but as the first female law graduate of non-English speaking background in NSW and, she said, possibly Australia.

"At that time, there were no women judges in NSW, only two to three women were practising at the Bar and only one in 50 practising solicitors were women."

She admits that entering the profession was "certainly daunting", but not too daunting because by the early 80s she was second in charge of what was then the largest personal injury litigation practice in Australia.

Ms Scarparo joined GIO immediately after her admission in 1961 as a junior legal officer in third party insurance. She quickly moved through the ranks to managerial posi-

tions, as solicitor in charge of various departments, dealing mostly with public liability and industrial accident litigation.

She is currently solicitor on record for GIO's workers compensation and industrial accident litigation.

Ms Scarparo, though aware of the problem of gender bias, admits that in a corporation like hers, there is an "aura of protection".

"There is more care taken these days to address the problem of inequality. There is a lot of pressure on organisations to do so but whether enough care is taken, who can say?"

"Although the nature of the barrier to high achievement is less clear, I believe it results from a number of factors, both personal and social.

"Gender bias in the workplace still remains a potent factor. However women lawyers' own priorities about career and family responsibilities and their expectations about their role in society are important additional factors.

"The critical need now is for women to be as well represented as men at senior levels in the profession. This is much more important to those following on than for a few high-flying women to have reached top jobs.

"Women now know they can do any job a man can and do it just as well. They need to be convinced that they will be able to get these jobs without having to perform so much better than their male counterparts.

"In the end, nothing but seeing other women in senior jobs



GIO's Eleonora Scarparo PHOTO: PATRICK BYRNE

in large numbers will achieve this."

Ms Scarparo was a member of the committee which established GIO's EEO policies and she claims she always worked to implement these policies within her own area of responsibility.

"Without ignoring merit, at least one third of my staff have always been women and for years this was very much higher than the overall representation of women in the legal workforce.

"It is interesting to note that, whilst most of the men who left my professional staff went on to work successfully at the Bar, most of the women later worked as solicitors in the private sector. Perhaps this reflects differences in the

implementation of EEO in other parts of the profession."

Ms Scarparo believes her success is grounded in her professionalism and her contribution to her field of law.

"I think I've performed good work for my employer, either personally or through those who have worked under me," she said.

In a speech she gave accepting her award, Scarparo spoke of the advice she would give younger women entering the profession.

"Pondering the changes I have seen I believe one of life's excitements is for each generation to face its own challenges and find its own solutions while avoiding the well-meaning advice of the previous generation." □

More than a "woman judge"

IF A GREATER PUBLIC PROFILE

for women is a necessary pre-
scription for the community,
Justice Deirdre O'Connor,
President of the Australian
Industrial Relations Commis-
sion and co-winner of the Year
Woman Lawyer of the Year
award, is an ideal model. But
don't define her by this.
"I hope for the day when I am
not referred to as a 'woman
judge'," she told *LSJ*.

"The first woman to syn-
drome indicates we are not
there in terms of accepting
women in public positions as
normal. You never hear refer-
ences to a 'man judge'."

The steeply ascended path of
her professional life suggests
success in many respects. But
she believes an appropriate def-
inition of this "success" is sim-
ply that she has carried out all
her positions "as competently
as possible".

Justice O'Connor graduated
from law with Honours in 1973.
She held academic positions at
the University of NSW and
Macquarie University until
1980 when the last of her five
children went to school and
she was admitted to the Bar.

After three years as a barris-
ter she became Commissioner
at the NSW Law Reform Com-
mission. From 1986 to 1990 she
was Chair of the Australian
Broadcasting Tribunal. In 1990
she was appointed a Judge of
the Federal Court of Australia.

In the same year she became
President of the Administrative
Appeals Tribunal, a position
she held until she went to the
Industrial Relations Commis-
sion in 1994.

In assessing the representa-
tion of women in the law and the
workforce generally, Justice
O'Connor describes the cur-
rent situation as "transitional".
"The facts are that very few
women lawyers are in high
positions. The process of
change, particularly in num-
bers, is only happening now."

"No doubt my granddaugh-
ter will have unlimited possi-
bilities," she said.
"Women are seen primarily
as having a domestic role yet in
multi-thousands they are mov-
ing into the workplace so they
effectively have two jobs."
"With five children, I had to

decide to do things in other
ways to someone else in my
professional position.

"It took me 20 years to go to
the Bar after leaving school.

"Once someone asked me
what would happen to my chil-
dren when I went to work and I
said, 'I'm going to tie them up in
the backyard with a bowl of
water'."

"It's a shallow question. Of
course I turned to outside help.
"Most women would like to
have a wife - someone who will
take care of their every need
while they go to work.
"But you just do what people
have to do!"

Justice O'Connor is quick to
reject the suggestion that any
barrier to high achievement for
women is the result of a climate
of deliberate exclusion. "If it's a
hidden agenda it's hidden from
me".
"I don't think there is a con-

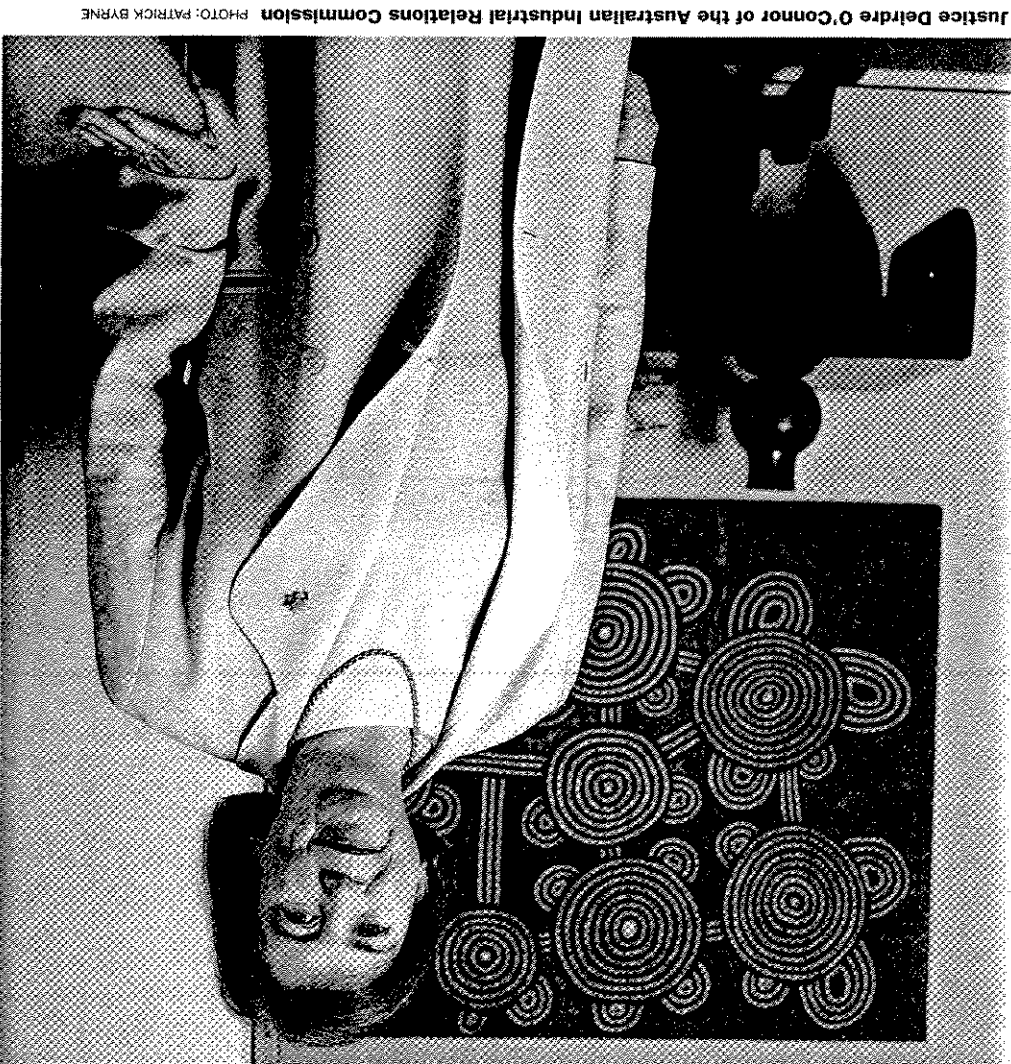
spracy and it's certainly not a
very positive way to look at the
situation of women in the work-
force."

"The victim mentality spells
death to any situation."

When she is hiring staff, she
claims she makes a positive
effort to seek out the best *per-
son* for the job.

"It just so happens that there
are so many able women
around. My executive assistant
has a first class Honours
degree in law and she is an
extremely competent person."

Reflecting on a time when
women in law were a signifi-
cant minority, particularly in
higher positions, Justice
O'Connor describes the profes-
sion in her first years as "very
alienating and lonely".
"There were not enough
people," she said, "who were
supportive of me."
She describes law as "the

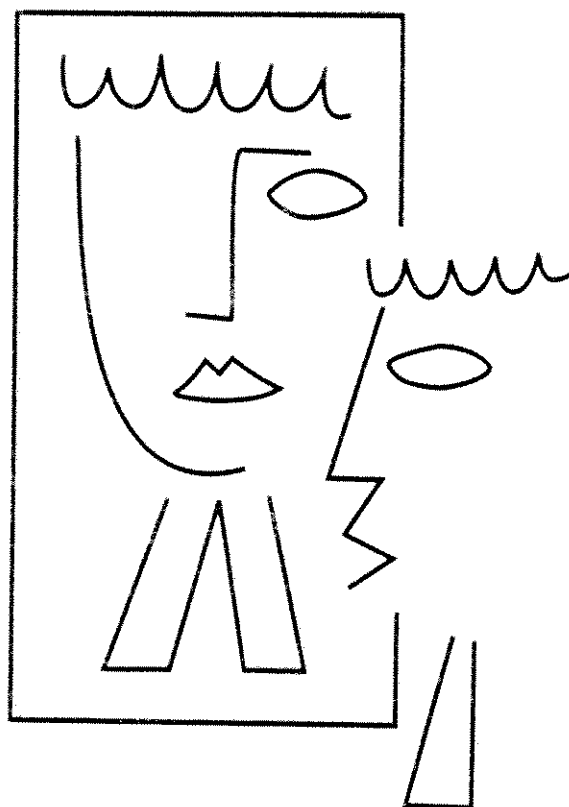


Justice Deirdre O'Connor of the Australian Industrial Relations Commission PHOTO: PATRICK BYRNE

most conservative and club-
like environment you could go
in to" - factonaised not just by
gender but many other factors.
Associations such as Women
Lawyers, she believes, are pos-
sitive if the individual retains a
view of herself as a compe-
tent professional rather than
part of a class discriminated
against.

Women, she said, should
group together when dealing
with policy and political action
and keep personal careers on
an individual platform.
She does not belong to polit-
ical groups herself because she
has never had the time outside
her family and professional
commitments.

"When the day comes that
men have greater involvement
[in domestic life] the situation
will become a lot easier for
women to take on demanding
jobs in the public arena." □



Women Lawyers Association
of New South Wales
50th Anniversary Gala Dinner
1952 - 2002

Celebrating our Unity and our Diversity

Order of Proceedings

Convenors

*Dominique Hogan-Doran & Kathryn Kearley
President and Vice-President 1999-2000*

Welcome to Country

Aunty Jeon Carter Eora Nation

Welcome to Parliament

*The Hon. Bob Debus MP
Attorney-General of New South Wales*

Toast to the Women of 1952

*Her Honour Justice Mary Gaudron
High Court of Australia*

Woman Lawyer of Achievement Awards

Marilyn Bartole President 2002

*Co-sponsored by the NSW Bar Association, NSW Law
Society, NSW Attorney-General's Department and NSW
Young Lawyers*

Goddess Goblets created by artist Colin Heaney

Menu

Entrée –

*Smoked Ocean Trout on a Rocket & Baby Spinach Salad
with Balsamic Lemon Dressing*

Main -

*Char grilled Lamb Fillets with Beetroot Confit and Salad
Greens with Vegetables*

Dessert –

*Fresh Strawberries drenched with Grand Marnier &
Passionfruit served in Dark Chocolate Cup with Cream
Tea, Coffee and Petit Fours*

McGuigan Hunter Valley Shiraz 2000

Tyrell's Hunter Chardonnay Semillon 2000

Vegetarian options, Beer & Spirits available on request

A short history of the Association

Veronica Pike in 1941 suggested to other women lawyers in Sydney that they might form a Society of Women Lawyers. She was only recently admitted, but on her initiative regular quarterly meetings began. The first was at her home and the interested women decided to continue on an informal basis. In 1943 permission was given by the then Incorporated Law Institute of New South Wales (now the Law Society of New South Wales) to use the address of the Institute for the purpose of establishing a permanent mailing address. Lillian Goldsmith was appointed permanent Convenor and a list was kept of all qualified female practitioners, who were notified of the date and place of quarterly meetings and the name of the guest speaker, if one had been invited. From time to time the possibility of formalising the Society was canvassed, but the informal arrangements stood for nearly a decade.

In November 1951 Beatrice Bateman wrote to members suggesting they meet to discuss the formation of a Women Lawyers' Association and affiliation with the International Federation of Women Lawyers. She was listed as a practising barrister but had not maintained a permanent practice, being for the most part home-based and busy with children. She would, however, have been familiar with the difficulties of women at the Bar.

The meeting was held at the Pickwick Club and was attended by thirty women lawyers. It was resolved a provisional Association, to be known as the Women Lawyers' Association of New South Wales, be established and Joan O'Hara (O'Brien), a practising solicitor was appointed provisional President. Marie Kinsella, a non-practising barrister and Meg Degotardi, a practising solicitor, became provisional secretaries.

The inaugural meeting of the Women Lawyers' Association of New South Wales was held on 6 March 1952. It was the first such Association in Australia.

The aims and objects as set out in the constitution were:

- (a) to provide a common meeting ground for women lawyers;
- (b) to foster the growth of a corporate spirit among women lawyers;
- (c) to make suggestions and work for the reform of the law and administration of the law particularly as affecting women and children;
- (d) to assist with such movements for the advancement of women as the Association may from time to time decide;
- (e) to participate as a body in matters of interest to the legal profession; and
- (f) such other objects as the association shall in general meeting from time to time decide.

Nerida Goodman (Cohen) was elected as the first President with Marie Kinsella the first Secretary. Committee members were Margaret Crawley, Jean Hill, Helen Levy, Joan O'Hara and Veronica Pike. With the exception of Kinsella, a non-practising barrister with the Department of the Attorney-General and Goodman who had retired from the Bar, the members of the Executive and Committee were in private practice, although two were recently admitted.

At an executive committee meeting held on 24th March 1952 it was resolved that notices of the newly formed Association be sent to the 74 women lawyers in New South Wales informing them of the formation of the Association and inviting them to become members. Forty two responded and became financial members.

For members of the Association the contact with other women with similar interests was the most useful aspect of the Association. The position of President was limited to every two years and members of the Committee were elected annually. While the numbers in practice remained small rotation of office involved a significant incorporation of membership in the Association's operational activities. Its regular meetings served to maintain contact and helped women keep in touch with new developments in the law.

A broadening of the Association's interests is detectable at the end of the 1960s. Within the legal profession it took an important step towards assisting young women Barristers at the outset of their career by the purchase of a room in 1974 in Frederick Jordan Chambers which was made available on a subsidised rent for a year to a woman beginning practice at the Bar. The letting of the room was left to the three Trustees, Janet Coombs, Jenny Blackman and Priscilla Fleming. Occupants of the room went on to establish successful practices.

The widening of the Association's interest can be marked by the executive's close association with the Women's Electoral Lobby in the early 1970s and by its own initiatives on tax deductibility for child care expenses for women in employment. In 1984 the Association initiated action for permission to appeal to the High Court against the decision in *Martin v. Commission of Taxation* (83 ATC 4722) which had gone against the taxpayer.

Women lawyers in New South Wales have in a short period gathered strength, numerically, through individual achievement and through the Women Lawyers' Association, and now seem poised for more concentrated effort to bring about future change.

While legislation in recent years has been designed to remove discrimination against a woman on the grounds of sex and to provide her with equal opportunities, it could be said that in the legal profession beneath a facade of sex equality there is still evidence of discrimination against women lawyers, and although much has been achieved within the past two decades, women do not at present enjoy professional equality with male colleagues. This could change within the next two decades.

Women lawyers in New South Wales in the past sixty five years have vindicated the struggle of pioneer Ada Evans to gain the right for women to practise law. Their 'glory' is yet to come.

Extracts from *A History of Women in the Legal Profession in New South Wales*, by Joan O'Brien, 1986

Founding Members 1952

Women present at the first meeting at the Pickwick Club, Sydney, on 6 March 1952

Pat Green (Dale)
Nerida Goodman
Pat Oldfield (Buckworth) (*)
Peggy Crawley (*)
Zena Sachs (*)
Marie Kinsella (Sexton) (*)
Norma McPhail
Joan Spruit (*)
Mary Appleby
Pat Hinch (*)
Regina Kennedy
Jean Mallor (Mullin) (*)
Lillian Kraft
Molly Westgarth
Lea Walshe (Hurley)
Veronica Pike
Helen Levy
Judy Selig (Cohen) (*)
Marion Lamson (Bruce)
Joan O'Hara (O'Brien) (*)
Bek McPaul (Jelbart) (*)
Anne Speight (Thompson)
Elizabeth Ewart (*)
Jean Hill (*)

(*) Attending tonight, as well as Judy Clayton (Benson) and Ailene Fenwick, who were not at the first meeting.

Presidents 1952 -2002

1952-53	Nerida Goodman
1954-55	Joyce Shewcroft
1956	Ailene Fenwick (*)
1957	Joan O'Hara (O'Brien) (*)
1958-59	Helen Levy
1960	Veronica Pike
1961-62	Lea Hutley
1963-64	Peggy Crawley (*)
1965-66	Cecily Backhouse
1967-68	Ann Plotke (Kirby) (*)
1969-70	Daphne Kok (*)
1971-72	Kaye Loder (*)
1973	Jenny Blackman (*)
1974-75	Margaret Brewster
1976-77	Judy Dean (*)
1978-79	Audrey Blunden (*)
1980-81	Diane Maclean (*)
1982-83	Karyn Kinsella (Mealy) (*)
1984-85	Helen Carney (*)
1986-87	Anne Riches (*)
1988-89	Ros Winfield (*)
1990-91	Jenny Mattila (*)
1992-93	Nea Goodman (*)
1994-95	Kerrie Leotta (*)
1996-97	Ruth McColl SC (*)
1998	Jan Christie (*)
1999-2000	Dominique Hogan-Doran (*)
2001	Siân Leahem
2002	Marilyn Bartole (*)

(*) attending tonight

Executive Committee 2002

Marilyn Bartole (President)
Jenny Baxter (Vice President)
Jane Alver (Secretary)
Zara Officer (Treasurer)
Siân Leahem (Research Convenor)
Michelle Painter (Professional Issues Officer - Barristers)
Michelle Rabusch (Professional Issues Officer - Solicitors)
Kim Boëtcher (Education Officer)
Mahrukh Batliwalla (Functions Officer)
Dorothea O'Hara (Fundraising Officer)
Claudia Sgammotta (Media Officer)
Nea Goodman (Memberships Officer)
Liz Naylor (Policy Officer)
Janet Coombs (Ordinary Member)
Premia D'Cruz (Ordinary Member)
Louise Byrne (Ordinary Member)
Dominique Hogan-Doran (Australian Women Lawyers Representative)

Thankyou

Louise Byrne for locating the Founding Members; Anne Stewart, Kathy Eyril, Alex Booth from Creative Conferences & Events; Dawn Rabusch, Moss Flower Emporium; Daniel Zach Sgammotta Pianist; Torsain Jewellers for the major raffle prize.

Principal Sponsor



50th Anniversary Dinner Sponsors



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LAWYERS



KEMP STRANG | LAWYERS



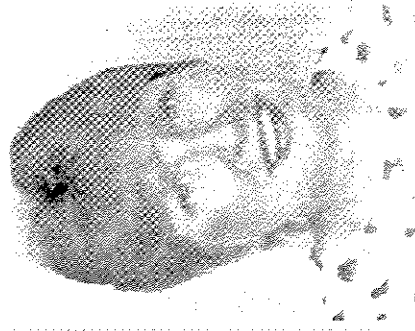
in her drive to attract more women to the law, particularly women from Non-English Speaking backgrounds. "She has assisted the women of our community to develop a sense of purpose as positive contributors to society, and has been a great catalyst for the integration of women of non-English speaking background to the main Australian society".

Justice Mahla PEARLMAN AM

Justice Mahla Pearlman AM is Chief Judge of the Land & Environment Court of New South Wales, the first solicitor to be appointed head of a jurisdiction in Australia. With her "formidable courage and determination her extraordinary leadership has guided the court through a period of significant criticism and process of review; meeting her critics head on". Significantly, throughout her career she has achieved a series of "firsts" for women. President of the Law Society of NSW (1981-2), President of the Law Council of Australia (1989-90), Deputy Secretary General of the International Bar Association (1988-92) and Chair of the Board of Governors of the College of Law (1983-88). In January 1985 she was awarded the Order of Australia for services to the legal profession. "An immensely influential and inspirational woman lawyer whom many women in the profession, including myself, look to as a role model for what can be achieved by a woman who has dedicated her life to the pursuit of excellence in the law".

Justice Mary GAUDRON

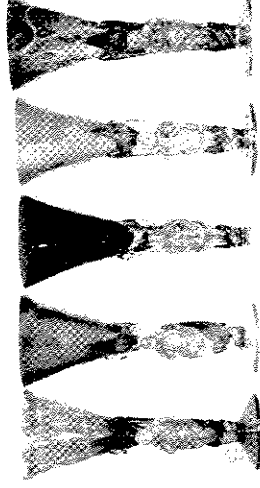
WLA will also present a Lifetime Achievement Award to our guest of honour. Justice Gaudron was appointed to the High Court in February 1987, the first woman. At the time of her appointment she was Solicitor-General of New South Wales. She was admitted to the New South Wales Bar in 1968. In 1981 she became a Queen's Counsel. From 1974 to 1980 she was a Deputy President of the Australian Conciliation and Arbitration Commission. She has been a prominent supporter of the Women Lawyers Association of New South Wales throughout her career.



The Goddess Goblets were commissioned by WLA President Marilyn Bartole from hot glass artist, Colin Heaney, of Byron Bay, New South Wales. Colin's unique blown glass pieces show an appreciation for form and colour, and a willingness to push both the material and his own skills to the limits. Colin is known for his sculptural candles - elaborate decorative fantasy landscapes complete with forests and waterfalls, and his more recent sculptural wineglasses and goblets have sustained a progressive artistic practice. www.colinheaney.com

Women Lawyers Association of New South Wales

Woman Lawyer of Achievement Awards



**1952-2002
50th Anniversary Gala Dinner
13 June 2002**

Sponsors

These awards are co-sponsored by the Women Lawyers Association of New South Wales ("WLA"), the New South Wales Law Society, the New South Wales Bar Association, New South Wales Young Lawyers and the Attorney-General's Department of New South Wales.

Selection

The Selection Committee consisted of representatives of the sponsoring organization. The award recipients were selected by secret ballot following review and discussion of nominations received from WLA members. The nominations were supported by curriculum vitae, referee reports, articles and other publications concerning the nominees. The decisions were made solely on the basis of material presented to the Selection Committee. Extracts below are taken from the supporting material.

Criteria

1. The individual achieved professional excellence in her field AND
2. Influenced other women to pursue legal careers, OR
3. Opened doors for women lawyers in a variety of job settings that historically were closed to them, OR
4. Advanced opportunities for women within a practice area or segment of the profession.

Justice Jennifer BOLAND

Jennifer Boland is a Judge of the Family Court of Australia, appointed in October 1999. Justice Boland gained her legal qualification with the Solicitors Admission Board in 1982, undertaking her studies while working full time as a legal secretary and bringing up her three young daughters. "I observed that Jennifer supported women who worked with her who wished to work part time because of family commitments. I believe her own experience of raising a family and working in law gave her great insight into the issues faced by women in law firms who are attempting to balance a challenging career with commitments to their family" Prior to her appointment she was a partner with Michell Sillar & Brown (1983-1988) and later Corrs Chambers Westgarth (1988-1999), where she was Head of Family Law Division of the firm and partner in the Litigation Division as well as National Product Liability Group Leader. She was Chair of the Family Law Council of the Law Council of Australia between 1995 and 1998. "Throughout the almost fifteen years I have known Jennifer professionally and on an ongoing basis, Jennifer continues to be a profound and visible role model for women lawyers in all areas of legal practice".

Janet COOMBS AM

Until her retirement in 1999, Janet Coombs spent her entire professional career at the NSW Bar. During that time she has been active in women's affairs and "fearless and unselfish" in her assistance to other women barristers, particularly those newly admitted. The Bar Council on 7 May 1998 unanimously resolved to appoint her an honorary life member "in recognition of her exceptional service to the Association and the philanthropic support and interest shown to new barristers, particularly to women members." Janet served as a trustee of the "women readers' room" which she helped establish, and was renowned for personally introducing new woman readers to the formidable Bar Dining Room luncheon. Speaking at her farewell, Justice Mary Gaudron spoke fondly of how Janet gave her a start at the bar sharing accommodation at a time when women were rejected for membership of most chambers. "In her total commitment to supporting the involvement of women in the law, Janet has acted with integrity, complete consistency and strong determination". In 1995, Janet was awarded a Croce Pro Ecclesiae et Pontifice (Papal Cross) for her services to the St Thomas More Society (the Guild of Catholic Lawyers) and the Roman Catholic Church, recognised as "one of the most outstanding women who emerged in leadership positions amongst the Catholic lawyers in Sydney."

Anna KATZMANN S.C.

Anna Katzmann S.C. was admitted to the NSW Bar in 1979, and appointed silk in 1997. "She is an excellent advocate, meticulous in preparation"; "a brilliant tactician and strategist, bringing her skills as a lawyer and advocate to bear on complex and difficult problems to make them simple, understandable and solvable." She is a Supreme Court arbitrator and mediator and was a founding Director of the Women's Legal Resources Centre. "She has been untiring in her efforts to promote women lawyers particularly women barristers". As a member of the NSW Bar Council, she was a member of the Executive that championed the recent changes that were made to the bar's protocol for the appointment of silk to assist all women at the bar. "Ms Katzmann's open door policy has made the upper echelons of the NSW Bar seem more approachable and less intimidating. Her active support and encouragement has been a welcome relief from the entrenched prejudices against women barristers which still exists in NSW."

Chrissa LOUKAS

Chrissa Loukas was admitted as a barrister in 1989, after commencing practice as a solicitor with Legal Aid in 1985. She was appointed a Public Defender in 1995 and has been an acting Crown Prosecutor and Acting District Court Judge. "Performance on a regular basis as defence counsel in major criminal trials is one of the most stressful and challenging roles that is open to one undertaking a career at the bar. Chrissa's court-craft is of a very high order. She has the capacity to make with uncanny accuracy all the intuitive judgments that are necessarily involved in the 'do or die' environment of a substantial criminal trial." As a member of the NSW Bar Council (1991-2002) Chrissa has been "relentless"