



# Board Room and Bench

May 2008

Volume 2, Issue 1

## Points of Interest

**Feature Article: Renewal of Practising Certificates**

**Latest WLA Functions**

**Profile — Justice Julie McIntyre**

**Mentoring drinks continues in 2008**

**President's Message**

**WLA scholarship opportunity**

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## Welcome to this edition!

Welcome everyone to the Women Lawyers' of South Australia Inc (WLA SA) quarterly newsletter. In this edition we have a number of articles that the WLA committee hopes will provide important as well as entertaining reading.

Our feature article focuses on the importance of practitioners renewing their practising certificates if they have not done so in the last 3 years.

This edition also features the next instalment in our profile

series that focuses on prominent female members of the profession. Justice Julie McIntyre from the District Court., shares her experience and insight in practising law and being on the District Court bench with WLA SA.

This edition also provides members with updates on our upcoming events and the success of the WLA SA mentoring scheme that was introduced in 2007.

Don't forget to join us for our upcoming networking event on Wednesday 11th June 2008 where Carolyn

Mitchell (Managing Partner Cowell Clarke) and Wendy Barry (Partner Nicholls Gervasi) will speak to guests on the topic of negotiating flexible work practices and salary rates.

We hope that you will enjoy this edition, and that you will take note of the events page that outlines a range of professional development programs and courses are available in Adelaide.

We look forward to seeing at our event on June 11th 2008!

## WLA offers scholarship to national conference

In this edition WLA SA is pleased to announce that it is offering a scholarship for a female law student to attend the second national Women Lawyers Conference in Melbourne from the 12-14 June 2008.

The scholarship is worth \$750.00 and covers the cost of the conference and a contribution towards incidental expenses.

To apply the committee requires interested students to send an e-mail to [wlascholarship@gmail.com](mailto:wlascholarship@gmail.com) with the title "WLA scholarship Application" and answer the question "Why they should be sponsored to attend the conference?" .

All e-mails must include the applicant's name, university, year of study, e-mail address and contact telephone number.

The WLA committee is particularly interested in hearing how attending the conference may contribute to or reward an applicant's work within the community. All applications must be received by 23 May 2008 and the winner will be announced in the next edition.

Good luck!

## President's Message

Welcome members and friends to this edition of our newsletter.

I was most disappointed to learn that the recent publication by the Law Society of a Guideline for Briefing Women Barristers generated considerable adverse feedback – a sign that our organisation still has much work to do.

The guideline, which is based on the Law Council's model briefing policy, states:

*"In selecting counsel, all reasonable endeavours should be made to :*

- (a) identify female counsel in the relevant practice area; and*
- (b) genuinely consider engaging such counsel; and*
- (c) regularly monitor and review the engagement of such counsel; and*
- (d) periodically report on the nature and rate of engagement of female counsel."*

Crucially, the guideline is not in the nature of affirmative action and does not suggest the engagement of women barristers who are not qualified in a particular area.

It merely seeks to encourage solicitors to look beyond their usual "stable" of barristers and consider briefing women who could do the job equally well when compared with a male colleague.

We know that women are grossly underrepresented at the Bar in South Australia and we know, thanks to research undertaken by WLASA and Australian Women Lawyers in 2005, that they do not receive briefs in complex, long-running and appellate matters in proportion to their numbers.

We have a problem, and I commend the Law Society for recognising this and proposing

measures to ameliorate the discrimination which exists in our profession.

I encourage our members to support the Guideline and implement it in their practices.

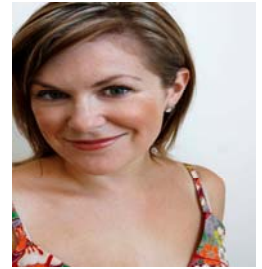
The Guideline is available on the Law Society's website (however you must be logged in as a member) [http://www.lssa.asn.au/services\\_for\\_Members\\_-\\_Guidelines](http://www.lssa.asn.au/services_for_Members_-_Guidelines).

You may also be interested in the Bar Association's Equal Opportunity Briefing Policy which can be found at:

<http://www.sabar.org.au/pub/Equal%20Opportunity%20Briefing%20Policy.pdf>

The Bar Association allows you to search for female barristers and bring up details of their fields of practice, see:

[http://www.sabar.org.au/search\\_results\\_new.php?Female=Yes](http://www.sabar.org.au/search_results_new.php?Female=Yes)



I hope that you enjoy this edition of our newsletter and the range of upcoming events that we will be hosting in the next few months.

**Kerry Clark**  
**President Women Lawyers Committee**

*I encourage our members to support the Guideline and implement its practices.*

## Mentoring Drinks with the Judiciary

WLA continues to run its judicial mentoring scheme between female members of the profession and South Australia's female judiciary.

The scheme is open to all law students and female practitioners in South Australia.

The aim of the scheme is to foster a collaborative and supportive networking environment where female practitioners can meet and discuss common issues and share experiences .

The mentoring scheme is hosted by the WLA in the form of informal drinks on the first Tuesday of alternate months from 6:00 –7:00pm at the Kings Head Hotel.

The scheme has been running since 2007 and has been attended by a range of participants including law students, practitioners with less than 5 years experience and newly admitted lawyers.

Each meeting is attended by at least two female members of South Australia's judiciary and/or senior female barristers and solicitors.

WLA has received positive feedback on the scheme with many participants stating that an informal drinks environment provides a relaxed atmosphere to meet and talk with judges and senior practitioners.

Law students and current practitioners who are interested in joining WLA are welcome to fill out a membership form on the night!

The next mentoring function is on:



**TUESDAY JUNE 3RD JUNE 2008**

**6:00PM — 7:00PM**

**Kings Head Hotel**

**357 King William Road, Adelaide.**

## Practising Certificates - Be aware of the three year lapse

*Perhaps the new financial year might be a good time to think about getting your practising certificate back, if it has not been renewed for a while?*

The end of the financial year is approaching fast – and with it the yearly chore of renewing your practising certificate. The decision about whether to renew your certificate can be a complicated one for people considering taking time out of practice. Why? Because renewing a lapsed certificate may not always be as simple as you think.

Under the current rules if your practising certificate lapses for a period of less than 3 years, renewal should be a simple matter. An application accompanied by an affidavit should be made to the Legal Practitioners Registry.

If all is in order, then it is likely that your practising certificate will be renewed without any restrictions.

Similarly, if your practising certificate lapsed more than 3 years ago, but you have been continuously practicing interstate during that period, it is unlikely

that the Board will impose any conditions upon your renewal in South Australia.

The problems with renewal occur after a lapse of 3 years in the currency of your practising certificate.

Rule 9 of the Rules of the Legal Practitioners Education and Admission Council provides that after a 3 years lapse in registration a practitioner is *not eligible* to obtain a renewal unless the practitioner first obtains and complies with the directions (if any) given by the Board of Examiners.

The Board of Examiners considers such applications, and makes a decision about whether a renewal will be permitted, and on what conditions.

The Board may require that the practitioner undertake practical

training and/or gain additional practical experience before the practitioner's unrestricted practising certificate is reissued.

So, if you are considering taking time out from practice, or you are currently doing so, you should be aware of the consequences of the 3-year rule.

Perhaps the new financial year might be a good time to think about getting your practising certificate back, if it has not been renewed for a while?

If you are thinking of renewing your practising certificate, application should be by statutory declaration lodged with the Board of Examiners setting out the evidence of your practice history and exhibiting thereto any documentary evidence that you want to rely upon.

For further information you should contact the Law Society.

**Anne Hewitt**  
**WLA Committee Member**



*Rule 9 of the Rules of the Legal Practitioners Education and Admission Council provides that after a 3 years lapse in registration a practitioner is not eligible to obtain a renewal unless the practitioner first obtains and complies with the directions (if any) given by the Board of Examiners.*

# Question and Answer: Justice McIntyre

**Q: Please tell us about your career up to your appointment as a District Court judge in October 2007. How did you get to be where you are today?**

**A:** I was born in the UK and my family came to Australia as “10 pound tourists” in 1969. We first lived in Whyalla and then moved to Salisbury in the early 1970s. I went to Salisbury East High School for the whole of my high school education. I obtained a clerk’s job in the SA Public Service before I knew whether I had managed to get into University. I didn’t really have much idea what I wanted to do at University other than that I wanted to go. My main aim was to get into economics, which I had enjoyed at school. A teacher had however suggested law as another option. I had never met a lawyer and only had a very hazy idea what law involved but it seemed like a good idea. To my surprise I got into law.

I stayed employed full time with the Department for Community Welfare and studied part time. When I got to the final year of the degree I was amazed to be offered the opportunity to do honours. It became quickly apparent that this would be difficult to achieve as a part time student so I resigned from the public service and became a full time student. I completed my law degree in 1983 and then did GDLP. I was admitted to practice in December 1984.

My first position as a lawyer was with J A Carr and Co where I was the “and Co”. Jeff was a good teacher (in fact he had been one of my teachers at GDLP) and a very prescient man. He heralded the introduction of the fax machine to our office with the ominous words “This is the death of legal practice as we know it”. Quite how Jeff viewed the advent of the email and time costing I am uncertain.

My next position was with Herriman McEvoy & Gilchrist where I was fortunate enough to be mentored by Peter Herriman (now His Honour Judge Herriman) who also taught me many valuable lessons about the practice of the law and the profession. I was always most impressed by his ability to maintain a tidy office, a clear desk and unfailing composure. I have tried but seldom managed to achieve these things. I stayed with the firm in its various incarnations including its merger with Thomson Simmons (as it then was) before joining Ward & Partners, which, under the leadership of K J Ward, was an exciting and invigorating workplace. I learned a great deal from a wide range of excellent lawyers at the firm. It was at Ward & Partners that I first worked with perhaps the two greatest influences on my career - Rosemary Waldron-Hartfield and Kristina Miller.

Ultimately Rosemary, Kristina and I set up an all-female law firm -Hartfield, McIntyre, Miller. Principally we worked in the field of federal administrative law. Our main clients were Telecom, as it then was, and Australia Post. We also did a lot of work for Veterans in the field of veterans’ entitlements. It was an interesting and exciting time with many challenges. Rosemary however had to return to Western Australia for family reasons and HMM lost a major driving force.

Kristina and I merged our practice with Norman Waterhouse. We were privileged to join a longstanding partnership and to work with some excellent practitioners. After a time Kristina moved interstate and entered partnership with Sparke Helmore.

After 5 years at Norman Waterhouse I left to start the Adelaide office of Sparke Helmore in 2001. Rosemary joined the SH partnership the following year to open the Perth office. Sparke Helmore started operation in Newcastle in 1882 and now has offices in Sydney, Melbourne, Canberra, Newcastle, Upper Hunter, Brisbane and of course Adelaide and Perth.

## Profile

**Name:** Julie McIntyre

**Occupation:** Justice—District Court

**State:** South Australia

**Appointment:** October 2007



*I was born in the UK and my family came to Australia as “10 pound tourists” in 1969. We first lived in Whyalla and then moved to Salisbury in the early 1970s. I went to Salisbury East High School for the whole of my high school education.*

## Question and Answer: Justice McIntyre

**Q: Are there any other “titbits” of information about yourself that you would be happy to share with our members? A favourite pet, a humorous story, favourite Adelaide restaurant or place to visit, a hobby? Or something else that you are passionate about?**

**A:** This is a tricky one – do I talk about my very spoilt standard poodles Bella & Cleo, my involvement in Parkinson’s SA, my intermittent fitness activities, my interest in travel, food and wine or my huge collection of books? Perhaps the most interesting might be a combination of a couple of these topics.

Last year my husband and I travelled to Laos, Cambodia and Vietnam. We are both very keen travellers and love SE Asia. This was however our first visit to Laos. We entered Laos from Thailand and then travelled down the Mekong to Luang Prabang. The river trip was very interesting and passed through some beautiful countryside. It is very hilly and the villages along the way are quite isolated – many are only accessible via the river. Luang Prabang is a UNESCO world heritage site with wonderful local urban architecture and French colonial architecture. I highly recommend a visit – I am very keen to return! Whilst we were there we met a backpacker who was doing volunteer work with an organisation called Big Brother Mouse. The name is a little unfortunate in its connotations for us but is apparently much more propitious in Lao.

The organisation started in 2006 and aims to improve literacy levels amongst Lao children by publishing and distributing fun educational books. Few books are published in the Lao language and many people have never seen a book much less owned one. They organise book parties at village schools where they talk about books, play games and then children select their own book from the various titles published. This will often be the first book they have ever owned. BBM also leaves a mini library at the school so that children can swap their books or borrow others. BBM is also now branching out into books for adults on a range of topics. It is a Lao owned and operated organisation that is entirely dependent on donations and book sales. They have a number of volunteers who do fantastic work and BBM also employs local people to write, translate and illustrate the books.

I have always been a keen reader and collector of books. The thought of having absolutely no access to books horrified me. We visited a primary school of about 100 children that had only 12 books. The teaching staff was doing a wonderful job in the circumstances but it is difficult to teach people how to read without books. We arranged for two sets of the complete BBM series of publications to be provided to the school as a library – a total of about 80 books.

I was however keen to support BBM further in their excellent work. Since then I have assisted with funding some book parties and the publication of a book on Baby Care in both the Lao and Hmong languages which is distributed primarily through hospitals although they are looking at ways it can be distributed in more remote areas of Laos. I’ve even roped my father in and he has been assisting them with some special research projects – they do have internet in Laos but it is rather slow and expensive.

It is a real inspiration to see how people working together on such a simple concept can make such a huge difference in a country. If you are interested in knowing more or even helping out yourself I recommend the website “[www.bigbrothermouse.com](http://www.bigbrothermouse.com)”



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# Question and Answer: Justice McIntyre

**Q: Can you describe any significant jobs, events or moments in your career that has lead you your current position?**

**A:** I can't really say that any particular events lead to my present position. It was something of a surprise to be appointed albeit a pleasant one. The usual path to the judiciary is via the bar and, whilst I had done a lot of counsel work over the years, my primary work had been as a solicitor. I was fortunate in my career that I had the opportunity to work in a wide range of areas for all types of clients from legally aided clients to corporate clients.

**Q: In your earlier years as a young lawyer, or even as a student, did you ever aspire to become a Judge?**

**A:** I can honestly say that I never thought of becoming a judge. I enjoyed my work as a lawyer and really saw my career path in those terms.

**Q: Can you describe the type of matters that most often come before you?**

**A:** The most challenging aspect of the District Court, and the most stimulating, is the variety of matters that come before the Court. All Judges sit in both the civil jurisdiction and the criminal jurisdiction. I also hold commissions in the Environment, Planning and Development Court and the Liquor Licensing Court although I have yet to sit in those jurisdictions.

**Q: What would you describe as a "highlight" of your current position? And how does it compare to your previous employment?**

**A:** One of the major problems with legal practice is that everyone seems to want things done yesterday which can mean that busy practitioners are left with little time for reflection. There is often a tension between meeting clients' expectations about time frames and providing considered advice. Whilst there are obvious time constraints applicable to judges we are generally more able to control our timetables to enable proper consideration of issues.

**Q: Can you describe any particular challenges that have arisen in your current position or (for want of a better word) any "lowlights"?**

**A:** If there are any I haven't experienced them yet. I am still in the "honeymoon phase".

**Q: Do you have any comments for or about women in the legal profession in South Australia, especially with regard to women obtaining higher appointments such as yourself?**

**A:** I have noticed a substantial improvement in the position of women in the law (and generally) since I commenced practice. There are many more women in leadership positions than when I started in the law. At that time female partners in law firms were very thin on the ground and there were very few in higher appointments. We still have a long way to go but, having just read the biography of Dame Roma, I was reminded the significant advances to date. One day I hope that the fact an appointee is a woman will be such a common event that it will not be the subject of particular comment!

*One of the major problems with legal practice is that everyone seems to want things done yesterday which can mean that busy practitioners are left with little time for reflection. There is often a tension between meeting clients' expectations about time frames and providing considered advice.*



## Informing students about alternate careers in law

**O**n Monday 7 April the Women lawyers' Association, with the assistance of the Law Students' Society, held a "Careers in Law" seminar in the Moot Court at the University of Adelaide. The seminar was a great success.

Around 35 students attended to hear from a distinguished panel of speakers, who represented a wide variety of career paths, and were able to inform and entertain with stories of how they got to be where they are today, and what their current work really involves.

The first speaker was Margaret Kelly from Wright Chambers. Margaret spoke about life at the independent bar in South Australia, and gave some valuable tips for any graduate considering moving to the bar.

The audience then heard from Joslene Mazel. Joslene is the Executive Director of the Aboriginal Affairs and Reconciliation Division within the Department of the Premier and Cabinet and recent recipient of a Public Service Medal in the Australia Day honours in recognition of many years of public service.

She spoke about her work in the public service, and how her first career as a social worker led her toward the study of law.

Melissa Ballantyne, a solicitor with the Environmental Defenders Office (a Community Legal Centre specialising in public interest environmental law) talked about how she pursued her interest in community law, and achieved her ambition of working in the community legal sector.

Melissa encouraged students to consider taking on volunteer work as a way to expand their horizons, develop their legal experience, and also to get a taste of different areas of legal practice.

Shelley Broadbent told the audience how she found herself practicing as a solicitor with Moore Law (based in Strathalbyn) and practicing primarily in family and domestic partnership law (despite her initial reservations about family law!).

Shelley encouraged students to consider working in country practices, and also to keep an open mind about the type of law in which they want to work!

Finally we heard from Elspeth Begg a law graduate who practiced with the Crown Solicitors Office and Legal Services Commission before changing career paths and moving into the world of business.

Elspeth spoke both about her legal experience, and the challenges and rewards involved in translating her legal experience into running a soft furnishings business.

Each of the panellists at the seminar had wonderful insights to give into career paths that many law students may not have considered, and the audience enthusiastically embraced the opportunity to ask questions about work in the different areas, and about setting up their own careers trajectories.

Women Lawyers would like to thank each of the panellists for the generous contribution to this event. We would also like to thank the Law Students Society for their assistance, and the Law School of the University of Adelaide for supplying the venue.

**Anne Hewitt**  
**WLA Committee Member**

*Around 35 students attended to hear from a distinguished panel of speakers, who represented a wide variety of career paths.*

### Career websites

There are a wide range of websites that are designed to assist users identify a range of alternate career paths. If you are considering a career path that doesn't involve the practise of law but utilises the wide range of skills that your law degree has given you, use these websites as a starting point. It is also recommended that you explore career counseling to identify your strengths and weaknesses and the range of career options available. There are a range of private providers and each of Adelaide's universities provide a limited and free career service to students.

[www.myfuture.edu.au](http://www.myfuture.edu.au)

[www.mycareer.com.au](http://www.mycareer.com.au)

<http://www.unisanet.unisa.edu.au/careers/> (UniSA Career Services)

<http://www.adelaide.edu.au/student/careers/> (Adelaide University Career Services)

<http://www.flinders.edu.au/careers/> (Flinders University Career Services)

# Events Diary 2007

## WLA Events

**WLA Networking Event**

**Wednesday 11th June**

**WLA Networking Event**

**Thursday 21st August**

## Law Society CPD

**Legal Research (Basic)**

Level 2 / 132 Franklin Street

**Wednesday 18th June**

**5.30pm - 7.00pm**

**Dealings with the Court - Observations on how to least annoy the Judge, the Master and the Court!**

Hilton Hotel, Victoria Square

**Thursday 19th June**

**9.00am – 12.30pm**

**Review of Recent High Court Cases**

Hilton Hotel, Victoria Square

**Thursday 19th June**

**2.00pm - 5.10pm**

**Intellectual Property Update**

**Tuesday 24th June**

**9.00am – 12.00pm**

## Professional Development

**An IPAA Women's Forum event — Increasing Effectiveness and Energy at work and home**

Next Generation Gym, Memorial Drive

Contact IPAA(SA) (08) 8212 7555

**Monday 26th May**

**4:00pm - 6:30pm**

**Developing your Emotional Intelligence**

IPAA Training Room, Level 6, 12 Pirie St Adelaide

**Thursday 22nd May**

**8:30am- 4:30pm**



### Women Lawyers' Committee Members

- Sarah Attar
- Susan Bartie
- Melissa Ballantyne
- Anne Barnett
- Shelley Broadbent
- Amy Challans
- Jo-Anne Deuter
- Polly Dixon
- Anne Hewitt
- Karla McCulloch
- Christina Von Meunster

## WLA who are we?

The Women Lawyers' Association of South Australia Inc is a professional Association that represents the interests of women legal practitioners across South Australia. The Association is an affiliate of the national branch of Women Lawyers and meets once a month at the Law Society of SA.

The SA branch of the Association runs many fundraising events for charity as well as making representations to parliament and other bodies on issues that impact upon the status of women in the law and society.

## Membership

Membership of the Association is open to all female practitioners and female law students who wish to further the interests of women under the law and women legal practitioners in South Australia. To find out how to become a member of the Women Lawyers' Association of SA log on to our website at [www.womenlawyerssa.org.au](http://www.womenlawyerssa.org.au) or contact the Law Society of South Australia.

## Upcoming WLA Events

### UPCOMING WLA EVENT

Negotiating flexible work practices and higher salaries

#### Guest Speakers

Carolyn Mitchell and Wendy Barry

Wednesday June 11th 2008

Law Society House , Waymouth Street

WE ARE ON THE WEB!  
[WWW.WOMENLAWYERSSA.ORG.AU](http://WWW.WOMENLAWYERSSA.ORG.AU)

