

TASMANIAN BAR - DIVERSITY AND INCLUSION PRINCIPLES

OUR COMMITMENT

A strong independent referral Bar must be a diverse and inclusive Bar that reflects the cultural, social and religious diversity of the Australian community that it serves. That is consistent with the principles of justice, integrity, equity and the pursuit of excellence upon which the independent bars are founded.

The Tasmanian Bar is committed to fostering a respectful and inclusive environment that celebrates the diverse and varied experiences and backgrounds of members of the bar and the community more generally. We aim to facilitate inclusion and diversity at all levels of the Bar and promote equality of opportunity irrespective of difference.

We acknowledge that by encouraging greater diversity and inclusion at the Bar we can:

- continue to attract, develop and retain practitioners of the highest standard, as there will be no fear of discrimination;
- improve the quality of legal services, by bringing more varied experiences, perspectives and talents to the practice of law and the administration of justice; and
- enhance public confidence in the Bar and in the administration of justice.

GENERAL PRINCIPLES

The Tasmanian Bar formally adopts a commitment to Diversity and Inclusion in the following ways:

1. enshrining that commitment in its constitution and policies;
2. implementing strategies that can be reviewed regularly to ensure commitment to diversity and inclusion is both measurable and meaningful;
3. developing initiatives that strive to:
 - 3.1. foster greater diversity in the membership of the independent bars by eliminating barriers to access for sections of the community that have historically been underrepresented;
 - 3.2. promote equality of opportunity for members of the Bar regardless of their background;
 - 3.3. reflect diversity in appointments and recommendations made by the Bar; and
 - 3.4. actively strengthen and communicate a commitment to diversity and inclusion as an essential aspect of the rule of law.

PRACTICAL STEPS TO PROMOTE DIVERSITY & INCLUSION

The Tasmanian Bar acknowledges that –

- barristers may comprise individuals from many different cultural, ethnic, national, social and religious backgrounds; and
- barristers may identify as LGBTIQ+, span a wide age bracket, live and work with disability and have responsibilities as parents and carers.

The Tasmanian Bar aims to:

- identify and remove barriers to participation for those who have been historically excluded or underrepresented in the legal profession;
- foster, encourage and promote culture of diversity and inclusion to allow all members of the Bar to achieve their maximum professional potential regardless of difference.

The Tasmanian Bar is aware that it is not enough to promote diversity, we also need to create opportunities for those seeking to come to the Bar, and those already at the Bar, to build and maintain a practice. The Tasmanian Bar and individual chambers may choose to do this in a number of ways, including:

Policies

1. Encouraging adoption of policies within chambers which:
 - a. permit barristers to share chambers with other barristers, if they choose to do so, so that they may work part-time;
 - b. permit barristers to have a door tenancy to promote flexible working practices;
 - c. ensure that chambers are accessible for people with a disability;
 - d. provide pupil rooms for minimal cost (either generally, or to particular groups) in order to allow early career barristers to establish their practice;
 - e. provide for parental and other forms of leave with accompanying financial relief in respect of chambers fees;
 - f. Adopting policies relating to anti-bullying, anti-discrimination and sexual harassment.

Education

2. Providing education to barristers (attracting CPD points) about equity and diversity issues;
3. Providing seminars to solicitors and others who wish to come to the bar, aimed at generating discussion about diversity and equity issues potential candidates might face;
4. Providing seminars to solicitors about unconscious bias and equitable briefing;
5. Adopting mentoring programs which may apply generally, or which may apply to particular groups such as women, indigenous barristers or barristers with a disability.

Financial

6. Providing fee waivers and/or subsidised scholarships and/or other forms of financial support for participants of training courses, or for persons temporarily absent from practice, practising part-time or commencing practice at the independent bar.

KEY CONCEPTS

Diversity is an inclusive concept and encompasses, without limitation, race, colour, ethnicity, gender, sexual orientation, gender identity and expression, religion, nationality, age, disability and marital and parental status.

Inclusion means recognising and respecting difference. Inclusion means promoting flexibility in how we work and treat each other. The Tasmanian Bar strives to be an inclusive Bar and acknowledges inclusion enables the Tasmanian Bar to be and remain diverse at all levels.

Access refers to eliminating barriers preventing underrepresented sections of the community from becoming barristers and practising as barristers.

Adopted by resolution of the Tasmanian Bar Council on 25 June 2020.