



BAR ASSOCIATION
OF QUEENSLAND

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Innovate Reconciliation Action Plan 2014–2016



Reconciliation
AUSTRALIA
RECONCILIATION ACTION PLANS

Bar Association of Queensland

President's Message



This is the first Reconciliation Action Plan (RAP) for the Bar Association of Queensland.

The RAP commences on 29 May 2014 and will continue until 31 May 2016.

The Association has, for a number of years, provided opportunities to Aboriginal and Torres Strait Islander students. The Association has also provided assistance to Aboriginal and Torres Strait Islander peoples, whose primary objective is to commence practice at the Queensland Bar.

As Australia's First Peoples, Aboriginal and Torres Strait Islander peoples have suffered disproportionately in comparison to others in our community. This has led to severe disadvantage in areas including health, education and employment. Aboriginal and Torres Strait Islander peoples are incarcerated at much higher rates than other Australians. They are also severely over represented in the criminal justice system.

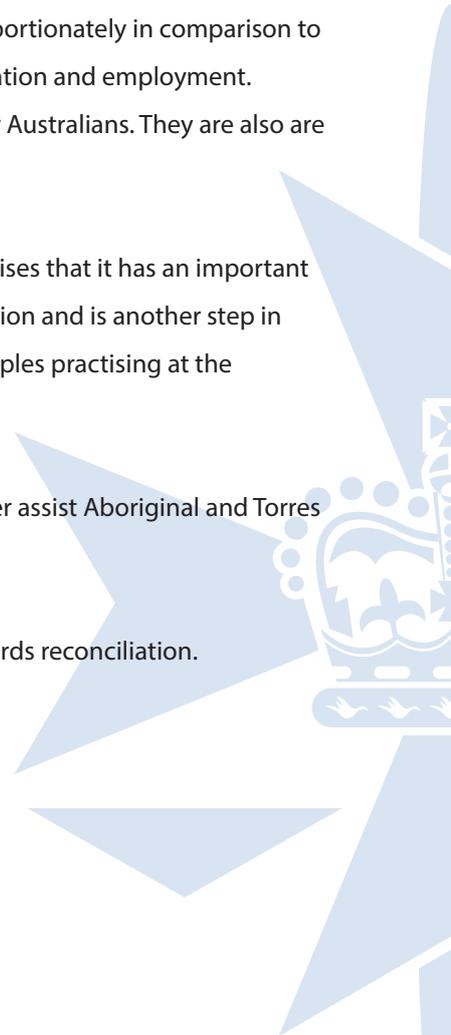
As an integral part of the legal institutions in the State of Queensland, the Association recognises that it has an important role in achieving reconciliation. This RAP furthers the Association's commitment to reconciliation and is another step in meeting our commitment to increase the number of Aboriginal and Torres Strait Islander peoples practising at the Queensland Bar.

The delivery of the RAP actions will provide our members with knowledge and skills to greater assist Aboriginal and Torres Strait Islander peoples through the legal process.

The Association will continue to collaborate with our stakeholders to take positive steps towards reconciliation.

A handwritten signature in black ink, appearing to read 'Peter J. Davis', followed by a horizontal line.

Peter J. Davis QC
President



Reconciliation Australia

CEO Message



Reconciliation Australia congratulates the Bar Association of Queensland on the release of their first Reconciliation Action Plan (RAP).

In launching its RAP, the Bar Association of Queensland continues to build on its commitment to our nation's First Peoples. The Bar Association of Queensland has for a number of years taken positive steps towards overcoming educational disadvantage among Aboriginal and Torres Strait Islander students and has also made financial support available to Aboriginal and Torres Strait Islanders who wish to commence practice as a Barrister in Queensland.

The Bar Association of Queensland furthers its commitment to reconciliation through the implementation of this RAP. Over the next two years, the Bar Association of Queensland has committed to actions which build on its past commitment to reconciliation and will lead to greater opportunities for Aboriginal and Torres Strait Islanders who seek to advance a career as a Barrister in Queensland. The Bar Association of Queensland's RAP will also create greater awareness and respect among its members and the Aboriginal and Torres Strait Islander communities.

On behalf of Reconciliation Australia, I applaud the Bar Association of Queensland for its commitment to reconciliation and I encourage other legal institutions and legal organisations to follow the important example set by the Bar Association of Queensland and take greater steps towards Reconciliation.

A handwritten signature in blue ink that reads "Leah Armstrong". The signature is fluid and cursive.

Leah Armstrong
Chief Executive Officer



Stories of the artists and artwork in the Bar Association of Queensland RAP

Sun

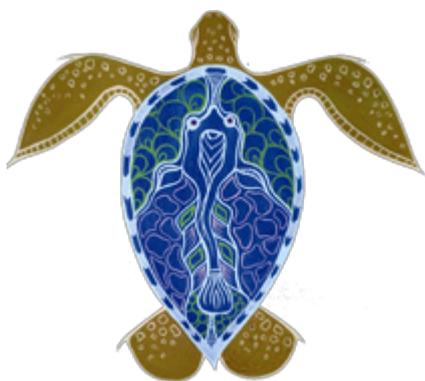
Artist: Colleen Wall



The story is about Law ceremony and how all the smaller groups and their local laws come together with the larger group to have law ceremony that governs country as a whole. The edge piece is the connectedness of our Law. The Sun images depict Sacred Law places relating to our Father the Sun and his responsibility in nurturing the Land/Country or Earth our Mother. Thus Law has vital energy.

Dugong and Turtle

Artist: Eddie Nona



I'm from Badu Island, my birthplace is Thursday Island in the Torres Strait. My language group is called kala-lagau-ya from the western part of Torres Strait and my totems are Umai (dog) from my Mothers side and Tituhur tubu (red snake) from my fathers. I was fortunate to be adopted, it was through a cultural exercise that was called Ilan adoption. Both my birth parents and adopted parents are from Badu Island. My adopted family was living on Thursday Island, so because of this I was fortunate enough to complete my schooling, as the only high school in the Torres Straits was situated on Thursday Island.

Growing up I travelled between Thursday Island and Badu Island and I learnt from a young age the importance of the sea to my people. I always had a fascination with the ocean and started diving at an early age. Over the years I have worked diving throughout the colourful, yet treacherous waters of the Torres Strait. No matter where I am I always hold the sea and its underwater world close to my heart.



The colours that I use in my paintings are a reflection of how I feel about life beneath the sea and all its wonderful marine life that it engulfs in it. I am not particular about the accuracy of the colours in relation to reality, but more so how the animals and plants make me feel. It is no concern to me as to the actual beauty of an object, because my love and connection to the ocean out weighs all else, so I paint it as I feel it.

Personally I can think of nothing better than the feeling of rippling water and the strength of the tide rushing over my body. Even though I am now living in the city, I still know that any time I want the memories to come rushing back, I simply close my eyes and I can feel and see everything that is so important to me. It is for this reason that I hope to capture my Dreams through painting, so that others can have a taste of my Island Home.





Our Vision for Reconciliation

The Bar Association of Queensland is committed to working towards improving Aboriginal and Torres Strait Islander peoples' social, justice and economic disparities within Australia. We are aware Aboriginal and Torres Strait Islander peoples are under-represented as practising at the Bar in Queensland, which we are committed to changing. The Bar Association of Queensland has a responsibility to ensure that Aboriginal and Torres Strait Islanders have the same access to a career at the Bar in Queensland as all Australians.

Our vision for reconciliation is of increased mutual respect and appreciation of the unique position Australia's First Peoples hold within our nation as the Traditional Custodians of land, knowledge and law. We focus on achieving valuable opportunities for Aboriginal and Torres Strait Islander peoples created through stronger partnerships and access to justice.

Our Business



The Bar Association of Queensland was established in 1903 as the professional body representing the interests of its members practising as barristers in Queensland. The Bar has played a vital role in the administration of justice and in the functioning of the legal profession in Queensland and elsewhere. Our members provide specialist services as advocates before Courts and Tribunals and legal advice to their clients.

The Association's focus is on the appropriate administration of justice and promotion of the rule of law: its primary goals are promoting the rule of law and maintaining the high ethical standards of the Bar. Since July 2004, the Association has assumed important regulatory responsibilities under the *Legal Profession Act 2007* (Qld) and issues practising certificates for local legal practitioners who wish to practise as a barrister.

Membership is available to all barristers practising in Queensland, to interstate barristers and to others associated with the legal profession. The Association provides a comprehensive range of member benefits and services, including regular continuing professional development (CPD) seminars, conferences, mentoring through our pupillage system, and on-going professional advice and assistance.

The Association and its members regularly comment, and make submissions, on important law reform and policy initiatives of both the Commonwealth and Queensland Governments.

Barristers are lawyers who specialise in providing legal advice and advocacy for their clients. There are currently 1384 barristers with Queensland practising certificates. Of these, more than 900 are self-employed at the private Bar. These barristers work either from organised chamber groups or from individual offices.

Employed barristers who are members of the Association may work for a government department, in private industry, or for public service organisations such as the Aboriginal and Torres Strait Islander Legal Service. They may work as Crown Prosecutors for the Office of the Director of Public Prosecutions, or as Public Defenders with Legal Aid Queensland.

There are currently 11 Aboriginal and Torres Strait Islander barristers practising in Queensland, of whom 8 are in private practice and 3 are employed.

Although most Queensland barristers are based in Brisbane, a growing number of practitioners are based in regional Queensland to service the needs of people outside the State's capital. Important regional Bars include Southport, Ipswich, Toowoomba, Maroochydore, Rockhampton, Mackay, Townsville and Cairns. Our members also practise in other States and in international jurisdictions.

The Association may, at times, address issues of policy and law reform that are relevant nationally, although its predominant focus is State-based.



Our RAP

The Bar Association of Queensland recognises the unique position Aboriginal and Torres Strait Islander peoples have in Australian society as Traditional Custodians of land, knowledge and law. We also understand Australia's First Peoples continue to encounter social and economic disadvantage within the Australian community.

In 2007, the Association hosted the National Indigenous Legal Conference. The conference brought together Aboriginal and Torres Strait Islander students and lawyers from across Australia to examine topics critical to their studies and practice.

In 2009, the Association established the Mullenjaiwakka Trust. The Trust had its genesis in 2004 with a proposal of the then President of the Association, Glenn Martin SC (now Martin J of the Supreme Court of Queensland). The purpose of the Trust is to provide Australians of Aboriginal and Torres Strait Islander ancestry with financial assistance to progress to and remain in practice at the Queensland Bar.



The naming of the Trust in honour of Mullenjaiwakka is an acknowledgement by the Queensland Bar of his work and example in furthering opportunities for Aboriginal and Torres Strait Islander people. Mullenjaiwakka, formerly known as Lloyd McDermott, was the first Aboriginal Australian to be admitted as a barrister. The Patron of the Trust is the Honourable Paul de Jersey AC, Chief Justice of Queensland.

In 2011, the Association established the Indigenous Students Mentoring Scheme. The scheme pairs Aboriginal and Torres Strait Islander students with two mentors – one from the Judiciary and one from the Bar.

The mentoring scheme provides Aboriginal and Torres Strait Islander law students with:

- experience in the practice of the law from the perspectives of barristers and judges;
- general guidance and advice concerning a possible career in the law;
- encouragement to complete their education and to achieve personal goals; and
- confidence in their abilities and in dealing with experiences and people outside their usual circles.

In 2013, the Bar Council established the Indigenous Barristers Committee in recognition of the Association's strong commitment to improving access to justice for Aboriginal and Torres Strait Islander peoples and to ensure that Aboriginal and Torres Strait Islanders are encouraged to pursue a career as a barrister.

The responsibilities of the Indigenous Barristers Committee include further advancing the development and implementation of the Association's RAP. Our RAP was developed with the guidance of the Indigenous Barristers Committee and provides a strong foundation for the Association's commitment to achieving reconciliation.



In April 2014, the Bar Council voted unanimously to approve the RAP.

The Association believes this RAP will produce an implementation guide and deliver protocols that are important for the Association's development.

The Association recognises that it plays a key role in promoting access to justice for Aboriginal and Torres Strait Islander peoples and increasing the number of Aboriginal and Torres Strait Islander barristers in Queensland.

This RAP has been developed to provide the Association's members with a greater understanding of issues relating to Aboriginal and Torres Strait Islanders.

• **RAP Working Group**

The RAP Working Group, a committee of Bar Council, comprises the President as the RAP Champion, Chief Executive Robyn Martin, and the Indigenous Barristers Committee (two of whom are Aboriginal):

Ken Barlow QC (Chair)

Dan O'Gorman SC

John Fraser

Nathan Jarro

Joshua Creamer





Relationships

The Bar Association of Queensland (BAQ) recognises the importance of maintaining strong relationships with Aboriginal and Torres Strait Islander peoples and communities to ensure that equity and stronger partnerships are achieved.

Action	Responsibility	Timeline	Deliverable
1.1 BAQ RAP Working Group actively monitors RAP development, including implementation of actions, tracking progress and reporting.	President Chair of Indigenous Barristers Committee	May 2014 May 2015 and 2016	<ul style="list-style-type: none"> • RAP Working Group oversees the development, endorsement and launch of the RAP. • Meet at least four times per year to monitor and report on RAP implementation.
1.2 Celebrate National Reconciliation Week and provide opportunities for Aboriginal and Torres Strait Islander and other members to build relationships.	President Chair of Indigenous Barristers Committee	27 May–3 June, 2014, 2015 and 2016	<ul style="list-style-type: none"> • Participate in a National Reconciliation Week event, or organise an internal event each year.
1.3 Identify and establish working partnerships to strengthen existing relationships with key Aboriginal and Torres Strait Islander stakeholders in legal and other organisations.	President Chair of Indigenous Barristers Committee Chief Executive	Jan 2015 May 2015 and 2016 June 2014 May 2015 and 2016	<ul style="list-style-type: none"> • Establish a list and maintain a database of key Aboriginal and Torres Strait Islander stakeholders in legal organisations. • Organise bi-annual meetings with key Aboriginal and Torres Strait Islander stakeholders in legal organisations. • Investigate and become a member of the Legal Profession Reconciliation Network (Legal RING) to assist in collaborating on reconciliation initiatives. • Liaise at least biannually with the Queensland Law Society to ensure that, where issues of commonality exist, there is consideration of collaboration between BAQ and the Society.



Action	Responsibility	Timeline	Deliverable
		<p>May 2015 and 2016</p> <p>June 2014</p>	<ul style="list-style-type: none"> • Consult and collaborate with the Indigenous Lawyers Association of Queensland as and when required, on issues relating to Aboriginal and Torres Strait Islander lawyers and law students in Queensland. • Promote and support the World Indigenous Legal Conference by providing scholarships to Aboriginal and Torres Strait Islander students who wish to attend the conference and by nominating two members of BAQ to participate in the planning and running of the Conference.
<p>1.4 Raise awareness of the RAP among BAQ members and employees.</p>	<p>President</p> <p>Chair of Indigenous Barristers Committee</p>	<p>June 2014 and 2015</p> <p>June 2014 and 2015</p> <p>June 2014</p>	<ul style="list-style-type: none"> • Present and promote RAP to all members and employees to ensure that they gain a greater understanding of how they can contribute to reconciliation. • Provide each member and employee with an electronic copy of the RAP. • Publish the RAP on BAQ's website.



Respect

The Bar Association of Queensland believes it is important for members and employees to develop and maintain knowledge, awareness and respect for Aboriginal and Torres Strait Islander peoples, their cultures, land and histories. We acknowledge that it is only through mutual respect and understanding that we will be able to achieve reconciliation.

Action	Responsibility	Timeline	Deliverable
2.1 Provide cultural awareness training and development for BAQ members and employees to increase their understanding and appreciation of Aboriginal and Torres Strait Islander peoples, cultures, histories and achievements.	President	May 2014 and 2015	<ul style="list-style-type: none"> • Host a seminar for members presented by Dr Diana Eades, Adjunct Professor, University of New England, on cross-cultural communication and the law.
	Chair of Indigenous Barristers Committee		
	Chief Executive	May 2015 and 2016	<ul style="list-style-type: none"> • Deliver one seminar per year to members relating to Aboriginal and Torres Strait Islander legal issues, through the continuing professional development program.
		May 2015 and 2016	<ul style="list-style-type: none"> • Deliver a biannual seminar on cultural issues and working with Aboriginal and Torres Strait Islander clients and witnesses for presentation at each Bar Practice Course.
		May 2015	<ul style="list-style-type: none"> • Investigate and provide the opportunity for BAQ members and employees to participate in Aboriginal and Torres Strait Islander cultural immersion such as Garma, Laura festival, Mirrabooka and Jellurgan Aboriginal Cultural tours.



Action	Responsibility	Timeline	Deliverable
<p>2.2 BAQ will engage members and employees in understanding the protocols around Acknowledgement of Country and Welcome to Country ceremonies to ensure there is shared meaning behind the ceremonies</p>	<p>Chief Executive</p>	<p>Nov 2014</p> <p>June 2014</p> <p>Sept 2014</p>	<ul style="list-style-type: none"> Develop, implement and communicate to members a cultural protocol document for the Association. Identify at least two significant events for which a Welcome to Country from a Traditional Custodian will be included. Ensure an Acknowledgment of Country statement is published on the home page of BAQ website.
<p>2.3 Celebrate NAIDOC Week and provide opportunities for BAQ Aboriginal and Torres Strait Islander members and employees to engage with their culture and community through NAIDOC Week events.</p>	<p>President</p> <p>Chair of Indigenous Barristers Committee</p> <p>Chief Executive</p>	<p>1st Sunday to 2nd Sunday of July 2014 and 2015</p>	<ul style="list-style-type: none"> Review HR policies and procedures to ensure there are no barriers to members and employees participating in NAIDOC Week. Participate in a local NAIDOC Week event, or organise an internal event. Provide opportunities for Aboriginal and Torres Strait Islander members and employees to participate in local NAIDOC Week events.



Opportunities

BAQ understands it is important to increase Aboriginal and Torres Strait Islander supplier diversity, employment and members practising at the Bar in Queensland. We endeavour to ensure these opportunities are achieved through continuing to support opportunities for Aboriginal and Torres Strait Islander peoples in the most appropriate way with our core business activities such as education and access to justice.

Action	Responsibility	Timeline	Deliverable
3.1 Investigate opportunities to increase Aboriginal and Torres Strait Islander employment opportunities within the Bar Association of Queensland.	Chief Executive	Nov 2014	<ul style="list-style-type: none"> • Scope and develop a business case for Aboriginal and Torres Strait Islander membership and employment within the Bar Association of Queensland
		Feb 2015	<ul style="list-style-type: none"> • Review HR procedures and policies to ensure barriers to Aboriginal and Torres Strait Islander members and employees are able to be addressed
		Nov 2014	<ul style="list-style-type: none"> • Engage with existing Aboriginal and Torres Strait Islander members and employees to consult on employment strategies, including professional development
		May 2015	<ul style="list-style-type: none"> • Advertise all vacancies in Aboriginal and Torres Strait Islander media.
3.2 The Bar Association of Queensland to investigate increasing Aboriginal and Torres Strait Islander supplier diversity opportunities.	Chief Executive	Nov 2014	<ul style="list-style-type: none"> • Investigate and develop a business case for engaging with Aboriginal and Torres Strait Islander suppliers through Supply Nation.
		May 2015	<ul style="list-style-type: none"> • Review procurement policies so barriers to Aboriginal and Torres Strait Islander businesses are able to be addressed.



Action	Responsibility	Timeline	Deliverable
		<p>Nov 2014 and 2015</p> <p>May 2015</p>	<ul style="list-style-type: none"> Promote business opportunities available through the South East Queensland Indigenous Chamber of Commerce and other Aboriginal and Torres Strait Islander Chambers of Commerce across Queensland. Review and reform procurement strategy, policy and processes so that supplier diversity principles can be incorporated into the Association's procurement strategy.
<p>3.3 Continue to promote and maintain the Indigenous Student Mentoring Scheme to reduce Aboriginal and Torres Strait Islander peoples' disadvantage in tertiary education.</p>	<p>Chair of Indigenous Barristers Committee</p>	<p>Nov 2014 and 2015</p>	<ul style="list-style-type: none"> Liaise with university law faculties and meet with Aboriginal and Torres Strait Islander law students to promote the program. Scope and develop a business case for BAQ to host an annual event to provide professional industry knowledge, guidance and support to Aboriginal and Torres Strait Islander students seeking a career in law.
<p>3.4 Continue to promote and maintain the Mullenjaiwakka Trust to assist in providing Aboriginal and Torres Strait Islander peoples with financial assistance to progress to and remain in practice at the Queensland Bar.</p>	<p>Chair of Indigenous Barristers Committee</p>	<p>Nov 2014</p> <p>Nov 2014 and 2015</p> <p>Nov 2014 and 2015</p>	<ul style="list-style-type: none"> Meet with Aboriginal and Torres Strait Islander law students and legal practitioners to promote the Mullenjaiwakka Trust and inform them of financial support available. Host an annual event to promote and raise funds for the Mullenjaiwakka Trust. Promote the Mullenjaiwakka Trust through an annual communication to members, including by seeking donations with annual practising fees.



Action	Responsibility	Timeline	Deliverable
3.5 Promote and assist Aboriginal and Torres Strait Islander readers and barristers in conjunction with the Queensland Law Society and other legal stakeholders.	Chair of Indigenous Barristers Committee Chief Executive	May 2015	<ul style="list-style-type: none"> • Scope, develop and promote an Indigenous Equal Opportunity Briefing Policy, the purpose of which will be to assist Aboriginal and Torres Strait Islander peoples who practise at the Bar in Queensland, by encouraging solicitors to adopt an equitable briefing practice.
3.6 Encourage BAQ members to undertake pro bono legal advice and representation for Aboriginal and Torres Strait Islander clients to ensure there is improved access to justice.	President Chief Executive	Nov 2014 and 2015	<ul style="list-style-type: none"> • Advise members of the importance of providing pro bono legal advice and representation for Aboriginal and Torres Strait Islander clients through services such as the Queensland Public Interest Law Clearing House and the Aboriginal and Torres Strait Islander Legal Service.

Tracking Progress & Reporting

4.1 Report achievements, challenges and matters learned to Reconciliation Australia for inclusion in the Annual Impact Measurement Report.	President Chair of Indigenous Barristers Committee Chief Executive	Before 30 Sept 2015 and 2016	<ul style="list-style-type: none"> • Complete and submit the RAP Impact Measurement Questionnaire to Reconciliation Australia annually.
4.2 BAQ will consult with the Australian Bar Association, the Queensland Law Society and the Law Council of Australia to ensure actions and targets in the RAP are achieved.	Chief Executive	Nov 2014 and 2015 Nov 2014 and 2015	<ul style="list-style-type: none"> • Meet at least once a year with the Queensland Law Society to review and improve a shared commitment to reconciliation. • Meet at least once a year with the Australian Bar Association and the Law Council of Australia to ensure that, where consistency demands, there is a strong national focus on reaching reconciliation commitments.
4.3 Review, update and refresh the BAQ RAP.	Chair of Indigenous Barristers Committee	Mar 2016	<ul style="list-style-type: none"> • To review, update and refresh the Association's RAP based on learnings, achievements and challenges from previous RAP and send to Reconciliation Australia for review.



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OF QUEENSLAND**

USEFUL LINKS

- Reconciliation Australia:** <http://www.reconciliation.org.au/>
- Indigenous Governance Tool Kit:** <http://governance.reconciliation.org.au/>
- Share Our Pride:** <http://www.shareourpride.org.au/>
- Reconciliation Queensland Incorporated:** <http://www.rqi.org.au>
- Bar Association of Queensland:** <http://www.qldbar.asn.au>

Bar Association of Queensland RAP Contact Details

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