

The Callover

Guest | Ann-Maree David

Host | Georgia Athanasellis



Georgia Athanasellis:

Welcome to The Callover. A Queensland Law Society podcast that hopes to inspire a future of connected, capable and healthy lawyers.

Welcome to Country

I'm Georgia Athanasellis, and in this episode I speak with Ann-Maree David.

It's hard to know how to introduce Ann-Maree.

She's been working in the law for nearly 40 years across public and corporate sector positions and in private practice. She was a founding director of the Australian Gender of Equality Council, a recipient of the Agnes McQueeney Award for Outstanding Professional and Community Contribution as a lawyer, and is currently an executive director at the College of Law.

On this episode, we discuss what the legal profession looks like in 2022, and how that has changed over the last 40 years. What makes a good lawyer? How to cultivate a long and fulfilling career; and what to do to tackle that niggling imposter syndrome?

Ann-Maree, thank you so much for joining me today.

Ann-Maree David:

Thank you, Georgia. It's a privilege to be here with you.

Georgia:

Before we get into the big issues that we're going to discuss today, can you paint me a picture of what the legal profession looked like when you started your career, and whether it was a welcoming place.

Ann-Maree:

As you suggested in the intro, I've been around for a very long time. I started in law well before I was ever intending to be a lawyer. I started with the Department of Justice and it will be my 39th anniversary next week since entering this amazing profession in one way or another. Back then I was in the public service. I was in the Department of Justice. It was a very different environment in the sense that - primarily male in the legal echelons.

There were a couple of women I remember in management roles, but certainly more women coming through as clerks, as newly admitted ,or wanting to be admitted, lawyers, but certainly a very different environment from what we have now in terms of the makeup of the profession, it sort of started to grow.

I know that we've been looking at the profile of the profession. I think we've got now five iterations of the profile of the national profession and the numbers of women coming through have just kept growing all these years to the point now where women outnumber men in the profession.

We are still very conservative, I think, and I think when you look at the profession, you tend to think 'practicing profession'. But of course, law is so much broader than private practice. So while we might want to suggest that not much has changed in the law because law firms still exist, structures, partnerships still exist - there's a lot of opportunity now, more opportunity than we ever thought of 40 years ago in terms of how we can be lawyers, whether that's a practicing lawyer or someone who's not practicing as such. There are many ways to be a lawyer, and so I'm very excited, I was excited to join the profession 40 years ago, and I'm even more excited now because I can see the opportunities just keep coming.

Georgia:

As women enter the profession in greater numbers, so to do people of all kinds of backgrounds. Why is it so important to have a diverse profession, and to make sure that the legal profession is welcoming for everyone?

Ann-Maree:

Well, I think if you think about the legal profession as a service provider, we have to ask the clients – are we delivering what they need? And if we don't look like our clients and we don't understand our clients who of course are a very diverse population, then how can we possibly meet their needs? So I'm very, very keen, I'm a strong advocate for diversity within the profession because I think the more life experience and life exposure we bring as lawyers to our practice, the better we are at lawyering. And of course, the more diverse our life experience and our profile, the better the profession can be.

Georgia:

So what are the biggest changes you've witnessed over the course of your career, in terms of the way law is practiced?

Ann-Maree:

Well, yes. I've suggested that we are all practicing differently. I've got with me - for those who can't see on a podcast - I'm holding a book called 'A Woman's Place: 100 Years of Queensland Women Lawyers'. It was a fabulous book published by the Supreme Court Library back in 2005, in the year we celebrated 100 years of women being admitted as lawyers in Queensland. And it's a fabulous book. If you can get a hold of a copy - it's out of print now, The Supreme Court Library has copies - you can see the fabulous careers of women who were profiled and I've forgotten how many were profiled, and would suggest more than 20. But certainly of all of those, only one lawyer was profiled who didn't practice, who didn't ever practice law as such as a private practitioner, that person went on to have a stellar career in law. It was, in fact, a woman we now know as Dame Quentin Bryce, who's done everything, as well as a career in law, and is still working in law.

So I think in terms of practicing law, let's open our eyes to what is available. The national profile of the profession, the latest one being from 2020, tells us that the numbers of lawyers practicing, so they are holding practicing certificates in corporate and government law, is growing, absolutely growing.

But of course, still, we're silent in our thinking about practicing lawyers - where all those other people who've done law degrees, most of whom go on to be admitted? Where are they taking their craft? And we know there are many entrepreneurs. We know there are people who are combining fabulous legal careers, science, technology, engineering, you name it. You can be a lawyer in any field. And of course, we always then laugh about those who go on to be comedians and actors and politicians even. There is no there is no hurdle to anyone with a law degree. You can be the lawyer you want to

be. And I want to suggest to you, Georgia, that let's allow people, let's encourage people to explore what the practice of law can look like for them.

If Dame Quentin Bryce can tell us that she can be an advocate for change in the many positions she's had throughout her stellar career, why are we stopping ourselves from thinking – “what more can I bring? What more can I do?”. That's how we're changing as a profession.

Georgia:

Yes. And with that in mind, what do you think makes a good lawyer these days if there can be so many kinds of lawyers? What's the thing that unites us all?

Ann-Maree:

I think the fact that we are disciplined enough to acquire a qualification in law, so you do need that discipline, it's an intellectual discipline, but it's also a discipline of self. Because we are a service profession, we are here to help others.

And so I think when I think of the profession and I think of the rule of law, and I think that...that's really what binds us together. Yes, there are lawyers are in it, in it to make money or, you know, for other ventures and that's their business.

But as a profession, we are here to serve the public and to serve the greater good. And I think that is what binds us together. That is what our profession is.

Georgia:

And it sounds like that hasn't changed over time that - in the sense that if that was the quality of the profession when you entered it, it's still the quality of the profession now.

Ann-Maree:

I think that's what drives most of us at our core. I know a lot of members of the profession, many who have mentored me, either directly or indirectly throughout my lifetime as a lawyer would say, the profession is too big now. We've lost our sense of professionalism because we don't know each other. Back in the day when fabulous lawyers like Gerry Murphy were practicing law and in fact was a junior lawyer, they knew one another.

You literally, as he would tell me, could pick up a telephone and have a conversation with someone. And if something was going wrong, you could pick up the phone and say, “Well, let's talk about this”. That's a lot easier to do when you know the other person on the other end.

Whereas now when we don't know one another, the profession is national, is international. We're dealing at speed with people we don't know. It's very difficult to have that sense of camaraderie. Just because I'm a lawyer, it doesn't mean I'm going to trust you. I need to know you first. And so I think a lot of lawyers suggest that we've lost our sense of professionalism because we don't know one another. Yes, we've lost, we may have lost a sense of professionalism because we haven't learned yet how to build trust at speed and at a scale never, ever experienced by humankind before.

Georgia:

One quality, I think that everyone accepts that lawyers need is resilience. It's a word that gets tossed around a lot. What do you think it means and how do we cultivate it within ourselves?

Ann-Maree:

Georgia, I think it's one of the most important concepts that we're dealing with as a profession, and I consider it a red flag word for the profession. We cannot ignore the fact that we need to focus on the resilience of the profession individually, but also as a group, as a community. And I want to take you so recently as October 2021, when the Royal Commission into Management of Police Informants in Victoria asked the Law Institute of Victoria to assess the ethical health and wellbeing support for members. That goes to the sense of how lawyers are coping and when they're not coping what behaviour they are exhibiting. And I mentioned the word ethical there. The concern is that if we are not resilient, if we are not a well profession, are we actually practicing as we should be, or are we going down paths that we shouldn't be in terms of ethical behaviour? Now, I think resilience has been a huge issue for a very long time and certainly as the profession has grown, as the speed of practice has increased and as the stresses and strains of commercial practice have become, in every sense, become overwhelming for firms as well as for individuals. I think we haven't had the wherewithal to stop and say right, how we coping as a profession, and certainly as individuals, we're too frightened to put our hand up to say I'm not coping.

So in that sense, we all understand now there was a movement called a 'Wellbeing in Law' movement, and we're becoming more accustomed to people honestly putting their hands up and saying, "no, I'm not coping and I cannot continue working this way".

And I think it's really telling for a Royal Commission of Inquiry to ask that question of a membership association, what resources are available and do your members understand that they can avail themselves of those resources if they feel their resilience is at stake, if they are not coping, if they are feeling overwhelmed?

So I think, it is important for all of us to take a step back. Certainly, leaders of the profession need to be outspoken in this respect. They need to be saying without our resilience, without building our own wellness, we cannot continue to practice law as we are meant to do. So, The Law Council of Australia commissioned a report some years ago now, called the NAS Report. The NAS Report is the National Attrition and Retention Report commissioned because they were looking at why so many members of the profession were leaving.

And at some point I remember I used it when I was studying for my Master of Education degree. There was a stat that came out that at the five year point you saw a mass exodus of young lawyers from the profession.

The reasons that that NAS report brought to the fore for people leaving the profession are the exact same reasons that people are saying now. The new lawyers of the profession are saying, "I won't work the way you want me to work because I can't".

Those reasons were they wanted better work life balance. They wanted to reduce the stress and pressure they were under, and they wanted more flexibility to manage their work and private responsibilities. Now when you think about that, if Georgia, you're a young leader, you're one of the future leaders of the Queensland Law Society and your committee. You tell me, I know anecdotally that your generation of lawyers are telling me, "I want law, but not at any cost. I want to practice law. I love law. I want to be a lawyer, but I'm not going to kill myself in the process. I don't have the same goals", so the same carrots that used to be waved in front of us don't carry any weight anymore. And you know, you can name those if you like that used to be partnership - it used to be a one linear career from law school into a large firm partnership directorship, and that was all the glory. Whereas now lawyers are saying, "I understand that my health and well-being is as important to me as my professionalism, and I want a stellar career. And that means more to me than just one linear path or working myself into an early grave".

So, you know, I think if that...does that help?

Georgia:

It does. In terms of the informal and the formal supports that people can look to if they are struggling. Can you explain to me what is available to young lawyers and all lawyers really?

Ann-Maree:

Absolutely. I think one of the things I've cherished about the profession has been a sense of community. Now I've mentioned one of my favourite lawyers of all time, Gerry Murphy, a Queensland leader for many, many years and in fact, a national leader of our profession. And he mentioned to me that, you know, gone are the days when you could pick up the phone and know who was on the other end. Well, okay. Yes, we are a much bigger profession, but that doesn't stop us building community.

And I think building community is the saving grace of us all, because if we know we have a community who has our back, we have a community who understands how we practice and how we think as lawyers and what our needs and wants and aspirations are, that community built of lawyers for lawyers - I think that is what we need. That is the support we need and we need to know that we can be honest with one another. Yes, we are a competitive bunch and yes we can, we can all vie for the riches and the fortunes of a great legal career.

But at the core is our sense of professionalism, and we should all be there for one another. So places like the Queensland Law Society, all the membership associations are very good at this. They build community and we just have to encourage all lawyers, not just new lawyers, but all existing lawyers, and even those lawyers who've retired - come back, be part of the community, keep giving because we all want a sense of, you know, contribution. And I think if we can imagine ourselves as members of that legal community, whether it be small, whether it be on a state scale, whether it be in an interest area. I've always been a member of a legal community of one type or another. The Women Lawyers Association, other interest groups. It's really...there are so many options available now to get the support you need and you will find like-minded lawyers wherever you go.

So we've been talking, I know even before this interview today about how we bring different interests law. So there's now something called 'The Lawchestra', where lawyers who are actually also musicians are coming together as a community and they are thriving! And the beautiful thing about that is they thrive in that space. And then with that enthusiasm, they bring so much more to their practice of law. There is a book club for lawyers. There are sporting clubs for lawyers.

I remember the Rosengren family, a name well known in this profession, were running swim meets for lawyers in the Nineties. You know, this isn't new. So and the District Law Association in Queensland a fabulous examples the Gold Coast, the Sunshine Coast, Far North Queensland.

They are bringing their members together because they know more than anything, we need to be in a community. So your first, I think avenue of support, is to look around you within your firm and if not within your firm, within your community, you've also got the people you went to law school with. And I'm hoping that you've made those connections there. So do look for that sense of community, it is there. And I know that the leaders of our communities are very keen to bring more people in.

And the other obvious avenue is mentoring. Now there are formal mentoring programs around, but there are also a lot of lawyers who very happily will meet with someone, on the off chance that they're available for a coffee. I've, you know, I've had many people and many of my colleagues do get calls or contacts on LinkedIn to say, "I've been watching your career and I'd really love to know how you got from A to B. Would you give me half an hour and a cup of coffee and chat with me?" Now that's a very informal mentoring, but the relationships that build from those one off meetings or those connections can be life and career changing.

So if you're looking for support, don't ever feel alone. You're in one of the biggest professions in the country. Look to your left. Look to your right. Ask questions. There will be people in your firm who may or may not have time to be a mentor, but I'm sure they'll have time for a corridor conversation.

You don't know what will grow from that. Certainly, take advantage of all the mentoring opportunities available. Women lawyers again, the various communities around Queensland, various legal communities have mentoring schemes and again in those specific interest areas as well.

But yes, I would suggest there is always all manner of support. And of course, we could talk about sponsors if you're wanting to, you know, take your career places, we can talk about coaching. They are all things that are fairly new to the profession, but they are avenues that have been used in other professions for years to help people progress through the profession. And I don't think we should shy away from any of those opportunities.

Georgia:

No, there seems to be a plethora of options. And I think what you were saying before about even just cold calling or cold LinkedIn messaging, if you can call it that, someone who you admire and them taking the time like yourself to meet with you probably does demonstrate that it is a welcoming profession overall. But it is intimidating for a young law student or lawyer to say, "Ann-Maree, I'd like to have coffee". Practically speaking, how should a young lawyer go about reaching out to you, or to anyone?

Ann-Maree:

Isn't it funny? We think that all lawyers are extroverted, and of course we're not. Many of us are introverts. Even those of us who have profiles, you know...you know, on social media, most of us are really introverted.

I think there are studies out of the US that suggests there's about 60% of the profession over there who are actually introverted. So yes, it can be quite daunting. But in among those crowds of lawyers, you will find people I like to call 'connectors'.

I'm an introvert. I'm also a connector. So if I find someone who would like to meet someone else, I'm very happy to make that connection for them. And so many times someone will say, "Ann-Maree, I'd like to know about a career in X, Y Z", and I have no idea, but I can find someone for you and I can connect you. And that's usually just an email and an electronic introduction, if not a joint coffee, and I love doing that. And I encourage members of the profession who've been around a long time to start thinking, "What can I do to bring the profession through? What can I do to help them step up the ladder", or climb the jungle gym, as I prefer to call it, to help them get to the next rung that they're aspiring to? So if you're shy, look for a connector, look for someone.

I mean, who wants to go to networking functions when you when you're an introvert? Nobody! But you'll know someone. You'll...in your network, and you might have a network of six people. Someone will know someone who can connect you.

I know when I first started practicing, we'd have, there were six of us who came to uni together and we'd ring one another for help. And then someone would say, "I've got a client who needs this" and someone else would say, "Ah, I can help you with that", that these organic communities just grow these organic Networks and we've all helped one another, we've been doing that, for shy on 30 years. So yeah, you will find the support you need. You might need to be brave and ask the question. And it's a lot easier to do via email or on LinkedIn than picking up a phone or stalking someone in a cafe? So give it a go.

Georgia:

Yes, perhaps don't stalk people in cafes. That sort of leads into the next thing that I wanted to discuss, which is that so many lawyers and grads have that awful feeling of not belonging, and of feeling like an imposter in to the networking events that they walk into, or their first day in a clerkship, or all of that. What advice would you give to young lawyers about combating that imposter syndrome?

Ann-Maree:

First of all, Georgia, I want to say it's absolutely normal. And if I want to, if I want to site some stats again, I think it's probably right up there with introversion. Most of us wonder how we got here. And I'm talking about medal winners, university medal winners, those students who got the perfect OP or ATAR score to get into law school. And they think, "Well, I'm not sure how I got here and now I'm here, and everyone else has exactly the same score. I'm clearly not as good as them". Impostor syndrome starts really, really early. Probably well before we even think about law as a an academic pursuit.

And, of course, that it stays with us. I like to think of it as that voice in my head that reminds me, or tries to keep me down at heel. And the neuroscience tells us that it's quite normal.

It's actually our brain, is trying to protect ourselves. So before you fall by embarrassing yourself or making a fool of yourself or, you know, holding out, you know that you can do something when you

really can't, your brain says, "No hold on a minute. You're not that good. Don't go there. Don't go that step. Don't put your hand up. Don't even think you can go for that interview or have a career down that pathway. You're just not that good". Now that's the impostor syndrome.

It's a voice inside our head. It's completely normal. We can try to put it in the corner and say, "I'm going to be brave, I'm going to be resilient. I'm going to say, no, I actually have a different opinion".

I have great respect for a psychologist called Susan David. I wish we were related, we've only got the same surname, but she's done some beautiful work around the imposter syndrome and self-compassion. And so when she hears the word "I'm a fake", she would prefer to say to have our self say to us "Okay, I'm going to express some self-compassion. The voice in my head tells me "I'm a fake", in fact, all of this is just new to me. I'm not a fake. I just haven't experienced this before", she says. When my voice in my head says, "I'm not smart enough for this job", my voice of self-compassion should say to me "I made a mistake, and I'm still learning". Now remember, we may leave law school with a law degree and we may have license to practice, but no profession, including the legal profession, would ever suggest that we stop learning at that point. We are here for the long run, we are lifelong learners. Society is evolving, and so is the practice of law that serves that society. So yes, we will all make mistakes because the law and the life we lead are evolving.

So stop being hard on yourselves. Exercise some self-compassion and say "Yes, I thought I knew what I was doing. I may need to do some research. I may need to reach out for some help". That's okay, because no one's perfect perfectionism doesn't exist. Stop trying to aspire to 100%, when 85% will get you a high distinction. You know, let's...let's think about it in those terms. And I...I value the fact that you said to me, Georgia, "I don't belong here", how many of us have said that "I've somehow got into a law firm. I've gone into a golden tower down the riverside. I don't belong here". I want all of those people to say I haven't yet established a community here, and that takes us back to that sense of...that need to reach out.

You're not here to do it alone, and in fact, the very best lawyers don't work in silos. They work in a connected sense. They connect with a network of people, lawyers and allied professionals and people from other disciplines, because the end game is always to serve the client.

It isn't for me to look the best or to sound the best. My role here as a lawyer is to serve. And if we get that right, then everything else falls into place. We all belong here. We just need to work collaboratively and build on what we know.

Georgia:

Which leads me to my final question: If you could give your younger self one piece of advice as she became a lawyer for the first time, what would it be?

Ann-Maree:

I think it would be, "Remember what sparked the passion to pursue a law degree". Because that is what still drives me. Along the way, I forgot that, along the way I thought, "OK, I've got the law degree. I'm a cookie cutter lawyer who is expected to be here. And by this time next year, I'm expected to be there doing this work because this is what I was taught to do". I've been very lucky, Georgia, in that perhaps via happenstance, or some direction on my part, I have had a career that has allowed me to pursue my passion, which is for equality and justice for all. Through various means, not just practicing law, but via teaching, by speaking out. I've been lucky enough to travel the world to speak about issues that are near and dear to me, and that passion is still alight in me. And so I would say to myself, "Don't ever forget why you came here. And yes, you may become side-tracked and sometimes you may have...you might be in the shadows not realizing where you're going. But that will guide you, and you will have the stellar career you want on your terms. Just don't forget that".

Georgia:

Well, that's a fantastic note on which to end this interview, thank you so much for joining me. You've given us all so much to think about, and so much confidence that the law is a place where all of us can find a, somewhat unique, perhaps paths. Thank you, Ann-Maree, for joining us on this episode of the call over.

Ann-Maree:

Oh, Georgia, thank you so much. It's been a pleasure.