



WELCOME TO THE PROFESSION, HOSTED BY THE LAW INSTITUTE OF VICTORIA

The Honourable Associate Justice Mary-Jane Ierodiaconou

Wednesday, 20 March 2024¹

Introduction

I would like to begin by acknowledging the traditional custodians of the land on which we meet tonight. I offer my respects to their elders, past and present, and extend that respect to those with Aboriginal and Torres Strait Islander heritage here today.

I am delighted to be here this evening with you. Thank you to the Law Institute and Young Lawyer section for inviting me. Congratulations and welcome to the profession!

Almost 30 years ago, a nervous young woman wearing a hand-me-down suit arrived at the reception desk of a large law firm. Looking at the impeccably dressed people walking across the lobby and towards a library with glass walls and mahogany shelves, she thought, “I don’t belong here.” That feeling was only amplified when the HR manager arrived in the lobby and called out her name. “How do you know my name?” “You’re last!” “Last in what?”, she wondered. Shown into a cavernous room full of polished people, the young woman realised she was the last to arrive. She was unaware that clerks were expected to arrive before the start time. And so her first Summer clerkship got off to a rocky start. Things deteriorated when the supervising partner met her and asked, “Which school did you go to?” The young woman wondered how her school was relevant to her Summer clerkship but answered the question. Disapproval was evident. It only grew each day. Two weeks in, the young woman decided to drop out of that Summer clerkship. However, two other clerks who befriended her persuaded her to stay for the remaining fortnight. One had a great sense of humour, and the other a grounding sense of perspective. She was glad she stayed because she learnt a lot from the experience, including the type of workplace culture she never wanted to be part of and the importance of being in a workplace that fosters belonging and inclusion.



This was my first experience with a corporate law firm.

Tonight, I have been asked to share some insights with you as you begin your legal career. Reflecting on my career, there have been five themes: purpose, community and connection, continuous learning, prioritising wellbeing, and autonomy.

1. Purpose

In the award-winning book, 'The Dreaming Path', Paul Callaghan and Uncle Paul Gordon share indigenous thinking on thriving in the modern world. They write:

Our Dreaming, what we do with our life, how we walk our footsteps and how we live our story, is built from our sense of purpose. Without purpose, it is unlikely we can achieve true contentment. Many people struggle to identify their purpose ... The many different potential futures we have in front of us can make us feel like we are being pulled in myriad directions simultaneously – leading to a feeling of being stretched, exhausted, confused and anxious.

...

... our purpose is built around what:

- absorbs us;
- gives us a sense of joy;
- we are passionate about;
- gives us a sense of freedom when we think about it or do it;
- gives us something to live for;
- enables us to be at peace with ourselves; and
- captures our sense of what we must be.

Our purpose enables us to wake up and look forward to the day ahead.²

A meaningful life is belonging to and serving something you believe is bigger than the self. It is strongly



associated with positive wellbeing.³ Lawrence Krieger has conducted research in the area of wellbeing and the values and motivations of lawyers and law students. He is the Clinical Professor and Co-Director of Clinical Externships Programs at the College of Law, Florida State University. Professor Krieger's findings lead us to conclude that focusing on intrinsic goals is better for wellbeing than focusing on extrinsic goals:

People who primarily seek extrinsic goals, which include financial affluence, luxury, power or image, consistently experience decreased satisfaction and well-being compared to other groups, while those whose primary goals or values include intrinsic factors, such as self-improvement, close relationships, or social betterment, experience greater satisfaction and well-being than others.⁴

Take the time to identify your purpose. Perhaps it is the purpose you attended law school. Your purpose may change over time, or you may identify several overlapping purposes.

Like many of you, I applied for law school because I wanted to change the world, make it a better place. I was, and remain, passionate about human rights and equality of opportunity.

My second Summer clerkship was at another corporate law firm. It was a diverse and dynamic environment. I had an epiphany working on a pro bono matter for a female client who had been sexually harassed. I realised that my studies in feminist legal theory and discrimination law could be applied in employment and discrimination law practice. I studied employment and labour relations law. I went on to practise in those areas at the same firm.

2. Community and connection

Building positive relationships is vital to our well-being.

In a work context, this means building relationships in your workplace and beyond. I have benefitted over my career from having relationships across the legal profession rather than simply focusing on my

³ Martin Seligman, *Flourish* (Atria Books, Paperback 1st ed, 2013).

⁴ Lawrence Krieger, 'Psychological Insights: Why our Students and Graduates Suffer, and What We Might Do About It' (2002) 258 *Journal of the Association of Legal Writing Directors* 258, 260.



workplace. I derived great support and satisfaction from joining an organisation of women lawyers committed to addressing gender inequality. Many of those friendships endure today.

I have always rejected demarcation lines between different parts of the profession. When I started articles of clerkship, I explained to my superiors that I had begun volunteering at a community legal centre providing immigration and refugee law services. I emphasised how important this work was to me and that I wished to continue doing it. Approval was given immediately, and thus, I began a decade of working in law firms by day and working at a community legal centre by night. Later, I became the 'go-to' person at that law firm to provide advice on business visas.

Eventually, I became the pro bono coordinator at that law firm. This aligned with my purpose and values and gave me a great deal of joy. Through that work, I met many wonderful people, including people who are now judicial colleagues.

I encourage you to look beyond your individual workplaces and do what you are doing tonight: build diverse and meaningful connections across the whole profession.

The Law Institute of Victoria has a mentor program. You should think about seeking a mentor if you do not have one. From personal experience, I have benefited from mentors. They have given me perspective, encouragement and practical strategies for navigating the workplace.

3. Lifelong learning

Professor Carol Dweck identifies the importance of adopting a 'growth mindset' rather than a 'fixed mindset'. The "growth mindset is based on the belief that your basic qualities are things you can cultivate through your efforts, your strategies, and help from others. Although people may differ in every which way – in their talents and aptitudes, interests, or temperaments – everyone can change and grow through application and experience."⁵ This belief creates a passion for learning. "The passion for stretching yourself and sticking to

⁵

Dr Carol S Dweck, *Mindset* (Robinson, Revised ed, 2017), 7.



it, even (or especially) when it's not going well, is the hallmark of the growth mindset.”⁶

On the other hand, the fixed mindset, as Professor Dweck observes, is a belief that ‘your qualities are carved in stone’ and it “creates an urgency to prove yourself over and over. If you have only a certain amount of intelligence, a certain personality, and a certain moral character – well, then you’d better prove that you have a healthy dose of them. It simply wouldn’t do to look or feel deficient in these most basic characteristics ... Every situation is evaluated: Will I succeed or fail? Will I look smart or dumb? Will I be accepted or rejected? Will I feel like a winner or loser?”⁷

Our profession is an ideal one for embracing the growth mindset. Where you start your profession is unlikely to be where you end up.

Whenever my learning rate slows, or I feel stagnation may set in, I actively take steps to grow my knowledge and experience. Sometimes, this would involve ‘deep diving’ into a new piece of legislation. Other times, it has involved formal study. Adopting Professor Dweck’s insights, focusing on developing yourself is better than validating yourself.⁸ Focusing on developing yourself means that you can value what you are doing, even when faced with difficulties, whereas in a fixed mindset, everything is about the outcome, winning or losing. As Professor Dweck writes, “The growth mindset allows people to value what they are doing regardless of the outcome. They’re tackling problems, charting new courses, working on important issues.”⁹

The fear of making a mistake can stop us from stretching ourselves. A better approach is a learning one. Own up to your mistakes and learn from them. I remember being an articled clerk and my supervising partner writing in red pen on my first draft letter of demand that it was ‘all over the place, like a mad dog’s ...’. It propelled me to ask him for constructive feedback and a good precedent. I learnt from the experience. Other mistakes have been downright embarrassing. Going to Avalon Airport to board a plane chartered by

⁶ Ibid, 7.

⁷ Ibid, 6.

⁸ Ibid, 15.

⁹ Ibid, 48.



my then client ... only to find it was leaving from Essendon Airport! The relationship survived.

Seek regular, timely and informal feedback. Ask – what did I do well? What could I do better next time?

4. Prioritising wellbeing

I've never been a superhero or a 'gun' who works night and day. Being a workaholic is not a prerequisite for success. Indeed, I would query what success looks like for a workaholic. It is much better to focus on sustainable lawyering: working in a manner that is conducive to well-being so that you may have a long, healthy, and rewarding career.

I worked four days a week from the time I was a second year solicitor until my appointment to the bench. It never hampered my career. In fact, it made me extremely organised and efficient during work hours!

Exhaustion, burnout, and vicarious trauma can occur in a range of professions, including the legal profession. It is important that your workplaces put in place the right systems to prevent these issues. These issues must be systemically addressed, but that is a large topic for another day.

I will share a few tips I have found helpful for prioritising wellbeing at the individual level. When I've had a difficult day, whether it is an upsetting conversation or receiving negative feedback, I've always found it helps to speak with a trusted person in the profession. I have sought and received professional help when needed. I will give you a recent example. When I started doing work in the Institutional Liability List, which concerns allegations of child rape, I made an appointment with a psychologist to learn what I could do to minimise the risk of vicarious trauma. She taught me to identify my triggers and know when I was triggered. I also learned from her the importance of having work systems in place to minimise potential trauma.

I found that scheduling non-work activities, such as attending a spin class or going to choir rehearsal, was an easy way to set boundaries. I discouraged out-of-hours work contact. I've never been a person who says "I'm always contactable".

Beware of arbitrary deadlines. We are programmed to give an immediate response. Often that is not



required, and the better or mindful response is one that is thought through. Think of some phrases that might be useful in that regard. One I use is “I will take that on notice”. Solicitors frequently say (and quite appropriately): I will need to get instructions on that. At a law firm I worked with, the goal was to respond to all client emails within 3 hours. It was, quite sensibly, OK to just respond by acknowledging receipt of the email.

We can take many practical steps to improve our wellbeing and that of others, and I will mention just a few:

- Identify your purpose and values - ask yourself if you are working in a manner consistently with them; if not, make a plan to do so.
- Cherish and foster supportive connections within your family and friendship circles, and with work colleagues, the wider profession and the broader community.
- Think about a mentoring relationship.
- Consider a reflective practice such as mindfulness.
- Celebrate positive events – it helps to overcome our inherent negativity bias.
- Take time out to walk in nature.
- Find yourself a flow activity – a creative and meaningful pursuit in which you lose a sense of time.
- Proactively seek support from health professionals – from your general practitioner or others. If you need help, or even want to know how to help someone else but are unsure of how to have that difficult conversation, you can access the LIV confidential counselling service that is available 24/7 and is free for members.

5. Autonomy

When I was an employee solicitor, I was quite aware that my employer and I were engaged in a commercial relationship. Viewing the relationship in a transactional way helped me keep perspective and maintain



autonomy. I had no qualms about switching from an established law firm to set up a new practice.

You may feel powerless because you are at the beginning of your professional journey. I invite you to think of power differently. As Professor Deborah Gruenfeld writes:

“Power exists in every role, and in every relationship; it’s a resource that flows between people who need one another. And because relationship partners, by definition, both need one another and have something to offer, power is almost never absolute. This means that all of us – regardless of who we are, how much we stand out, or how well we fit in, and despite how we feel – have power by virtue of the roles we play in others’ lives. To use power well, we need to think about power differently. We need to accept responsibility for the power we have

The notion that we have more power than we think is probably disorienting ... It is not just personal agency, competitiveness, and a dog-eat-dog approach to social life that explains who attains the highest ranks in groups. To the contrary, research shows that across many species, individuals are rewarded with status (respect, admiration, and often more power) for using whatever strengths they have responsibly – by making themselves useful and solving group problems rather than just putting themselves first. There’s nothing wrong with having personal ambitions or wanting to protect your own position. But we can also enhance our own standing in groups by caring, authentically, about those who are less powerful than we are. This is what it means to use power well.”¹⁰

Power abuses happen. If you find yourself in a situation where you feel powerless, know that help is available. Do not suffer in silence. Speak to a mentor or trusted friend. If it is a circumstance where the conduct is unethical or unlawful conduct, know that you can obtain advice from the LIV, the Legal Services Board and other agencies such as the Victorian Equal Opportunity and Human Rights Commission.

¹⁰ Deborah Gruenfeld, *Acting with Power* (Profile Books, Paperback ed, 2021), 11-12.



Our law degrees empower us. Use your power well.

Conclusion

I will conclude with the words of Paul Callaghan and Uncle Paul Gordon:

“Each of us is sacred, each of us is special, and each of us has come into the world with a purpose. Part of that purpose is to embrace our unique sparks in collaboration with the world’s other 7.7 billion unique sparks and make a shared commitment to caring for our place, caring for all things in our place, and caring for each other. By doing this, we start a process of renewal, a process that will create improved wellness for all things.

This should be our overarching inspiration as we wake up each morning. What can you do to make this happen?”¹¹

¹¹ Callaghan and Gordon, (n 1), 188-189.