

Identity and Belonging in the Workplace

The Hon. Associate Justice Mary-Jane Ierodiconou¹

Introduction

1 I thank the Asian Australian Lawyers Association ('AALA') for inviting me to speak tonight. Let's all acknowledge the Victorian branch committee, who have worked hard to organise this evening and the launch of this year's Mentorship Program.

2 I recognise the traditional custodians of the land on which we meet. I pay my respects to their elders – past, present, and emerging – and extend that respect to those with Aboriginal and Torres Strait Islander heritage who are present here today.

3 Here is a reflection by Dr Tracy Westerman – an indigenous psychologist.

If someone says to me 'I am Greek' or 'I am Italian', I reply 'Cool.'

When I say I am Aboriginal, the consistent response is, 'Yes, but how Aboriginal are you?'

I used to say 'Just my foot is Aboriginal,' but my better answer now is, 'Every. Single. Bit.'²

4 The topic of my address tonight is 'identity and belonging in the workplace'.

5 Dr Westerman wrote in her recent book, 'Jilya': '[i]dentity is a complex and powerful construct. It can protect and insulate us from harm, but it is also dependent upon the public regard in which we are held by others.'³

6 Tonight, I invite you to reflect on the parts of your identity you cover, and whether you are doing so of your own free choice or because others demand it. It's empowering to think about this consciously because it's something many of us do instinctively.

¹ Supreme Court of Victoria.

² Tracy Westerman, *Jilya* (University of Queensland Press, 2024) 73-4.

³ Ibid 73.

Covering

7 Professor Kenji Yoshino from the New York School of Law draws upon his experiences as a gay Asian-American.⁴ He refers to ‘covering’ as downplaying a known part of one’s identity and outlines four dimensions.⁵ They are appearance, affiliation, advocacy, and association. I shall illustrate these dimensions through example.

- (a) *Appearance* – how we physically present to the world. For instance, there are stories, and even litigation, concerning African-American women being required to straighten their hair at work.
- (b) *Affiliation* – how we avoid being identified with a group. Justice Emilios Kyrrou AO, Federal Court Judge and President of the Administrative Review Tribunal, writes about the first three Hellenic Australian lawyers to be admitted to practice.⁶ They all became prominent. However, none practised under their original Hellenic name. Either they or their forebears anglicised their names. Justice Kyrrou writes:

It is a real pity that these men or their forebears felt the need to abandon their real names in order to succeed professionally. This is not a criticism of them, but an observation about the era in which they practised. It is not possible for us to say whether they would have enjoyed prominence or success if they practised under their Hellenic names.⁷

Professor Yoshino tells the story of starting at nursery school, which is pre-kindergarten. Two days in, his teacher called his parents to complain. He was teaching other kids Japanese, and the teacher told his mum that it was confusing the other kids, so he should stop. The professor writes that his parents impressed upon him that while he should be proud to be Japanese, he should keep it private.⁸ He says this was the start of a mantra in his family

⁴ Kenji Yoshino, *Covering: The Hidden Assault on our Civil Rights* (Random House Trade Paperbacks, 2007) (‘Covering’).

⁵ Ibid ix-xii; 79-91.

⁶ Justice Emilios Kyrrou, ‘What’s in a name?’ [2016] (March) *Law Institute Journal* 40 (Justice Emilios Kyrrou, Judge of the Federal Court of Australia, President of the Administrative Review Tribunal, and the Victorian patron of the Hellenic Australian Lawyers Association) (‘What’s in a name?’).

⁷ Ibid 41.

⁸ Yoshino, ‘Covering’ (n 4) 118.

home, '[b]e one hundred percent American in America, and one hundred percent Japanese in Japan.'⁹

- (c) *Advocacy* – how we avoid speaking out for a group. The idea for establishing an association like the AALA germinated in 1995. According to the AALA website, it was challenging to gain traction in forming such a group. Almost 20 years passed before the AALA began.
- (d) *Association* – how we avoid associating with a group. For instance, choosing not to join cultural or ethnic professional networks to avoid being seen as 'too ethnic' in a workplace that values assimilation.

8 Covering is not always done freely. Sometimes it is demanded explicitly or through the prevailing culture of an organisation.

9 Professor Yoshino reports that covering may harm our sense of identity and belonging.¹⁰ Sixty percent of people covering said it was very harmful to their own identity and self-perception. Most people cover.¹¹ However, some groups of people cover more than others: 83% of people identifying as lesbian, gay, or bisexual reported covering at work.¹² The late Katherine W. Phillips, Professor of Ethics and Leadership at Columbia Business School, recognised how it can be hard and risky to open up at work.¹³ At the same time, Professor Phillips recognised that playing it safe can hurt careers.¹⁴ Sometimes people underestimate the importance of building relationships in the workplace and realise that social relationships – who you know – really matters.

10 Sometimes, people fear sharing information about themselves because the other person may not have their best interests at heart or may like them less as a result. We

⁹ Ibid.

¹⁰ Ibid.

¹¹ Kenji Yoshino and Christie Smith, *Uncovering talent: A new model of inclusion* (Deloitte University: Leadership Centre for Inclusion Point of view, 6 December 2013) 11 ('Uncovering talent: A new model of inclusion').

¹² Ibid 5.

¹³ Curt Nickisch, 'Why Opening Up at Work Is Harder for Minorities', *Harvard Business Review IdeaCast* (Episode 641, Harvard Business Review, 7 August 2018) <<https://hbr.org/podcast/2018/08/why-opening-up-at-work-is-harder-for-minorities>> ('Why Opening Up at Work Is Harder for Minorities').

¹⁴ Ibid.

often make the mistake of assuming that people who look the same, think the same. Professor Phillips points out that those attitudes can sometimes be a self-fulfilling prophecy.¹⁵

11 I recognise that you may well choose to cover. That's your choice. And that's the point. It should be about your choice, rather than a demand you cover.

12 Perhaps we have covered part of our identity since childhood. Maybe that was required to survive the schoolyard or even family dynamics at that time. It's helpful to ask ourselves whether we should continue to cover that part of our identity. Regarding the names we choose, Justice Kyrou writes,

Of course, lawyers should be able to practise under a name with which they feel comfortable. However, it would be a pity if one's choice of name is influenced by negative external pressures. When a person changes their name not because they want to do so but because of a perceived need to assimilate and conform in order to have a client base that extends beyond one's own ethnic group, they risk losing part of their identity and personal history. This is particularly so for names that have a special meaning. A Greek person's surname often discloses the part of Greece they are from or the occupation or a personal characteristic of a forebear. For example, a surname ending in "akis" (such as "Kourakis") indicates that the person comes from Crete and a surname commencing with "Papa" indicates that a forebear was a priest.¹⁶

13 My surname, Ierodiconou, means 'Archdeacon' in Ancient Greek and that reflects my paternal great-grandfather's occupation.

14 It is important to note that not all covering is bad. Some forms of covering may be beneficial or neutral. It is okay if we freely choose what to cover.

15 I am not suggesting you should uncover when it is not psychologically safe for you to do so. It's essential to be safe. There may be good reasons why you cover, for instance, a threat to your social identity. That is, 'a broad threat that people experience when they believe they may be treated negatively or devalued in a setting because of a

¹⁵ Ibid.

¹⁶ Justice Emilios Kyrou, 'What's in a name?' (n 6) 42.

particular social identity they hold.’¹⁷ There are also stereotype threats, which occur ‘when one fears being judged in terms of a group-based stereotype’.¹⁸

- 16 In her recent memoir, Lady Brenda Hale, who retired as the most senior judge in the United Kingdom, recalls her early days as a barrister. As in Australia, the junior barrister, known here as the ‘reader’, sits at a desk in the chambers of a more senior barrister, their mentor, for the first months after coming to the Bar. Lady Hale describes hearing rumours that her mentor did not approve of women at the Bar. After some months, she plucked up the courage to ask him if this was true.

He said that it was. I expressed surprise, because his wife practised as a doctor along with bringing up their five children. Ah, he replied, medicine is a caring profession and women both can and should do caring work; but the Bar is a fighting profession and women neither can nor should fight. In his view, they were too obstinate or too yielding. He had never settled (compromised) a case against a woman... He made me think about whether I really had what it takes to succeed ...¹⁹

- 17 We must move away from stereotypes and towards workplaces where everyone feels a sense of belonging, regardless of their identity. Valuing ethnic diversity strengthens our profession and fosters innovation through varied perspectives.

Belonging

- 18 There are steps we can all take to create a culture of belonging in the workplace. This evening, I will focus on the individual level, as mentors and mentees may wish to explore this in their relationships.
- 19 Professor Phillips said ‘it’s about really having a curious ... and learning orientation towards people’.²⁰ Similarly, Professors Yoshino and David Glasgow ask us to adopt a learning posture and cultivate curiosity towards people.²¹ Think about difference as good. Try sharing information that you usually only share with someone who is

¹⁷ Mary Murphy, Claude Steele, and James Gross, ‘Signaling Threat: How Situational Cues Affect Women in Math, Science, and Engineering Settings’ (2007) 18 (10) *Stanford University* 879, 879.

¹⁸ Ibid.

¹⁹ Lady Brenda Hale, *Spider Woman: A Life* (Vintage, 2021) 71.

²⁰ ‘Why Opening Up at Work Is Harder for Minorities’ (n 13).

²¹ Kenji Yoshino and David Glasgow, *Say the Right Thing: How to Talk about Diversity, Identity, and Justice* (Simon & Schuster, 2023) 61-9, 70-4.

like you, with someone different from you. It's not about baring your soul but taking tentative steps to build authentic relationships. Professor Yoshino suggests uncovering to one person and rippling out – if bringing your authentic self to work is psychologically safe.²² Be open and genuinely want to know about the other person. Building positive relationships in the workplace can be challenging if you are covering an essential part of your identity.

- 20 My purpose in speaking to you about covering tonight has been to invite you to reflect and be conscious about that. Think about why we cover and whether it might be impacting your career. Career impact is an area that mentors can help you navigate, especially in a diverse society like ours, where ethnic backgrounds enrich our shared experiences.

Mentoring

- 21 The workplace can sometimes feel like a balancing act between embracing our cultural heritage and meeting professional expectations. A mentee may not wish to navigate this alone. Among other things, a mentor can provide guidance on how to approach issues such as taking leave to celebrate cultural traditions like Diwali or Lunar New Year, or addressing subtle pressures to conform, such as softening an accent or avoiding culturally specific references in professional settings. Through open, trusting conversations, mentors can help mentees reflect on when covering is a choice versus a demand, and how to assert their authentic selves in ways that feel safe and empowering.
- 22 In the daily life of legal practice, these issues of identity often surface in subtle but significant ways. As lawyers, you may face clients who question your expertise based on your name or appearance, colleagues who unintentionally overlook your contributions in meetings due to cultural misunderstandings, or firm cultures that implicitly favour assimilation over diversity. For instance, a lawyer might hesitate to correct a client who mispronounces their name, fearing it could affect professional rapport, or feel pressured to avoid discussing their cultural background in networking

²² Yoshino and Smith, 'Uncovering talent: A new model of inclusion' (n 11) 3, 11-7; Yoshino, 'Covering' (n 4) 184-96.

events to 'fit in'. A mentor can offer practical strategies for these moments – such as how to confidently address microaggressions, build authentic client relationships while honouring your identity, or navigate firm politics to ensure your voice is heard. By sharing their own experiences, mentors can help mentees turn these challenges into opportunities for growth and advocacy.

- 23 Mentoring also plays a critical role in fostering workplace inclusion and belonging. By building relationships across diverse backgrounds, mentors and mentees can challenge stereotypes and create environments where differences are valued. For example, a mentor might encourage a mentee to be an active member of the AALA, not only to connect with others who share their heritage but also to bring their unique perspectives to broader firm initiatives. Likewise, mentors can model inclusive behaviours such as actively listening to diverse viewpoints or advocating for culturally sensitive workplace policies. This modelling signals to mentees that their identities are valued. In our community, where ethnic diversity is a strength, mentoring relationships can bridge cultural gaps, deconstruct barriers and create a sense of belonging, ensuring that every lawyer feels seen, heard, and valued in their professional journey.
- 24 We all have a role to play in mentoring others. Anyone with sufficient expertise and experience may guide another person. I encourage those of you who are mentees to become mentors. You may be a first-year solicitor and might mentor a law student. You may be new to the law, but you have significant life experience. This life experience means you could mentor someone more senior than you, but who has less life experience. This mentoring may occur formally or informally. While formal mentoring schemes are essential for building relationships, they are not a single solution.
- 25 In our community, mentoring can be a powerful way to promote inclusion, celebrate ethnic diversity, and create spaces where everyone feels a sense of belonging. Whether as a mentor or mentee, your participation helps build a more equitable legal profession.

Conclusion

- 26 It is my great pleasure and privilege to launch the AALA mentoring scheme tonight.
- 27 The AALA has been a beacon of change in our profession, tirelessly advocating for inclusion and equity since its founding in 2013. Through initiatives like this mentoring scheme, the AALA creates spaces where Asian-Australian lawyers – and indeed all lawyers – can connect, share their stories, and celebrate their identities without fear of judgment. Imagine a legal profession where cultural heritage is not a barrier but a source of strength, and where mentoring relationships foster not just professional growth but a deep sense of belonging. By participating in this scheme, you are helping to build that future – a future where diversity is celebrated as the heart of our profession’s innovation and resilience.
- 28 May your mentoring relationships blossom and bear fruit, inspiring each of you to embrace your full identity, foster a sense of belonging, and value the rich diversity that defines us.
- 29 Thank you.