

PRIMA FACIE: ISSUE 3

EDITORS-IN-CHIEF: SIMON McNAMARA AND TERENCE ZHOU



ILO CONSIDERS INTERNATIONAL LABOUR TREATY ON GENDER-BASED VIOLENCE

LIANNE WONG

- Binding legislation preventing gender-based violence at work is set to be discussed by the International Labour Organisation in June 2018
- This aims to encompass and reinforce existing international conventions and national gender-based violence elimination laws in over 70 countries
- International human rights consultant Jane Aeberhard-Hodges suggests that, in order to best advise their corporate clients, lawyers should be informed of the outcome of discussions and of any consequent governmental decision to ratify

TIANA PELAIA

- The Senate has received information from a DIBP official that, out of 54 children who returned to Australia from Nauru, 25 were clinically diagnosed with a mental health condition
- These children were among 267 asylum seekers and refugees who were brought to public attention by a nationwide campaign known as "Let them Stay"
- Sarah Hanson-Young, a Greens Senator, said asylum seeker children should be allowed to apply for permanent visas in order to 'rebuild their shattered lives'

MENTAL ILLNESS IN ASYLUM SEEKER CHILDREN



LAWYERS AND THEIR WORK-LIFE BALANCE: SUCH A THING EXISTS?!

LAUREL DONNELLY

- New GlobalX Survey assessing a cohort of legal professionals, found that 75% are content with their work-life balance
- This is despite 65% of the participants reporting they regularly work overtime and one third working 50-70 hours a week
- Interestingly enough, the participants weren't able to ascertain why or how they were achieving such a harmonious balance
- Global X chief executive Peter Maloney however, suggested advances in technological solutions allow lawyers to be more productive and work more flexibly
- This, combined with increased realisation in the importance of work-life balance encouraged positive work cultures within their firms



'BEEFED-UP' LAWS MUST FOLLOW NEW COMMISSIONER ROLE, LAWYER SAYS



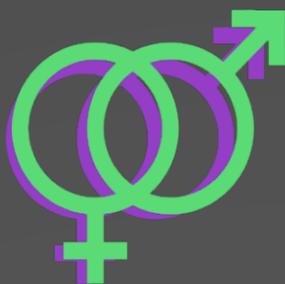
NATASHA KRIKORIAN

- Sydney lawyer Stewart Levitt warns that the appointment of a new special prosecutor to deal with bank crimes and misconduct will be pointless unless there are legislative changes, namely "principally strong consumer protection laws for bank customers".
- These changes are necessary given that during the Rudd/Gillard governments, there was an unrelenting scourge of bank customers and plunder of their assets in which they were not sufficiently protected by ASIC or legislation.
- Ultimately, these reforms will help the special prosecutor acts independently and autonomously, changing a system that leaves "borrowers out in the cold".

FIRMS SETTING DIVERSITY BAR TOO LOW

NATASHA HANNAH

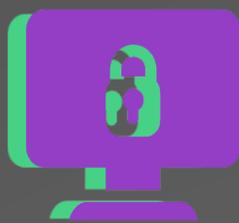
- The Maddock's managing partner, Michelle Dixon, says that many firms have set the bar too low for gender diversity
- To close the gap, the focus needs to shift from partnership to getting women into senior leadership positions
- A generational shift is occurring at Maddock's, where women make up 52% of the youngest half of the partnership (age 35-45)
- However, greater efforts still need to be taken; obtaining a work culture where diversity is the norm will ultimately better business outcomes



"INTERNATIONAL" PRO BONO

JAMIE PANG

- The provision of pro bono services is a strong tradition in the legal profession in Australia.
- More and more medium-size law firms are providing pro bono legal services, "six out of 10 grew by 20 percent in their pro bono services last year".
- Countries such as Mexico, Colombia, Argentina and Chile have shown great enthusiasm for expanding their pro bono markets.
- Australia is a global leader in the pro bono movement and will continue to encourage law firms to meet unmet legal needs in a "strategic way".



TURNBULL CYBER SECURITY POLICY TIPPED TO 'SAFEGUARD LEGAL PROFESSION'

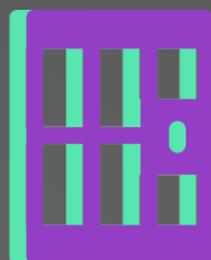
CHRISTINE PANG

- On the 21st April 2016, the federal government announced a \$230 million Cyber Security Strategy
- This initiative includes establishing public-private intelligence sharing centres, an industry-led Cyber Security Growth Centre and \$15 million in grants for small businesses to have their systems professionally enhanced and reviewed
- In particular, lawyers deal with sensitive client information daily and this initiative represents a "strong step" towards bolstering confidentiality on a domestic and international scale

ROYAL COMMISSION'S QUARTER CENTURY OF FAILED REDRESS

EMILY JARAYSEH

- Legal voices speak on the harsh reality of Aboriginal prisoners in 2016 since the final report of the Royal Commission into Aboriginal Deaths in Custody.
- LCA President urges us to 'open our eyes to the effect mandatory sentencing is having on this shameful national crisis'.
- Aboriginal Australians are currently 14 times more likely to be incarcerated than their fellow citizens- double the chance from 1991.
- Calls for legislative change on mandatory sentencing, as well as evidence-based short and long-term measures have been expressed to combat this Indigenous incarceration epidemic.



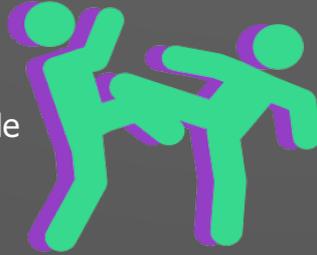
MADELINE DELANEY

- After a national audit by the COAG Advisory Panel on family law matters, National Legal Aid has called for a critical boost in its funding after statistics revealed that domestic violence is a factor in 79 percent of its cases.

- Legal Aid believe they fall short of a \$120 million dollar cash injection needed to provide assistance to high numbers of disintegrating low-income families who face complex disputes.

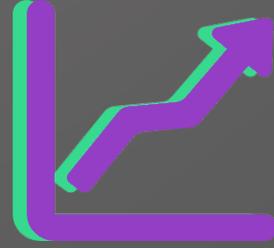
- The Productivity Commission has recommended that states and territories boost their legal funding for domestic violence by an additional \$80 million per year.

DOMESTIC VIOLENCE ENDEMIC IN NATIONAL LEGAL AID FAMILY LAW MATTERS



GRAPHIC DESIGN: TIANA PELAIA

STATISTICS OF THE NORTHERN TERRITORY JUSTICE SYSTEM



JAMES DUNN

- The Northern Territory is experiencing significant challenges in its justice system, with new statistics illustrating a "gross" injustice according to former president of the NT Bar Association and NT Criminal Lawyers Association John Lawrence.

- The latest imprisonment rate in the NT jurisdiction is 900 per 100 000 people. This compares to the national imprisonment rate of 196 prisoners per 100 000 people.

- A NT super prison which opened in September 2014 at a cost of \$1.8 billion is now at full capacity with 1 000 inmates. 86% of inmates are Indigenous Australians. A new super prison will be needed shortly.

- There has been a 25 to 35% decrease in the amount of visitors to such prisons. Mr Lawrence accounts this drop to the "government failure" to provide a bus service to the prisons, and to expensive taxi fares and petrol costs.

- Mr Lawrence believes it necessary for governments to provide affordable public transport to and from prisons, so as to alleviate the emotional and financial burden that prisoner families are enduring.