

William and Lonsdale – Lives in The Law

EP 70. Fiona McLeay

voiceover : [00:00:09] This is William and Lonsdale, a podcast about the legal ecosystem and the fascinating people who make it tick. Today, your host, Michael Green, speaks with Fiona MacLay, CEO and commissioner of the Legal Services Board of Victoria, the independent statutory authority responsible for the regulation of the legal profession in Victoria. Fiona is a natural born leader who brings a problem solving lens and systems thinking to every role she takes on. From special counsel at Clayton Yutes to CEO of Justice Connect, from general counsel of World Vision to co chair of Equality Australia, Fiona sees part of her role as being an agent for change. But long before her fascinating life in the law, Fiona grew up in the country and was the first person on either side of her family to go to university. As she describes in today's conversation, back in her uni and early career days, there often seemed to be an unspoken code that everyone knew but her, which kind of left her feeling like a fish out of water.

Fiona McLeay: [00:01:10] Walking in the first day, all the grads are in the reception and everybody's wearing navy blue and black suits. And I was in this lovely sort of peacock blue suit that my mum had helped me to buy. My first suit, I didn't have a suit. I borrowed a suit for the job interview. And yeah, remember thinking, oh gosh, I think someone's made a horrible mistake. Maybe someone's gonna come and take me out the back door and ask me to leave quietly.

Michael Green: [00:02:03] Our guest this morning on Lives in the Law is Fiona MacLay. Fiona is the CEO of the Legal Services Board of Victoria and Commissioner of the Legal Services Commission. I didn't get that right Fiona. Could you please tell us exactly what your role is? Roles, I'm sorry,

Fiona McLeay: [00:02:20] The Legal Services Commissioner and I'm the CEO of the Legal Services Board. The two regulatory statutory bodies that regulate the legal profession in Victoria.

Michael Green: [00:02:28] And later in the discussion Fiona you can explain to us the difference. It'll be good to know. But let's go back to the start and tell us about your

upbringing because you came from what I, on reading, would think is a very good family and a very loving family, which had a big influence upon you and the way your life has developed.

Fiona McLeay: [00:02:44] It did, yes. I feel very blessed to have had the family that I had. As you say, family, mom and dad and a younger brother, younger sister. Very much a country background and fairly working class, lower middle class. My mum was a nurse, a midwife, and my dad started his professional life as a toolmaker, as an apprentice working actually for General Motors Holden in South Australia where all my family is from. And then both my parents had a real love learning and a desire to improve their careers and continue to learn. So they both kept on studying and doing different things and moving through. So I grew up, I was born in a small country town in South Australia called Manham on the banks of the river, which is the Murray River. There's not many rivers in South Australia, so usually it just gets called the river. That's a place where both my mum and my grandma were born and where my mum's ashes are now scattered. It's beautiful Gurindjeri country which runs from not far from Manham all the way down to Goolwa, which is where the Murray River enters the Southern Ocean. That's really where I kind of my roots are I suppose, although I haven't lived in that part of the world for many, many years and truthfully I couldn't really imagine going back to live there. But when I do go back I feel a very strong connection to the red dirt and the Mali country that is around there.

Michael Green: [00:04:14] And you came from a family which had deeply held religious convictions, which they not only professed, but actually lived.

Fiona McLeay: [00:04:21] That's right, that's right. My parents were both Baptists and very strong in their faith as Christians and that was a very important part of our upbringing. Went to church and yes, as you say, they were always very practical about it, helping people involved in the community, volunteering and looking out for people. One of my very early memories is of getting in the car with mum and going around to take a meal to an Aboriginal family who lived in Manham who were in need and mum explaining to me that not everyone was fortunate like me to have a warm bed and a hot meal and that we should be doing what we can to help other people. So very early memories of that kind of community contribution and that idea of service to others.

Michael Green: [00:05:10] And moving on, when you go to secondary school here in Victoria to Braemar College, it also has a similar philosophy of parents volunteering.

Fiona McLeay: [00:05:19] That's right, that's right. I think mum and dad had always assumed that I would go to the local high school in Sunbury, but by the time I finished primary school, the high school had become very large as Sunbury was growing and it was having some growing pains. So mum and dad decided that that wasn't going to be a great place for someone like me who really loved to learn. And so they found Braemar College which at that stage was only quite new, about six years old. It's three quarters of the way up Mount Macedon. It's a very beautiful setting. It looks out across to Hanging Rock and it's surrounded by the bush. It's really beautiful. It was a pretty new school at that time and its philosophy was that it was an independent ecumenical Christian school. So non denominational, but it had that service ethos. I think also honestly, it needed the volunteering of the parents to be viable as a business model as well, looking back on it, but certainly the low fee nature of it was supported by the parents input. So my mum worked in the Sick Bay on the roster once a month and dad went up on the cleaning roster on a Saturday morning every, I think six weeks. And yeah, that was very much a part of the school the whole time that I went there. My sister went there also and I think probably still when she was there, some of that volunteering ethos was still in the school. So yeah, again, very much part of the fabric of my life really.

Michael Green: [00:06:45] And I think we'll see more of that as the time goes on in your life. Skipping ahead again, after year 12 you don't go straight to university and to law school. Was it a gap year that you took?

Fiona McLeay: [00:06:54] It was, yeah. I really had a very firm view that I wanted to go to Melbourne University and I wanted to study classics. I didn't have anyone, I'm a first

Michael Green: [00:07:05] In Clarify, the had you done ancient Greek in year 12?

Fiona McLeay: [00:07:08] I hadn't, no, no. My dad gave me a copy of Homer's Odyssey. I don't know why he did that, but he gave me a copy of it and it was an illustrated one. It had photographs of the various parts of Greece that are mentioned in that story. And yeah, I was just very fascinated by it. And in year 11, we went down to

Melbourne Uni to visit the campus. And I still remember walking into the Bayleu library and just seeing all of these books, all these floors of books and thinking, wow, this is, I want to come to this university and study classics. Also psychology, was interested in that. But I had no real sense of wanting to study law. I didn't know anyone who was a lawyer. As I said, I'm a first in family, so it was just the idea of going to university that was the thing for me. But I did, when I got into law school, I felt I needed to have a break in between high school and uni. And so, yeah, I took a gap year.

Michael Green: [00:08:06] And what did you do? You didn't travel overseas I don't think.

Fiona McLeay: [00:08:08] I didn't know. I had an idea that I might, but in the end, my very practical mother, once I'd got into law, we thought, well, that's interesting. I wonder what lawyers do. It might be good to know about that. So maybe you could work during your gap year in a law firm. Obviously you can't be a lawyer, but we knew enough about lawyers to know they must have secretaries. So I went to Stotts Business College and learnt to type 45 words a minute, which is not very slow, not very fast, but anyway. Yeah, and so I got a job working as a junior receptionist in the industrial relations practice at Freehill, Holy Ghail and Page. I suspect that partly happened because the HR manager was on holidays and John Cooper, who's still the very senior partner in that practice, was doing the interviewing and he took a shine to me. Think the HR manager was a bit perturbed when she got back and saw that he hadn't actually hired anyone who had any experience in being a desist and receptionist. But that really was a job where I fell on my feet because I did learn a lot about the day to day operations of a very busy, very successful law firm and also made a lot of really great friends, some of whom I'm still in contact with. So terrific experience. It also meant that when I did go back to uni, I had part time work. I was able to work during the holidays and went off and some of the secretaries wanted to be on leave, so that suited me. And I also worked a couple of days a week really as a paralegal, guess. In those days, the decisions of what was then called the Australian Industrial Relations Commission were all in the A5 loose leaf and they would come in in volume and they had to be filed into the enterprise agreements that were in the compactus. So I spent quite a lot of time doing that and yeah, it was actually a good job while I was at uni.

Michael Green: [00:09:50] That sounds to me Fiona like an excellent preparation for doing a law degree. I think most of us who did law, certainly like me, had no idea. Like you had no idea. Yeah. Didn't get any idea until we were in practise for quite a while. Yeah. Once you started your law, did you enjoy it? Did you enjoy the study of the law?

Fiona McLeay: [00:10:08] I didn't. No, I didn't. I was doing arts law, which was a great thing that you could do at Melbourne back in those days. And as I said, I was studying classics. So Greek history and architecture and art and philosophy and all that was lots of fun. And I was doing psychology, which I found very interesting. And then I was doing the first couple of law subjects and it was very dull. It was in those days taught very much in traditional lecture styles. So there were, I don't know, it felt like 300 of us, it probably wasn't that many, but in lecture theatres. And I also didn't feel like these were my people. So although I had worked in a law firm and I had probably, as you say, a better idea than some of the people in the class, they were not from country towns in Victoria, they weren't from the other side of the river, you know, all of these kinds of cultural things I was not really aware of until I kind of turned up into those law school classes and I found another person who, another first in family from an Italian background also doing classics and law unbelievably.

Fiona McLeay: [00:11:16] And we sort of found each other and clung to each other for that first year but yeah, found it very dry and also found it a very different way of thinking. My preferred subjects that I did very well in high school were history and English literature and English. And I was very good at analysing a text and making an argument in that discipline. But the discipline of law was very different. I found it very constraining. The constant pull away from I found to be interesting, which was the kind of human story behind it back into what's the legal principle that is buried amongst all of this legal jargon. I found that quite a struggle. So I did first year arts law and then I deferred the law part for the next couple of years and continued on with classics, with psychology, and I picked up criminology in second year and that actually was really my passion and did on and on this year in criminology.

Michael Green: [00:12:10] Were you tempted to drop law?

Fiona McLeay: [00:12:12] I was tempted to drop law. When I worked at Freehills, one of the senior partners was a wonderful man, Colin Polides, and he went to be a deputy

president at the Industrial Relations Commission and I ended up working as one of his associates. And while I was working for Colin, the law school wrote to me and said, You can't keep deferring, you need to come back, otherwise you will lose the credits for first year. And so I was in a bit of a dilemma and I went and spoke to Colin and said, What am I going to do here? And he looked at me and said, must finish, you must finish, don't drop out. And he actually supported me, encouraged me, allowed me to go back and do another subject. I went and did tauts while I was working for him. And that sort of kept me hooked in to the law degree. And I'm very grateful to him for that. He very sadly passed away a number of years ago and I went to Colin's funeral and there were a number of people there, particularly women who had similar stories of Colin's encouragement and also that conversation about not dropping out, you must finish. I think it was the encouragement but also not wanting to disappoint Colin. So his daughter Deborah works at Clayton Utz now and yeah, it's lovely to see her continuing on as a lawyer in the same way that her very fine father did. So yeah, very important kind of person in my life at that sliding door kind of moment.

Michael Green: [00:13:46] You finished your degree at the University of New South Wales. What took you up there?

voiceover : [00:13:52] Love. What else?

Fiona McLeay: [00:13:55] I married someone from Sydney, Angus from Sydney. And so I'd done another law subject, decided okay, I graduated, I finished my arts degree, I didn't want to go down an academic path, and by that stage also starting to get a bit more of a sense that maybe there was something in law that might be aligned with my values around service and around social justice. Particularly when I looked around at where I might transfer my law degree to in Sydney, UNSW stood out as being a very different kind of law school. It taught in a more tutorial based way. It had a much stronger social justice ethos. Still has Kingsford Legal Service, which is a very fine clinical program attached to the law school. At that time, Simon Rice was running that, very inspiring charismatic person. And so yeah, I thought well I'll give it another go in Sydney at UNSW. So we got married in January and by early March I was sitting in law school classes in Sydney.

Michael Green: [00:15:02] When you finished your degree, were drawn towards doing community legal service work, legal aid work, and as you finish up doing your articles or maybe graduate traineeship at Phillips Fox, a large commercial firm.

Fiona McLeay: [00:15:14] Yeah. How did that happen?

Michael Green: [00:15:16] Yes, how did that happen?

Fiona McLeay: [00:15:18] Yeah, as I said, my passion has always been service access to justice. And even when I was struggling through first year arts law, I came across the opportunity to volunteer at Fitzroy Legal Service as a student volunteer. And I did that for a year or two, and again sort of tucked in my mind, okay, this is what loitering can look like when you're trying to help people and make a difference. And so as I said, I went, that was one of the reasons that UNSW attracted me. I did a placement at Kingsford Legal Service as part of my course, and I always thought that would be my path that I would graduate law school and I would work in a community legal centre or at legal aid. But I found out when you graduate from law school with a law degree, graduate jobs in community legal centres and Legal Aid are actually quite hard to get, particularly if you don't want to practise criminal law. That was really the main kind of opportunities. So I thought, I applied to a couple of things, including New South Wales Legal Aid and didn't get anywhere. Angus was still studying. If I wasn't studying, our study was going to run out. There was a need for income. And so again, I guess being pragmatic like my parents had taught me or resourceful maybe is a better word.

Fiona McLeay: [00:16:34] I thought, well, okay, if I need experience and training, I'll get that. And the larger law firms are a good place to get that. Law students, it's a great way to find out which firm you should go to. So I ruled out a whole lot of firms based on some of the horror stories about how they recruited and all that sort of thing. But again, Phillips Fox felt like a place where I might fit. And yeah, I applied, I did a couple of summer graduate stints, two stints, I think, and then was offered a full time work as graduate lawyer. And so, yeah, I started working there. Like most firms rotate you through different practice groups as part of that programme and the construction team were, I guess, I found them the most supportive and they were a lot of fun and the work was very interesting. It was focused on not a specific area of law so much as a discipline around construction and engineering. So you could be doing contract, you

could be doing negligence, you could be mediating, arbitrating, you could be in court. So it was quite a diverse experience and I did enjoy that as well. And again, made some very good friends, one of whom is still a very, very close friend now.

Michael Green: [00:17:46] And you found it satisfying coming from the background you came from with the values you had, you were still satisfied by working in a large firm?

Fiona McLeay: [00:17:54] I found it again very difficult. It was a little bit like, you know, déjà vu all over again, walking in the first day, all the grads are in, they were sitting in reception and everybody's wearing navy blue and black suits. And I was in this lovely sort of peacock blue suit that my mum had helped me to buy. My first suit, I didn't have a suit, I borrowed a suit for the job interview. And yeah, remember thinking, oh gosh, I think someone's made a horrible mistake. Maybe someone's gonna come and take me out the back door and ask me to leave quietly. So it felt very, again, very foreign, even though I'd had the experience at Freehills all those years before. I kind of knew how a firm would operate, but yeah, was it somewhere that I felt I belonged? It took a while. Yeah, there were, as I said, a very couple of good friends, one who's still a very dear friend, sort of took me under his wing. There was also a quite charismatic female partner that worked at Phillips Fox at that time, Pamela Jack, and she was pretty inspiring. And so I thought, I think I can learn. I'm always hungry to learn and so I can learn here. And then early on in my stint, again, I was looking for community legal centre volunteering kind of opportunities and an organisation called the Public Interest Advocacy Centre, PIAAC, now Justice and Equity Centre in New South Wales, were looking at legal responses to the findings that came out of the Bringing Them Home report.

Fiona McLeay: [00:19:25] So that was a very important report of the Human Rights Commission looking at the Stolen Generations, First Nations people who were removed from their families. And that report was released I think during my first year working as a lawyer. And I read report and was very moved by its stories and the recommendations in it. I actually did a sort of CPD presentation for people in the firm who were interested. And then PIAAC were looking at whether or not there would be any basis for compensation for people who'd been removed. And they put a call out for lawyers to volunteer their time to go through people's files from the welfare departments to try and assess whether or not there could be any compensation claims. So I went to the

partners I worked for and asked if I could do that pro bono and they agreed. And so that was my first foray I guess into pro bono but also planted the seed for in a large firm you can still make a broader social impact.

Michael Green: [00:20:27] And I wondered that, did that encourage others or in fact at a firm level or a partnership level for Philosoph to take on pro bono work?

Fiona McLeay: [00:20:35] So I left after almost two years because we moved back to Melbourne, but not long after I left, Patrick, who is a good friend of mine, he was able to step into, I don't take this, is not anything to do with me, but he came in and really set up what is now a globally leading pro bono practice. So it was certainly something I think that the firm, yeah, they were very open to. And like a lot of things, I think it just takes someone who wants to sort of push a little bit about the boundaries of what might be possible.

Michael Green: [00:21:09] And I make the observation, despite the reputation lawyers may have, think all large firms now would have pro bono practises. And in my experience, I don't know any lawyer who hasn't done pro bono work.

Fiona McLeay: [00:21:21] No, no. When I was at Clayton Kewts and we can go into this in more detail, I ran the pro bono practise in the Melbourne office and I never had anyone refuse to do pro bono work because I didn't think that they should. In fact, they all told me that this was really important work. It was one of the reasons that they'd gone to law school to be able to help people and to right wrongs and that sort of thing. So yeah, lawyers have a very unfair reputation I think in that regard, yeah.

Michael Green: [00:21:51] You may be biased Fiona. So you come back to Melbourne, as you said, you go to Clayton Newt's again, you're not going to legal aid or to a community legal service. You're back with a large commercial firm.

voiceover : [00:22:01] Yes.

Michael Green: [00:22:01] Yeah. Why was that? And again, was it satisfying for you?

Fiona McLeay: [00:22:04] Yeah, so a bit similar. I did apply, I think for a job at Fitzroy Legal Service, but it was a job that required, I can't remember if it was family law or criminal law expertise of which I had none. So in the end I decided to go back into private practice. It was a difficult time I think in some ways because I was still very much wrestling with wanting to have meaning in my work. Not to say that it was meaningless work but as you're suggesting, work that really resonated with my core values. I found that, well I came to the view I think after some soul searching that if I couldn't go to a place that already looked like it matched my core values, I would need to shape the place where I was working to be more aligned with the sort of place I wanted to be at. And I had already seen from my time at Phelps Fox in Sydney that there might be opportunities to do that. So Clayton Yutz, one of the reasons that I took the role there, one of them was the interview with Andrew Stevenson who was the partner there at the time, again still a very dear friend. We just had a terrific conversation about all sorts of things and strong alignment on the social justice elements of law, but also Clayton Utz had a fledgling pro bono programme run by an amazing person in Sydney, David Hillard. And so I thought, okay, this seems like a firm where there'll be opportunities for me to do work that is interesting and intellectually demanding and all those things that I liked about the commercial side, but also would resonate with me on a personal values level.

Michael Green: [00:23:39] And you've also made the comment that you learned from that to focus on the people, not on the, what might be the work itself. But if you focus on the people and they're good people, I'm assuming you're saying it'll work out.

Fiona McLeay: [00:23:50] Absolutely. That's one of the things I say to young lawyers and to law students, think more about who you're going to be working with. Are they people who understand you, respect who you are, want to invest in your growth, will support you, people you can trust? Those sorts of things are much more important really than the kind of work that you're doing. You can make choices throughout your career about where you want to focus your legal expertise, but if you're working with good people, that's the most important thing.

Michael Green: [00:24:22] And am I right in understanding that by the time you finished at Clayton Utz, you were doing half pro bono work and half construction work?

Fiona McLeay: [00:24:30] I was, yeah. I had a fantastic time. I was at the firm for about six years and had a lot of opportunities. So I did a couple of pro bono cases myself and then pitched to the partner I worked for and to the manager of the pro bono work in Sydney. How about I take a day a week and grow the practice in Melbourne, try and expand the pro bono practice in Melbourne? I thought there were opportunities particularly by getting to know some of the community legal centres and understanding the work that they couldn't do because they didn't have enough lawyers. Maybe there'd be a way to match what community legal centres needed with what lawyers in a commercial firm might be interested to do. And I had a terrific time doing that. I was involved in some really interesting work, the establishment of what's now called homeless law, which is an outreach programme to people experiencing homelessness where teams of pro bono lawyers from large law firms are trained and supervised and supported to provide largely civil legal help to people experiencing homelessness for example. Being involved in setting that up was one of the great joys of my life. I got involved with an organisation that was then called the Public Interest Law Clearinghouse, PIPCH, and is now Justice Connect, served on the board for a number of years and really started then to see there's some really great social justice work that's happening that I can really support and help to drive in my role at Clayton Utz.

Fiona McLeay: [00:25:59] So I became the manager of pro bono work in the Melbourne office and at the same time was able to keep working in the construction and engineering practice. It was a very successful practice and there was always plenty of work, so I was able to kind of juggle those two things. In time, I also went to the partners and said, think there's an opportunity to develop volunteering or expand the kind of social justice part of what the firm's interested in. So it's not just opportunity for lawyers, but also an opportunity for people who aren't lawyers and opportunities outside of legal work. So set something up that was called Community Connect, think we called it, but it was a volunteering programme that helped the firm set up a charitable foundation and a workplace giving programme. And so I set that up and then got that running nationally. So yeah, by the time I left the firm, was running that national programme and then coordinating the pro bono work in Melbourne and then still doing construction law.

Michael Green: [00:26:57] Yeah. So while you're doing all that in your spare time, you're doing an LLM at Melbourne Uni and a Masters at New York University.

Fiona McLeay: [00:27:03] Yes, for somebody who initially found the study of law very difficult, I did end up with three law degrees, which is very strange. I think by the time I'd graduated from UNSW, I'd done a couple of subjects that I found really fascinating. So Aboriginal Legal Studies, I think it was called, and really wanted to continue to learn about things that I thought would be useful in terms of social impact. Then also to plug a few gaps because it took me quite a long time to realise that constitutional and administrative law were really important. At uni they were very, very dull and quite complex. And later on I realized that actually if you're interested in social justice and equity, you need to understand administrative law because that's all about decision makers behaving properly. So I came late to that idea. So I went in the LLM was really, again, firm sort of supported me to do that. So I did a smattering of quite interesting commercial kinds of things, but yeah, also some of these sort of social justice subjects. And that was a much more satisfying experience because I was studying things that I was interested in.

Fiona McLeay: [00:28:10] And then I had the opportunity to go to New York University on a scholarship in 2004 to do another Master's, And that was an amazing experience. It was a program called Global Public Service Lawyering. It was a scholarship program that brought together, I think there were 14 of us from all over the world, lawyers who were practising law public and for public service reasons. So human rights, women's rights lawyers from Africa, a woman who's still a very dear friend who was working with First Nations people in Canada, terrific guy called Ruben who was trying to recover the Marcos millions. Think Billions. Billions, yes, billions. Yes, a project that remains ongoing, I think. Yeah, so terrific cohort. The idea was to bring us together to do a master's. So we did subjects across the amazing curriculum at NYU, but also the core of it was to think about how the law has a role to play in public service, what that looks like, the different ways that it can be done. And we reflected on that and wrote up our philosophy effectively of how we thought the law could do that. So yeah, terrific experience, 02/2025.

Michael Green: [00:29:24] Just following up on that, writing out your philosophy of how the law can do these things, have you kept that and do you use it as almost a, something to go back and check against your decision making?

Fiona McLeay: [00:29:36] Yeah, I was very much focused on the idea, well, the thinking I'd done around pro bono work. So why is it that lawyers do this? Why do lawyers do pro bono? Not many other professions, in fact I don't think any professions have it baked in in the way that lawyers do. So I think it comes back to the fact that lawyering is a profession and one of the historic parts of being a profession is that it's actually a public service. It's not something that you do for yourself privately. And even now when you're admitted, you take an oath to be an officer of the court and the ethical principle of service of the administration of justice is the highest ethical principle. It trumps all others. So pro bono for me was a very practical way of living out that value. Lawyers also have really important special skill and knowledge that no one else has, and they have a monopoly from the state to do that. And they're also held by and large, generally speaking, they're respected. So there's all of that means that there's an obligation to make sure that everybody's able to have access to legal help. I do have a very firm view that if anyone is missing out, then the system as a whole is affected by that. It needs to work for everyone, otherwise it's not working properly. So those kinds of ideas were ones that I developed more deeply in my time at NYU and have continued to drive everything that I do, even in my current role.

Michael Green: [00:31:11] Now Fiona, 02/2006, nearly twenty years ago, you go to World Vision. Who were a client of Clayton Utz. And we all know of World Vision, we've heard about it, we might think we know what it does. But can you tell me exactly what it does? I guess when I think of World Vision, think of Tim Costello. Precisely where does it fit? What does it do? Does it make a difference? It's such a huge organisation.

Fiona McLeay: [00:31:34] Yeah. So I went to World Vision in 2006 as General Counsel, the first time they'd employed a lawyer in Australia. As you mentioned, Tim Costello was the CEO at the time and he had a very capable colleague with him who was helping Tim to reshape some of the way organisation operated and they identified that it really needed an in house lawyer. World Vision was a pro bono client of Clayton Utz, I knew the organisation and they asked me to apply and yeah, I was successful and appointed to that role. So World Vision was the largest provider of World Food Programme Aid and a very significant USAID funder of global aid. That sadly is no longer the case given the changes that have happened under the Trump administration and also very famous for its child sponsorship model, which is a way of raising funds that they really developed here in Australia very successfully. So it's a very interesting model in that in

the developed world where we are, the officers have two roles. One is to raise funds and the other is to support the deployment of those funds in partnership with the officers that are in the countries where World Vision is working. So it's an organisation that tries really hard to even up power imbalance that's inherent in sort of developed and developing world divide if you like. So it's a very large organisation, a very sophisticated organisation with some incredibly talented people working there. As I said, I didn't have a lawyer when I started and so I was initially concerned that there would be some resistance to wasting money on a lawyer.

Fiona McLeay: [00:33:07] But instead I found the reverse. People were very, very happy to have a lawyer. And I very quickly found myself busier than I'd ever been in my professional life. So many things to try and get my head around. And yeah, it's a very, very steep learning curve. It was similar to my first year in practise, think in terms of every single day, most things were new, A lot of troubleshooting, problem solving on the run. I developed this little kind of heuristic where people would come and ask me, they'd say, have you got a minute? And I'd think, oh, it's never going to be a minute. Yes. And so then they'd tell me what they were doing and I would say, have you done it like that before? And if they said yes, I'd say, did anything bad happen? And if they said no, I'd say, okay, think you can do that again. And if they said yes and something bad happened, then we had to do something different. And if they said no, I've never done this before, okay, that's going to take work. I also had additional responsibilities added, so I became the company secretary for the organisation, so I had the engagement with the board, and also at the start of my second year there became chief risk officer as well. The whole of the organisation-

Michael Green: [00:34:17] Did you give up sleep for the period of I your work did,

Fiona McLeay: [00:34:20] I did. Yes, the first two years. I did manage to get some additional support. I had a lovely young lawyer who had moved from Perth to Melbourne to sort of try and pursue different things. And he was interested in working again in a not for profit and his dad was friends with one of the partners at Clayton Utz. So this man rang me and said, Oh, don't suppose you've got a need for a smart young commercial lawyer from Perth? And I said, Well, if he's happy to not be paid and to do whatever I throw at him, I'm happy to talk to him. And so that was a great friendship developed out of that and Simon ended up working for World Vision and he became General Counsel

at Save the Children and he's had a very big career in not for profit. So yes, I built a team to do that work. There were about four of us I think by the end of that second year. And then like a lot of lawyers that go in house, I took the opportunity to move out of the legal and risk role and into the business in a substantive way. I did a maternity leave role in the team that was called advocacy program effectiveness and learning, was Whatever that means. So advocacy is the work that the organisation does to try and change hearts and minds and government policy. Programme effectiveness is making sure that the money is being spent well. So designing methods to monitor and evaluate the impact.

Michael Green: [00:35:38] Would I be right in assuming Fiona that in a body as large as World Vision, the effective spending of the money they raise would be a major issue because the majority of the money I assume goes on actually sustaining World Vision.

Fiona McLeay: [00:35:51] No, not the majority. The majority goes to overseas to the work. Yeah, absolutely. That's a yes. I mean, all not for profits, the majority of their money goes to the work. But as you say, in order to do it well, you need to make sure that you've got the appropriate governance and risk and checks and balances, particularly in development work. It's happening a long way away in very complicated and difficult contexts. There's a kind of perverse rule when you do international development work that the more difficult the context that the work is being done, the more governance you need around it. So it's the area of greatest need, but it's the most difficult to do.

Michael Green: [00:36:27] Another thing, you said you had the opportunity to do a senior lawyer development programme with Jill Tovey. What's a senior lawyer development programme and who runs the programme and what comes out

Fiona McLeay: [00:36:38] Of it? That was a really important pivot point again for me. So Jill Tuvie is still running incredible leadership development programmes through her organisation. And at that time she had been doing this work initially for, actually for Freehills, and then they had spun it out as a sort of standalone or she had spun it out as a standalone leadership development course. Freehills wanted to have a program to develop their new partners and they hired Jill to develop that. They liked it so much that they started to invite their in house counsel clients to come along. And then when Jill

spun it out as an independent business, she was asked, I think, by someone from the National Australia Bank legal team whether she'd be willing to open up a place for someone who worked at a community legal centre that the bank was doing some work with. Jill said yes, and from that developed this amazing opportunity where every time she ran the course there were a couple of spots for lawyers that were working again in the public service, in the public interest, in community legal centres or similar. So a couple of people that I knew from my time at Pilch had done the programme and recommended to Jill that I also have the opportunity to do it.

Fiona McLeay: [00:37:54] And so I did that course and that was really, again, a bit of a pivot point. At the end of that, I did a little bit of coaching with Jill as I was thinking about what my next move might look like and thinking at what level would that be? Would I go back to I was pretty sure I didn't want to go back to practising as a lawyer, but I wasn't quite sure what the next move would look like. And Jill really coached me, I think, to get to the point where I was able to articulate, yes, wanted to be a CEO. There was, joke now, there was a bit of a hostage situation where we were doing a coaching session in a room. And I said, I think maybe my next job might be something where I was perhaps having a bit more responsibility and maybe kind of running something. And she looked at me and said, you're not leaving this room until you say you want to be a CEO. So it still took another ten minutes, but I finally managed to say that, so here I am.

Michael Green: [00:38:45] Before we get on to that CEO role, that next role, something else that you've mentioned in your time with World Vision was you learnt the theory of change, and I think it's something which you believe in and apply whenever possible.

Fiona McLeay: [00:38:59] What is it? Yeah, the theory of change comes out of international development work. When I was at World Vision, I led the team that did that and learnt about it. So it's a way of articulating what are you trying to do? The big change that you're trying to see, you're trying to help prevent young people ending up in the child protection system. So that's a big, difficult, complex thing. A theory of change, you break down all the different components and steps that would need to happen in order to achieve that. And then you can stand back and say, well, okay, what's the contribution that I can make or my organisation can make to that ourselves? And then what is it that we can do working with others? And so you build back up from the big picture, the steps that sit underneath it. It's a very powerful way of helping to articulate

how you might assist in a change. And because it's a theory, you articulate, okay, I think if we do these three things, this change will happen, and then you measure and monitor along the way. And if your theory is not proven by the data you're collecting, you can change. You can say, okay, well, theory, the hypothesis was if we did these three things, this change would happen, but actually we're not getting the change that we're expecting. Why is that? You can go back and alter the things that you're doing. So if you're doing it in real time, it means that you don't run a programme for three years or five years and then evaluate it at the end and say, Oh, that didn't work. That's a shame. You can actually make the changes that you need to along the way for impact.

Michael Green: [00:40:29] And I read here someone that you, I think you've described yourself as a system thinker. Yep. Please explain system. Now I'm assuming it ties in with the theory of change.

Fiona McLeay: [00:40:37] It does, yeah. But also I think it's just the way that my brain works. I look for you can see in the kind of career that I've had, I look for ways to connect things together that might not ordinarily connect. I go wide rather than really, really deep. And I draw from all the different experiences that I've had. So things that I've seen in one context, bring to another context. And so that helps me to think about all of the components of a system. So if you think about the legal system, it's not just about lawyers, it's not just about courts, it's not just about black letter law, it's about social work and it's about housing and it's about fairness and it's about the rule of law. There's all of these components that I think of when I think about the legal system. So that to me is the system thinking. And then I'm a bit of a relentless improver of things, a recovering perfectionist is how I often describe myself. And so I'm the sort of person standing in the line waiting for my lunch thinking, well, if only they had organised this queue a little bit differently, it would be better. So I try not to do that in the cafe, but in the roles that I've had, I'm always interested in how can organisations be better. I have been involved in start up organisations, but there's a big sunk cost, if you like, in an existing organisation, and I'm really passionate about getting organisations to be the best that they can be.

Michael Green: [00:42:10] After your time at World Vision, three or four years I think you were there, 2010 you became Executive Director of Pilch.

Fiona McLeay: [00:42:18] That's right.

Michael Green: [00:42:18] And then CEO of Justice Connect, which is Pilch under another name.

Fiona McLeay: [00:42:22] That's right. Yes.

Michael Green: [00:42:23] For a seven year period. What took you there?

Fiona McLeay: [00:42:26] So it was partly that conversation with Jill, recognising that I did want to step up into a leadership role and Pilch was an organisation that I knew well. I had been on the board for a few years and as I said, the work that I did in homelessness was a project that Pilch had set up. And so, yeah, the opportunity came to apply for the role as the executive director. And it just felt like the perfect fit for me. It was an organisation that was involved in providing free legal help to people who couldn't afford a lawyer using the pro bono expertise of mainly lawyers in large private firms. So it brought together the two passions of my career to that time, social justice pro bono. I understood the large law firm environment, I understood the not for profit, for purpose environment. I'd had a fantastic experience in management and leadership of NGOs. World Vision was an amazing training ground for all of the bits that you need to have to really run a successful nonprofit. And so it seemed like a perfect fit and happily for me the board agreed. And so I took on that role in February. And I loved every moment of my time there. As you said, was initially public interest law clearinghouse. There was another organisation of the same name in New South Wales, actually the original public interest law clearinghouse. And one of the features of the Pilch Justice Committee model is that the law firms that do the pro bono work are members of the organisation and pay a fee for that. Pretty amazing, they volunteer the lawyers and they also pay for the privilege, which is something I'm very confident no other profession does. And so the Melbourne and Sydney organisations had similar members in terms of the large law firms, so it didn't seem to make sense to have two independent organisations. And so one of the first things that I did was to lead the merger of those two independent organisations into what became Justice Connect.

Michael Green: [00:44:26] Would I be right in saying Fiona, you're not someone who wants to come into a role and be an administrator?

Fiona McLeay: [00:44:31] No. You

Michael Green: [00:44:32] Are an agent for change?

Fiona McLeay: [00:44:33] I am, yes.

Michael Green: [00:44:34] And therefore what was the situation with Pilch at the time that you joined that made you think this is going to suit me, it's going to suit my desire to try to improve things?

Fiona McLeay: [00:44:44] Yeah, yeah, that's a good question. I think early on I sort of articulated that it had been running as a very good organization for quite a while, but like any smallish nonprofit, there's often a point where you have to decide, do you want to step up and take the next sort of step? It's a bit like when you're coming to the end of your teenage years and you're sort of stepping into adulthood and maturing. And I felt like when I started, it was an organisation that was at that pivot point, didn't to mature, didn't want to grow up into being a really, you know, much more impactful and ongoing organisation. So that was the opportunity that I seized. And yes, the organisation absolutely has done that. It's still a terrific organisation.

Michael Green: [00:45:28] With funding, you mentioned that the firms provide the free labour or do the pro bono work, pay for the privilege. Is that sufficient to fund Pilchim, fund what is now Justice Connect?

Fiona McLeay: [00:45:39] No. So the organisation grew by adding new programmes. So I mentioned the homelessness programme, which was an outreach sort of clinic model. It developed a similar model for older people, seniors law, and also a terrific programme called not for profit law, which is a legal service for community organisations as it says. And so the law firm membership, when I was there it was about a third of the funding. We also applied for grants from charitable foundations and some of the work that we did got government money as well. So it was sort of a third of that. So a lot of the work was around the financial sustainability and making sure that we were fundraising and that delivering really high quality work that the funders would support.

Michael Green: [00:46:26] And again, I get the feeling you may be lazy or something because you keep having your spare time where you go off and do this time courses at Harvard and Stanford.

Fiona McLeay: [00:46:35] Yeah, I've again been fortunate to have opportunities to do that. Both of those were again scholarship programmes. So Harvard has an excellent

Michael Green: [00:46:45] Can I just clarify, you actually went to The States to do the programme? I did,

Fiona McLeay: [00:46:48] I did, yeah. Yeah, Harvard has a five day programme, strategic perspectives in nonprofit management, does what it says on the tin. And that was a fantastic experience to just be with a whole lot of people who were doing similar things and get some training from the incredible people at the Harvard Business School. It was a mix of learning new things, but also, I guess validating things that I was doing instinctively. And yes, okay, Harvard thinks this is okay, so I can keep doing it this way. That was very encouraging. And then the Stanford experience was towards the end of my time at Justice Connect. That was their executive MBA program. So that's a six week, very, very intensive program on the Stanford campus. And again, a fantastic experience. That was not with not for profit people. There were only two or three of us that worked in for purpose organisations. Everyone else was, know, they were tech founders and they were from huge companies all over the world doing that programme. So it was a really amazing experience to be able to mix with that cohort and to learn from the incredible quality of the professors at Stanford.

Michael Green: [00:47:55] There's a saying that you've heard Fiona, that the apple doesn't fall far from the tree and your ongoing education of yourself through places like Harvard and Stanford and Yale, etcetera, makes me assume that your parents influence is still strong in you.

Fiona McLeay: [00:48:09] Yeah, definitely. Yeah, as I said, my dad continued to learn and my mum as well. She was a midwife, as I mentioned. And then when she went back to work full time when we were in school, she became an expert in tinnitus, which is the kind of ringing head noises kind of problem that people have. And then when she retired from that role, she went back to what was probably her first love, was teaching.

And she actually worked as a TAFE teacher for the last few years of her career before she sadly became unwell and passed away. So yeah, absolutely. I think it was a combination of that modelling and that encouragement. My parents encouraged me all the time to read and to learn. I was an incredibly curious kid and I'm still incredibly curious adult. And my parents answered a million questions that I would be ceaselessly asking. And so, yeah, it's a very strong very strong imprint for which I'm very grateful.

Michael Green: [00:49:06] Yeah.

voiceover : [00:49:09] Lives in the Law is proudly sponsored by City Maps Illustrated. Their recent The Melbourne Map, is a celebration of our wonderful city. This stunning, hand drawn illustration, which took more than three years to create, is available as an art print, jigsaw puzzle, and calendar. The perfect acquisition for your home, office, or corporate gifting.

Michael Green: [00:49:37] In 2018, you come to the Victorian Services Legal Board. I'd ask you first of all to give me the proper title or titles that you have so that I mix them up. But also exactly where does the Legal Services Board sit between Parliament, the Attorney General, the profession, the public? So first of all please give me the proper titles.

Fiona McLeay: [00:49:58] And It's secondly the Victorian Legal Services Board of which I'm the CEO and the Legal Services Commissioner. So it's two statutory bodies and together we regulate the legal profession in Victoria. So the simplest way to think about it is that the board is the licensing body, lawyers annually, they're admitted before the court. That's a one time thing. Annually, you need to get a license. And so the board does that. And then if you are unhappy about your lawyer, you can complain and the commissioner is the person that looks after that and also has investigation and prosecutorial powers. That's at a very, very simplistic high level the distinction between the two. We operate as one body. The legislation says that the commissioner is also the CEO of the board.

Michael Green: [00:50:43] And only one lot of staff. You haven't got two bodies of No,

Fiona McLeay: [00:50:49] That's right.

Michael Green: [00:50:49] And you report annually to parliament?

Fiona McLeay: [00:50:51] To the attorney general, yeah. So independent statutory appointments are appointed by the governor on recommendation of the attorney. So it's completely independent. It's the most independent kind of mechanism we have in our system. Can't be removed. They're five year terms, two lots of five years. And yes, report to the Attorney General annually through our annual report. And so we really articulate our role as being the independent regulator. So we're independent of profession. We're not the professional association. That's the Law Institute and the Victorian Bar, both excellent organizations that we work closely with, but they're not the regulatory bodies. And we're also independent of government because of the way that I'm appointed, also but importantly because of the way we're funded. One of the things that the board does, which is very important and not so widely known, is that it manages a public purpose fund. And that fund comes from interest on lawyers trust accounts, which go to the board and also an investment portfolio, which over the years we have built up. And so the board oversees a very significant corpus around \$6,000,000,000 all up and an

Michael Green: [00:51:58] Investment \$6,000,000,000 Billion with a B.

Fiona McLeay: [00:52:00] With a B, yeah. Investment portfolio around a billion depending on the day or week. And so we're a very significant funder of access to justice in Victoria. Under the legislation, legal aid gets a significant amount of money from us. We fund another a number of smaller statutory bodies and we have a very important grants programme which supports all sorts of really terrific access to justice programmes across the state and also importantly funds the cost of regulation. So all the costs of the board and commissioner come from the Public Purpose Fund.

Michael Green: [00:52:31] So we've established that you're not a manager or an administrator, that's not the role that you want or see yourself as doing. You're a person who wherever you've gone, you've had a vision. You want to see things change for the better. So when you start at Victorian Legal Services Board, or when you start as commissioner, what was your vision? What you think needed changing could be done better?

Fiona McLeay: [00:52:52] Yeah, so I had, like most lawyers, my involvement with the Legal Services Board and Commissioners was pretty limited. You renew your practicing certificate once a year, you make sure that you do your CPD and that's it, which is kind of a good thing really. We were happy for that to be the case for most lawyers. But I did know about the grants program as well because of my work at Justice Connect. The board had funded some of Justice Connect's work. And so I was aware of the really powerful work that the board was already doing as a funder and thought that there might be opportunities to expand that, to do more of that. I also initially when the recruiter rang to sound out my interest, I said, I don't know why I would want that job. And she encouraged me to think about it from a strategic and system perspective. And it didn't take very long before the light bulbs went on for me. So one of the great things that I hoped would be the case in the role and has proven to be the case is that I get to see across the whole of the legal sector because we license now just over 30,000 lawyers and we can see the richness and the increasing diversity of the profession because we fund into access to justice, both legal aid and community legal centres and others.

Fiona McLeay: [00:54:13] We can see all of the richness and complexity that's happening there as well. We work with government, with legal aid, with community legal sector, with the private profession. So really have this very comprehensive view, I guess, of how the system's working. And so given that level of influence, I thought there was ways that in this role I could again have a bit more of a system influence. So my predecessor, Michael McGarvey had done a really terrific job to bring the organisations together. Historically, the board and commissioner had been quite separate actually. And he really did a great job consolidating them. And also the uniform law framework came in under Michael's leadership. And that was quite a big change where New South Wales and Victoria were regulating under shared legislation. And there were some quite big changes that that brought in. So Michael had done a terrific job consolidating that. And I felt like the opportunity was there for the organisation to kind of, a bit like Justice Connect to kind of go to that next level with that foundational work being in place. And so I was, yeah, I was excited about the opportunity. I'm also, as you can see in my career, someone who's happy to jump into something new and, you know, think I can shape it. And it's been a real privilege.

Michael Green: [00:55:29] You've said that you wanted to focus on lawyer well-being, resilience, and I understand that although I wonder how that sits with the Law Institute, which in fact is meant to be the professional body. But one of the things that really caught my eye and shockingly caught my eye was the law has more sexual harassment than any other profession.

Fiona McLeay: [00:55:46] Yeah, so I guess these things go back to that system level thinking. So the board of commission has got a really important role in responding to dealing with complaints that come to us. That's a really core part of what we do. But just being responsive and reactive, you don't necessarily always tackle the root causes of things and there'll be things that you won't necessarily discover because people are not going to come and tell you some things. And so sexual harassment certainly is in that category. So very early on, we did a very big piece of research where we surveyed the profession and asked them about their experiences of sexual harassment. And yeah, the statistics were really very concerning. Half of women in the law had experienced sexual harassment at some time in their career. Really concerningly lawyers, women in their first five years had about thirty percent of them had experienced sexual harassment. Very, very high numbers and yes, higher than almost any other area when you compared it. The Australian Human Rights Commission was doing its really important work under former Commissioner Kate Jenkins looking at sexual harassment at the time. So we were able to compare the data that we collected with her data and that's where that really disturbing figure came about the very high levels of sexual harassment in the profession. So based on that research, we then developed a strategy to tackle sexual harassment. So starting with a very clear statement that sexual harassment was unacceptable and unethical and that we would treat it that way.

Michael Green: [00:57:12] Can someone lose their practicing certificate if they are?

Fiona McLeay: [00:57:15] They could,

voiceover : [00:57:16] Yeah, they could.

Fiona McLeay: [00:57:17] If it was significantly serious, yes. So we made that really clear. We developed an online anonymous reporting portal where people could log their experience of sexual harassment.

Michael Green: [00:57:29] And would I be right in assuming that the biggest issue is to get people, which are ninety nine point nine percent women, to actually report?

Fiona McLeay: [00:57:36] Yeah, it's very difficult to get people to report for a whole lot of reasons that are well known. There's a real concern that people's personal career and their reputation will suffer if they speak up. And also people think that nothing will happen. So yes, that was, and it has been a successful initiative to get people to tell us their story. And in some cases, an anonymous report, the person gets information when they make that report. They sometimes agree to one of my staff contacting them and sometimes through that process they decide they will make a formal complaint which we can then investigate. We obviously can't investigate or act on an anonymous report. It needs to be a formal complaint. So we also did some work on things like bystanding, helping people realise that everyone's got a role to play in this issue. So that approach where we identified a systemic issue, we did the research to really understand the issue deeply and then develop a holistic strategy to respond to it has been a feature of the way that I've worked and now the way the organisation works. So the lawyer well-being work that you mentioned is one of our most recent ones where again, we've done a lot of research ourselves and also research we've commissioned to really deeply understand this very complex issue around the poor lawyer well-being that we see in the profession. Identified up to 45 problems that kind of contribute to lawyer well-being and developed a theory of change, that idea again, about how we think this might shift. Some of that is work that we can do ourselves, but as you alluded to, some of it is opportunities for all across the sector. It's a sector wide problem and the whole sector will need to work on it. We work very closely with the Law Institute and the Bar. We provide funding to both of those bodies to support the very excellent lawyer well-being work that they deliver.

Michael Green: [00:59:22] You also, I don't want use the word do checks, but when people are appointed to the bench and then appointed as silks, there's a check down there.

Fiona McLeay: [00:59:31] That's right. After the Dyson Hayden revelations came out, the Attorney General at the time commissioned Helen Zockey to do a review of sexual harassment in the courts in Victoria. And one of the recommendations that I was very

pleased to see Commissioner Zockey take up was his suggestion that I made that appointments to the bench and for silk be checked as part of the broader character checking that happens in both of those processes. The checks be done with my office as well to see if there are any disciplinary or complaint history that was relevant. That would include sexual harassment. So this idea that, yeah, this behaviour, if we know about it, it will follow you.

Michael Green: [01:00:12] In my time in the law Fiona, which is now a long time, fifty five years, one of the big changes is the cost of justice, the difficulty of people getting access to the legal system to justice. When I started 1970, to go to the Magistrates Court, ordinary people could go there and they could either defend themselves or have an argument with someone about a car accident or a neighbourhood dispute or something. Now, unless you're wealthy, you can't do that. Even minor things. Is there a way that we can make access to justice more affordable for people?

Fiona McLeay: [01:00:42] Yeah, this is the passion of my career, think. I believe very strongly that access to legal help or to help to be able to deal with your everyday legal problems is absolutely fundamental to people being able to participate in society and to run their businesses and to resolve their personal disputes. And at the moment in too many countries, including in Australia, as you say, it's very difficult for people to do that. There's a lot of focus on criminal justice, but in my view not enough focus on civil justice and ways that people can, as you say, just resolve their everyday life problems. What are the solutions to that? I think part of it is helping policymakers and politicians understand why civil justice is so important. It's as important as health and education and housing, and indeed difficulties that people have with housing, health and education can sometimes have a civil justice underpinning. People can be unjustly evicted or they can be living in substandard accommodation, which means it's hard for them to maintain their employment. And then they fall out of both housing and employment and into the welfare system.

Fiona McLeay: [01:01:54] If there's an effective civil justice intervention at the beginning of that chain, all of those problems won't necessarily arise. So how do we address this problem? I think there are this policy shift, which you know, is hard to achieve. I do think that there are some glimmers in terms of the positive use of generative AI tools that can help make people make legal information more accessible

to people, can help make legal practice more efficient and perhaps some changes in service delivery models. The model with the lawyer on one side of the desk and the client on the other, and it's a sort of hourly rate is, as you say, now unaffordable for most people. And so how do we rethink the way legal services are provided so that they can be cost effective and meet people where they're at? And there are some people doing some really interesting work in this space. I think there's more that needs to happen. And I think that the generative AI changes that are happening so rapidly will influence this both for good and there'll be some negatives of it as well.

Michael Green: [01:03:05] That's interesting. Think that sounds like the topic for another podcast, generative AI and what it's gonna do to the law. You may be back here to tell us about it, Fiona.

Fiona McLeay: [01:03:13] Happy to.

voiceover : [01:03:22] William and Lonsdale is brought to you by Greenslist, one of the leading multidisciplinary barristers lists in Australia. Greenslist believe in promoting conversation around the ideas and issues that shape not only our legal system, but our wider community.

Michael Green: [01:03:43] Fiona, on a couple of occasions I've been flippant about you having spare time and not working hard enough. Even though you are currently CEO of the Legal Services Board and Commissioner of Legal Services, you also co chair Equality Australia in your I spare

Fiona McLeay: [01:03:59] Yes. That's a great delight.

Michael Green: [01:04:01] So it's a delight. What is it?

Fiona McLeay: [01:04:03] Equality Australia is the national body that supports and advocates on behalf of LGBTQIA plus people. So a lot of letters in that, the rainbow alphabet, but it's lesbian, gay, bisexual, trans and queer people. It's an organisation that really was born out of the marriage equality campaign quite a few years ago now. Fantastic group of volunteers who worked really hard on that very difficult piece of public policy change. An amazing woman, Anna Brown, who I've known for a long time

was very involved in that campaign. And it was a great victory that was achieved in this country that everyone should be very proud of. But there was more to be done actually in this issue of equality for the queer community. And Anna came to me and said that she was thinking of putting together a new organisation out of the marriage equality organisation to continue this work. Anna's, as I said, an amazing person, not someone that you ever say no to. And so I signed up immediately to join the board of this new fledgling organisation. When I started, I was really struck by the calibre of the people, but also just what a toll the Marriage of Equality campaign had taken on them personally.

Fiona McLeay: [01:05:25] They were having to advocate for their right to be who they were as people and it was extremely difficult. Our First Nations colleagues have had a similar experience through the voice campaign and referendum where you're constantly having to justify why should have a basic right. And so that also really, I felt that I had an obligation as someone who is a very strong supporter of the queer community and also my beloved sister is a lesbian so I've got kind of personal experience of some of the things that she's been involved in. So I really wanted to get involved in the establishment of Equality Australia. I've been on the board now for about eight years and helped to build that organisation to the strong organisation it is now. A lot of board transition as those tired campaigners came off and we brought new people on. I was deputy chair for a number of years and then when the founding chair moved on, I was delighted to take on a co chair role with Leonard Vary, who is a delightful and dear friend of mine. So yeah, that's really fantastic, enjoyable work. It's very satisfying and meaningful and well worth the time that it takes.

Michael Green: [01:06:39] And Fiona, what are some of these ongoing issues that Equality Australia is seeking to address which are important to us as a society?

Fiona McLeay: [01:06:47] Yeah, so one of the big ones is making sure that LGBTQ people can be included in every aspect of their lives. So there are still places where you can be discriminated against on the basis of your sexual orientation or gender identity, particularly in employment in religious organisations. There can be challenges with students as well-being able to express who they are, particularly in religious contexts. So there's still work to be done there. Our friends in the trans community are really experiencing a terrible amount of back lash at the moment. The politicization of what is

essentially a question around identity and health, it's really distressing to see that at the moment. And I think generally speaking, not being complacent about the risk of erosion of support for the fundamental gains that have been made in terms of equality for LGBTQ people over the years. Again, if you look to US, if you look to parts of Europe, things that we thought would be uncontroversial including marriage equality are being questioned. And so remaining vigilant, if you like, about that is an important part of what Equality Australia does.

Michael Green: [01:08:01] We've got to the end of our conversation, Fiona, and I always like I see our audience. I see our audience mainly in terms of law students and young lawyers. And I love people like you to be able to talk to them and say, this has been my life. These are the lessons I've learned. This is some advice I might give you. What would you give them?

Fiona McLeay: [01:08:20] Yeah, I think you can have a really varied career in the law as mine shows. I had absolutely no clue when I was setting off to uni and when I was hitting that first job at Phillips Fox that my career would go this way. So I always say to people, be open to the opportunities that come to you in the law. You learn an amazing set of skills and you'll meet terrific people and look for ways that you can, I think do two things? You want to be personally satisfied in the work and you want to be making a difference. And you don't have to be working in a not for profit. You can do that in a law firm just by being the best lawyer that you can be and the most ethical lawyer and remembering those fundamental principles of what it means to practise law, that you are a really important part of the administration of justice and you play a key role in helping to maintain the rule of law. So when I go and talk to lawyers now in my job, I encourage them in that. And it can be hard being a lawyer, it can be stressful. You're dealing with people usually at an unhappy or difficult time. People don't usually go to a lawyer because something's gone well. Mostly they go to a lawyer because something's gone badly or they're doing something difficult. So it can be stressful, but that's also part of the challenge and the enjoyment that you get from it is helping people navigate their way through difficult things. But it can feel a bit granular day in, day out and a bit unappreciated. So I always say, remember those higher principles because that can get you through some of the darker days.

Michael Green: [01:10:02] And as a person who has looked to change things for the better, think in all of the roles you've taken on, there is one particular thing right now you'd like to change if you had a magic wand?

Fiona McLeay: [01:10:13] I think we talked a little bit about that before. I do feel very passionate about the importance of availability of access to civil justice help. And I really wish that the contribution that lawyers make and the importance of the legal profession was more clearly understood in our society. I do think at the moment globally, the rule of law is being challenged in ways that I would never have expected even five years ago. And it's really important that we have a strong independent legal profession and a profession that is making sure it's doing all it can to support the rule of law. And yeah, those really key foundational principles of democracy. So that's one of the reasons I think it's so important that everyone's able to access little help because if they're not, then they end up marginalised, they end up angry, frustrated and they lose confidence in the system. And then I think that's when you start to see some of the challenges we're seeing in other countries. So perhaps a bit of a downer to end on maybe. I think the other thing that gives me encouragement is the continued commitment that lawyers make to those things.

Michael Green: [01:11:21] Fiona, it's been wonderful talking to you this morning. Thank you very much for coming in and telling us about your life in the law.

Fiona McLeay: [01:11:27] Thank you for your interest. It's been a lot of fun.

voiceover : [01:11:34] Show notes from today's episode can be found at greenslist.com.au/podcast. There, you'll find links to things we've talked about in this episode, a transcript of the show, and some wonderful photos of our guests. If you're enjoying lives in the law, please tell your networks, subscribe, rate, and review the show. Your host is former lawyer and Greens list clerk, Michael Green. Our show is produced and edited by me, Catherine Green, mixed and mastered by Windmill Audio, and recorded by Alex McFarlane, who also wrote and performed all the music for the series. We're coming to you from the iconic Owen Dixon Chambers on the corner of William And Lonsdale Streets in our beautiful city of Melbourne. We acknowledge the Wurundjeri people of the Kulin nation as the traditional custodians of this land and pay our respect to their elders past and present. There is no doubt that conversations about

justice have been taking place on this land for thousands of years, and we are privileged to continue that discussion here today.