

Gina McWilliams

Senior Legal Counsel, News Corp Australia

Gina McWilliams, Senior Legal Counsel, News Corp Australia, answers some questions from **Josephine Booth**, Lawyer, Thomson Geer, for International Women's Day in 2023. Gina's fascinating career has seen her accumulate over 15 years of experience at News Corp Australia, one of Australia's largest media organisations, as well as a Master of Laws from UNSW.

JOSEPHINE BOOTH: What does a typical day look like for you?

GINA McWILLIAMS: My days start with making breakfasts and school lunches before squeezing in a walk with the dog or a KX class. I usually start work between 9:30am and 10:00am at which point there is no "typical", because the balance of the day will turn on the work I am focused on at the time. The common features will usually be a pre-publication clearance shift of anywhere between one and a half to four and a half hours; a variety of other advice given to clients who come directly to me or in relation to longer content that requires extra attention; attending to our ongoing recording of non-publication and suppression orders made around Australia; complaints handling; time spent on whatever area of law reform is being examined that week (at the moment, the Federal Attorney General's Privacy Act and Secrecy Provisions Reviews are occupying most of my time); and, conferring with my colleagues about my matters or matters they are handling. At some point the husband or I will play Uber-driver for the extracurricular activities of our offspring before throwing some dinner together. The cooking may or may not be done with a laptop on the kitchen bench so I can stir and clear copy at the same time.

JOSEPHINE: Did you always want your job with News Corp Australia? If so, what did you do to position yourself to get it?

GINA: Once I knew it existed, of course! But I won't lie: I got to this position due to a combination of dumb luck and good timing. As a much younger person, my TEE score wasn't good enough to go straight into law after high school, so I completed an Arts degree and

then took a gap year to live in New York before applying to do an LLB at the University of Western Australia as a mature age student. I was able to do an accelerated three-year degree while also working as an administrative assistant. What I didn't do was any of the clerkships that would have enticed the firms to hire me as an articulated clerk and, in fact, I didn't get a single employment offer after graduating. At the time, the WA Law Society would take resumes from graduates who were looking for work and provide them to firms looking to hire on request. After submitting my resume, I got a call from what was then the only boutique media law firm in Perth (the now defunct Edwards Wallace) who were kind enough to take me on. Nationwide News, which owned Perth's The Sunday Times newspaper at the time, was one of EdWal's media clients and gave me my first experience of working for News. In 2004, as the now husband and I were planning our move east, an in-house role came up at Nationwide. A very kind colleague of mine who had no interest in moving to Sydney recommended me for the job and the rest is history. I did shore up my position once I got to Sydney by completing a Master's degree in media law at the University of NSW.

JOSEPHINE: What recent events in the Australian media law landscape most affect News Corp Australia and your role?

GINA: In my area of practice, hands down the 2021 amendments to the Defamation Act. Whether the current Privacy Act review takes over that mantle in the future remains to be seen.

JOSEPHINE: Are there any law reforms in your sector that you think are desperately needed? If so, what are they?



GINA: The Northern Territory and Western Australia really need to pull their socks up and pass the 2021 reforms to their respective Defamation Acts. As long as those two jurisdictions lag behind, we are at risk of plaintiffs engaging in the forum shopping the passing of the uniform laws in 2005 was intended to eradicate. You may also need to ask me this question again after we see the drafting for the Stage 2 reforms but in the interim I'll try to stay hopeful. I would love the Federal Court to wind back the 2022 amendment to rule 2.32(2) which restrains access to documents that non-parties were previously able to have access to before the first directions hearing or hearing as a matter of course but that would be wishful thinking. Queensland aside, courts in the other Australian jurisdictions also need to engage in some much-needed reform to make their documents more accessible to journalists in the interests of open justice.

But the two reforms that are the most overdue are the repeal of *Criminal Law (Sexual Offences) Act 1978* (Qld) section 7 and *Sexual Offences (Evidence and Procedure) Act 1983* (NT) section 7. For the happily uninitiated, these are the only two

remaining provisions in Australia that prohibit the identification of the accused in a sexual offence case before he or she is committed to stand trial. Both laws are based on the antiquated premise that sexual offence complainants cannot be trusted to be telling the truth until the court tests the evidence. No other criminal offence anywhere in Australia is subject to a publication restraint of this kind and the fact that these two remain on the statute books should be a source of embarrassment. Queensland is in the throes of repealing their provision, then all eyes can turn to the NT.

JOSEPHINE: What advice would you give to your younger self?

GINA: Keep at it. You may not get where you want to via the most direct route but you will get there. And enjoy the longer journey!

JOSEPHINE: What energises you about work?

GINA: The ways in which content is created, published and communicated have evolved and expanded since 2000 and that pace of change is not abating. At the same time the legal framework in which we work has also altered at both a state and federal level, albeit not always as fast. Keeping up with both while trying to maintain a decent work/life balance is energising.

JOSEPHINE: Who is one woman in the industry whom you really admire, and why?

GINA: I'm going to beg an indulgence and ask to name two: one who is a lawyer and the other who is not. The lovely Lesley Power spent years being the deeply respected General Counsel of SBS. When she decided to relinquish that role she took some well-earned time off only to re-emerge as the CEO of the Alliance for Journalists' Freedom. The industry gets to keep her wealth of experience; Lesley gets to keep fighting the good fight from a different corner; and I get to be inspired by having a colleague prove so successful both inside and outside the lawyering world (note to Michael Cameron: no, boss, I'm not going anywhere). My other daily inspiration is my colleague and good friend, Georgia-Kate Schubert, whom you featured in last year's

IWD special edition. GK is News Corp Australia's Head of Policy and Government Affairs. If that wasn't enough of a challenge she also heads up Australia's Right to Know, which is the coalition Australia's major media entities use when they need to speak with one voice. It is impossible to list the myriad of skills GK brings to both roles but everything she does is done with a smile, kindness, intelligence and a level of politeness I can only aspire to.

JOSEPHINE: If there is one thing you would celebrate about International Women's Day in this industry, specifically, what would it be?

GINA: Women in the media can achieve things that are truly extraordinary. For example, in September 2022, the news.com.au team of Lisa Muxworthy, Nina Funnell, Kerry Warren and Riah Matthews launched the Justice Shouldn't Hurt campaign which sought to obtain support and funding from the NSW government for a program helping child sex offence complainants as they navigated the NSW justice system. Like many things, the campaign started small with Nina being trusted with one family's horror story about their experience with the courts. It grew with a little bit of help from our team and another fabulous lady, Monique Cowden of Level 22 Chambers, until finally Lisa, Kerry and Riah each added their own unique input to Nina's reporting to create an impactful package designed to bring all eyes to this important issue. The result was that in February 2023, the Perrottet government committed to provide \$64.3 million to fund the program. Women did that and we are well worth celebrating. Happy International Women's Day!

JOSEPHINE: Thanks Gina! You too!