



## ***Finding the Balance – A Collaborative Approach***

**The Legal Forecast / MinterEllison Panel Discussion  
30 May 2019**

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**The Hon Justice A Philippides  
Court of Appeal**

I am delighted to have been invited to speak here tonight and before I address you on the topic of “Finding the Balance”, I wish to acknowledge the traditional owners of the land on which we gather and pay my respects to elders, past, present and emerging. And in doing so, I acknowledge the central significance of First Nations culture in Australian society.

I want to congratulate The Legal Forecast for organising tonight’s event which raises an important matter that should be addressed openly and in a constructive manner. Tonight’s excellent and varied panel provides an innovative opportunity to deal with a difficult topic but one that is recognised within the legal profession as requiring urgent attention. Indeed, promoting and supporting lawyers’ mental health has been made a Presidential Priority for the Law Council in 2019.

My emphasis this evening is that it is also an excellent opportunity to highlight the importance of taking a collaborative approach – it is only when employer and employee work together that real change can be achieved. It is particularly important to focus on ways for senior and junior lawyers to work together to find solutions. Such an approach can yield enormous benefits across the culture of the legal profession generally.

Adopting a collaborative approach involves having a discussion that looks at the important input young lawyers can provide in developing a dialogue that is directed to a healthier workplace which can coexist with efficient work structures. Good collaboration involves listening, mutual respect and good rapport because some of these discussions require quite frank and trusting relationships to have developed.



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The benefits of good mental health which accompanies a good working environment are significant for both the employee and productivity as a whole. From a law firm's point of view, there are also great gains in terms of innovative systems and efficiencies that can be made by reviewing problem areas. The commitment required extends beyond ticking boxes to a genuine commitment to changing the culture of a workplace. Of course, at times, there is a need to put in longer hours and sometimes the pressures will be great; but nobody can run a marathon as if it were a sprint and nobody can work under pressure and around the clock all the time.

Another aspect of this dialogue that should not be overlooked is the reputational consequences of the commitment to healthy workplaces. While young lawyers are entering a competitive environment for employment, it is important to remember that law firms also compete with each other for the very best graduates and young lawyers. Young lawyers have a keen interest in the real nature of the working environment they are entering and the experiences of others. The generation of lawyers now entering the profession is more connected through social media and more prepared to share information, insights and experiences, more open about feelings and about revealing negative experiences. This generation is more interested in discussing issues such as mental health in an open and frank manner so that these issues cannot be swept under the carpet.

And, in the digital era of social media, they are also pretty savvy and knowledgeable about their worth. They are also questioning what they want as a lawyer from the profession. What makes this generation of young lawyers really quite special and unique is their insight into how technology can be used to create better work/life balance. Having grown up with technology as infants, this generation has a huge amount to contribute to changing what practicing law will be like in the future. The profession benefits from young lawyers with critical minds voicing their views about how to use technology to achieve efficiencies that result in better work/life balance. There is much to be gained from tapping into insights and suggestions as to how improvements and efficiencies can be made.



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There is another benefit for employers in a collaborative approach to achieving a work/life balance, because collaboration sends a message that employees' views are important and that, in turn, provides a greater sense of empowerment.

But the real change that is achieved through a collaborative approach is in terms of workplace culture. Collaboration prioritises listening and respecting and a culture that is open to new ideas and is dynamic in terms of management strategies. That type of cultural change is most effectively driven from the top down and depends on leadership.

The leadership roles that many law firms are adopting in this area provide important opportunities to reconsider the value of an open culture; one that listens to what everyone has to contribute and values everyone's role in the workplace.

Work/life balance is a topic law firms and employers must not shy away from but prioritise and that is why I particularly want to thank Minter Ellison for hosting this evening and congratulate the Queensland Law Society for its interest in the topic.