

'ADOPT A LAWYER' PROGRAM: PARTNERSHIP WITH WARINGARRI ABORIGINAL ARTS CENTRE

To continue expanding upon the success of its Artists in the Black program, Arts Law launched its pro bono initiative, "Adopt a Lawyer" in 2013. The program partners Aboriginal and Torres Strait Islander Community Art Centres with a single law firm for a three year partnership. It is designed to streamline the existing Artists in the Black support of art centres by facilitating a strengthened relationship between an art centre and a single law firm. Arts Law envisages that the art centre can contact the pro bono lawyers at one firm directly for advice on issues and lawyers will develop a more detailed understanding of the art centre's operations which will position it to provide timely and relevant commercial advice. In 2018, King & Wood Mallesons was proudly adopted by Waringarri Aboriginal Arts Centre.

Established in the late 1970's, in the heart of Miriwoong country at Kununurra in the Kimberley region of northern Australia, Waringarri artists share the importance of their Country and Culture.

Waringarri is the first wholly Indigenous owned art centre established in the Kimberley region and one of the oldest continuously operating art centres in Australia supporting economic independence for artists and their community.

The centre operates artists' studios and galleries and supports more than 100 artists as painters, printmakers, wood carvers, boab engravers, sculptors and textile artists. Cultural tours and performances compliment the visitor experience with a rich insight into Miriwoong culture.

All proceeds from art sales, art commissions and cultural tourism is returned to the community to support their ongoing program of arts and cultural projects.

Refurbished in 2011 the distinctive quality about Waringarri Aboriginal Arts is the sense of an authentically creative and collaborative environment. Artist studios extend into landscaped gardens areas. Verandas are supported with individually painted poles and pathways of sandblasted pavers present a range of artist designs. The Dawang Gallery is a unique cultural information space presenting selected works from the Waringarri collection complimented with multi-media presentations to share the richness of Miriwoong cultural identity with both community and visitors.

The centre which also includes artists from the remote Kira Kiro Art Centre in Kalumburu on the northern Kimberley coast. Artists are supported by a team of local Aboriginal arts-workers.

RAP LEADERSHIP A MESSAGE FROM OUR CHIEF EXECUTIVE PARTNER



King & Wood Mallesons is proud to adopt our second Reconciliation Action Plan.

This "Innovate" Reconciliation Action Plan will enable us to refresh and build on our reconciliation commitment which we commenced in 2016.

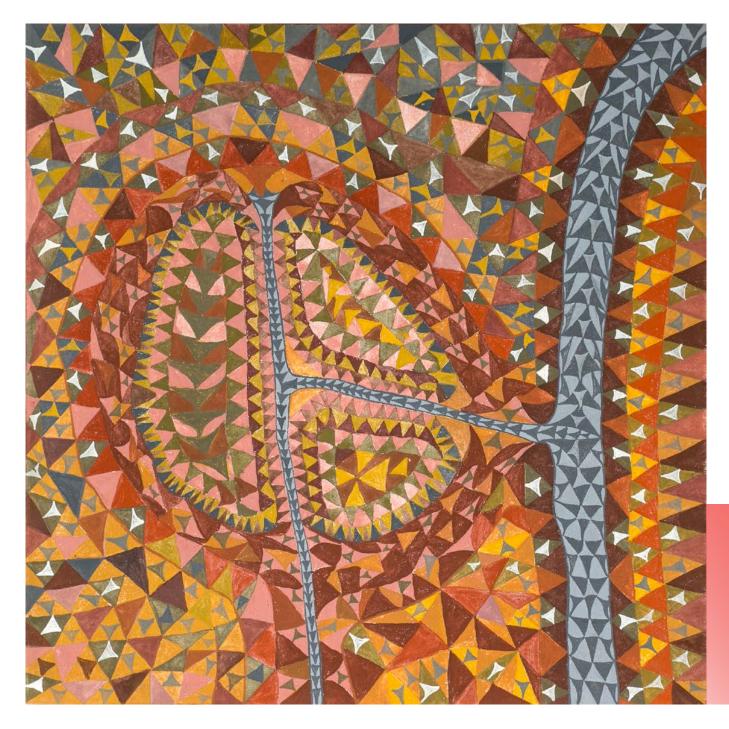
At King & Wood Mallesons, we continue to recognise the importance of reconciliation to our firm, our society and the future of our nation. Our vision for reconciliation reflects our values and demonstrates our desire to create an Australia where all people, including all Aboriginal and Torres Strait Islander peoples and their communities are deeply valued, treated equally, have access to the support they need and have equal opportunity to flourish. We believe raising awareness within the broader community of the challenges facing Aboriginal and Torres Strait Islander peoples and the significant, rich and diverse histories and cultures of the many groups across Australia, is a fundamental component of the reconciliation process.

Key to the development of our Reconciliation Action Plan has been the guidance we have gratefully received from the *National Aboriginal and Torres Strait Islander Legal Service (NATSILS)*, *Reconciliation Australia and Reconciliation Western Australia*. On behalf of our Reconciliation & Empowerment leadership group and our Reconciliation & Empowerment Working Group, I acknowledge and thank those fantastic organisations for their insights and support. I would also like to extend my personal gratitude to the members of the Working Group for their continued commitment and effort which has been inspiring.

Our desire is to work together to create opportunities and positive impact for Aboriginal and Torres Strait Islander peoples, community controlled organisations and communities. We are very pleased to again commit ourselves to the actions set out in this Reconciliation Action Plan.

Berkeley Cox

Chief Executive Partner, Australia Reconciliation & Empowerment Working Group Chair King & Wood Mallesons



ARTIST BEN WARD



Ben Ward Artist

"I was born at Argyle Downs Station at Behn Creek, hence my name, in 1949. My family all worked on the station and we lived there until I was 10. We walked from Argyle Station to Ivanhoe so I could go to school at the Kimberley Research Station. My parents and extended family gained work at Ivanhoe Station. My stepfather, Jeff Chanarma, taught me everything I know. He took me on as his own son. My real father was a stockman at Argyle Downs Station, he was half Miriwoong and half Afghan and in those days he couldn't claim me as his own."

After Ben left school he worked as a mechanic and it was the shop owner's wife who taught Ben how to paint in watercolour. In 1964 he worked on Carlton Station mustering cattle then later studied nursing to take a position at the Ord Valley Aboriginal Health Service.

A great speaker, Ben was strongly involved in land rights and community issues. He worked for the Aboriginal Development Commission and officially opened Waringarri Aboriginal Arts Centre in the 1980s. It wasn't until 2011 that Ben began painting regularly and carving at the centre. His painting practice focuses on depicting his country and memories of when he was a young man mustering cattle, from his own unique perspective. In his latest series, he employs triangular designs of juxtaposed coloured ochre to depict the rivers, mountains and ranges of his country while also commenting on issues that are close to his heart. In 2015 he was the first Indigenous person to win the prestigious John Fries Award for emerging artists.

Ben has held the position as Chairperson for the Board of Directors at Waringarri Aboriginal Arts Centre in 2012, 2013, 2015 and 2016.

Ben Ward has depicted his adopted father's Country of Dunham River.

On the right hand side is Doon - Dunham River, which today travels towards Lake Argyle Dam. The heart shape in the centre of the painting depicts Jimoordboord, a valley where the Thegooyeng or ancestral pigeon in the dreamtime lived. The blue line dissecting the shape is a small freshwater spring which runs towards Doon Doon.

King & Wood Mallesons has purchased this work, which will be proudly displayed in our offices.

OUR BUSINESS

King & Wood Mallesons (**KWM**) is a global elite law firm headquartered in Asia. Our clients have access to approximately 500 partners and 2,400 lawyers across 27 international offices spanning Australia, China, Europe, Japan, Hong Kong, the Middle East, Singapore, and the United States. As one of only a few firms in the world able to practise People's Republic of China, Hong Kong, Australian, US, English and a range of European laws, we are connecting Asia to the world and the world to Asia.

KWM is a full-service commercial law firm delivering a full range of transactional, financial and disputes capability. We have top tier expertise in cross-border mergers and acquistions; joint ventures; capital markets; corporate governance; tax; employment; intellectual property; bank lending; project finance; commercial litigation; international arbitration; real estate and restructuring and insolvency.

In Australia, we employ approximately 1500 people including approximately 5 Aboriginal and Torres Strait Islander peoples. KWM Australia is national in its focus and operates from five offices in Australia: Sydney, Melbourne, Brisbane, Perth and Canberra.

Our values are to be client centric, dynamic and entrepreneurial, and to operate as one team, one firm. We support excellence and innovation by our staff, and stewardship of our firm for future generations, and we bring an international perspective to our business.

Through our KWM Community Impact program, we provide pro bono legal services, advocacy, charitable contributions, knowledge sharing and skills matching assistance to our community partners, all of which help create strong ties with our local, national and international communities.

We value the diversity of our people and strive to create a respectful, inclusive culture that is sensitive to the needs of all.



OUR VISION FOR RECONCILIATION SUCCESS

Our vision for reconciliation is to create an Australia where all people, including all Aboriginal and Torres Strait Islander peoples and communities, are deeply valued, treated equally, have access to the support they need and are offered equal opportunity to flourish.

As a global law firm and an Australian market leader, we believe that KWM has a responsibility to actively demonstrate leadership in, and commitment to, achieving higher reconciliation goals with Aboriginal and Torres Strait Islander peoples and communities.

KWM is committed to reconciliation and will provide its resources, skills and experience (legal and non-legal) to assist in achieving this vision.



OUR RECONCILIATION ACTION PLAN JOURNEY

KWM recognises the importance of reconciliation in fostering and developing not just a fair and inclusive workplace but also a fair and inclusive society. KWM believes that we must all accept responsibility for reconciliation and we must all contribute towards reconciliation in order for our firm and our society to achieve improved reconciliation outcomes.

Our 'Reflect' RAP allowed us to formalise our commitment to reconciliation and explore the different ways we can work with Aboriginal and Torres Strait Islander peoples to progress reconciliation within our sphere of influence. Since launching our RAP in August 2016, we have introduced a number of new RAP initiatives across our offices in Australia. We have also had the opportunity to continue to develop and refine our unique vision for the next stage of our reconciliation journey.

Having reflected on our progress over the last year, we are pleased to have successfully met a significant number of our RAP commitments. We have come to learn more about the varying awareness levels among our staff about the histories of Australia's First Peoples. We have also learnt that there are a range of ways by which we can build on our respect for Aboriginal and Torres Strait Islander peoples. These include education and awareness, the introduction of Welcome to Country / Acknowledgement of Country protocols at our firm events and the valuable conversations and listening which have enriched our relationships with Aboriginal and Torres Strait Islander peoples, community controlled organisations and communities.

Through the introduction of our RAP we have also been able to proactively identify opportunities to incorporate the businesses of Aboriginal and Torres Strait Islander peoples into our supply chain. This focus will continue to build over the life of our Innovate RAP.

Through our exploration of educational and employment support for Aboriginal and Torres Strait Islander students we have learnt a number of valuable lessons. Whether it be via a pairing with a mentor, the provision of study assistance or an internship, we understand that there are significant opportunities for us to assist Aboriginal and Torres Strait Islander students, and we are committed to their continued growth and development.

While we celebrate our success, it is also important for us to acknowledge that our firm and the wider Australian community have a long way to travel on the path to achieving reconciliation with Australia's First Peoples. We understand that it is important to share what we have learnt so that we can continue to increase our focus and commitment to advancing reconciliation in this, our second RAP.



REFLECTING ON OUR FIRST RECONCILIATION ACTION PLAN

The highlights from our Reflect RAP include:

ACCESS TO JUSTICE AND LEGAL SERVICES

- Court of Appeal Victory: we represented Gene Gibson, a Pintupi man, on a landmark pro bono case in Western Australia that saw his conviction for manslaughter unanimously overturned in the Western Australian Court of Appeal.
- **Legal Services:** we provided 2,116 hours of pro bono legal services valued at \$1,080,019 to a range of Aboriginal and Torres Strait Islander organisations and individuals.
- Human Rights Law Centre: we provided a range of legal advice and legal services to the centre's Indigenous Rights Unit.
- Key Legal Services: we developed relationships with key legal service providers including the National Aboriginal & Torres Strait Islander Legal Service (NATSILS), Victorian Aboriginal Legal Service (VALS) and Aboriginal Legal Service (NSW/ACT) Limited.

Landmark Pro Bono Case

We represented Gene Gibson, a Pintupi man, on a landmark pro bono case in Western Australia that saw his conviction for manslaughter unanimously overturned in the Western Australian Court of Appeal.

In August 2012, Gene Gibson was sentenced to serve seven and a half years in prison for the 2010 manslaughter of Joshua Warneke in Broome. Gene is a young, cognitively impaired man from the Aboriginal community of Kiwirrkurra in the Gibson desert; the most remote community in Australia. Gene's native language is not English and he has no ability to read or write. Nonetheless, Gene was extensively interviewed in 2012 by the WA Police without an interpreter, in a manner which a judge of the Supreme Court found to be unlawful.

As matters transpired, Gene pleaded guilty to manslaughter. Not because he was guilty, but because he believed that he only had two choices: plead not guilty to murder and go to prison for a long time, possibly for life; or plead guilty to manslaughter and go to prison for a short time.

It is no surprise that, when faced with this choice, Gene pleaded guilty to manslaughter. In June 2016, KWM filed an appeal with the Western Australian Court of Appeal. Following a four day hearing in April 2017, a decision to unanimously overturn Gene's conviction, enter a judgment of acquittal, and allow for Gene's immediate release from prison was handed down.

The appeal was led by then commercial litigation partner Michael Lundberg, supported by a team of solicitors including Debra Osborn, Alexandra Pieniazek and Adam Rompotis, and assisted by legal secretary Nadia Mobilia.

For the team involved, Gene's appeal highlighted the importance of our role as advocates and the critical importance of communication and trust in our relationships with our clients.

continued

More broadly, through widespread media attention, the case prompted discussion into what has been described as failures in the justice system, particularly with respect to its treatment of vulnerable people such as Gene, and issues which arise due to a lack of funding for essential services, namely legal aid and interpreting services.

Commenting on the appeal, Michael said: "Our firm is proud of the ongoing contribution that we make to the community as part of our KWM in the Community program, and our commitment to reconciliation with Aboriginal and Torres Strait Islander peoples and communities which led to the firm's Reconciliation Action Plan. The firm is especially proud to have secured this result for

Gene, and that as part of our commitment to justice we were able to use our skills and resources to obtain justice for this vulnerable and disadvantaged young man."

The KWM Perth office worked with barristers Sam Vandongen SC and Alexander Mossop from the Western Australian Bar. Sam was recently recognised for his pro bono contributions, particularly acting as lead counsel for Gene Gibson, and was awarded the 2017 Attorney General's Community Service Law Award.



L-R: Debra Osborn, Michael Lundberg, Dr Sue Gordon AM, Alexandra Pieniazek, Nadia Stagno, Sam Vandongen SC, Gene Gibson, Alexander Mossop, Adam Rompotis.

RFI ATIONSHIPS

- Partnerships: we have developed and maintained formal and informal partnerships with a number of Aboriginal and Torres Strait Islander organisations including the National Congress of Australia's First Peoples, the Secretariat of National Aboriginal and Islander Child Care, the Melbourne Indigenous Transition School, the National Aboriginal & Torres Strait Islander Legal Services and the Jinibara People Aboriginal Corporation.
- **Donations:** we provided financial support to five Aboriginal and Torres Strait Islander programs and organisations:
 - Aboriginal Legal Service (NSW/ACT)
 - National Congress of Australia's First Peoples
 - Victorian Aboriginal Legal Service
 - Aboriginal Legal Rights Movement (ALRM)
 - Djabulukgu Association Inc
- Participation: we have raised awareness of our RAP by hosting a number of RAP events across our offices, publishing articles on our internal intranet and providing regular updates to staff from the Chief Executive Partner.

- National Reconciliation Week (NRW): NRW events have been promoted across our offices:
 - Special screening of Ten Canoes
 - Ann Wallin (archaeologist) shared insights into the Jinibara People's native title determination, traditional country, history and contemporary identity and culture. Ann was introduced with a very brief introduction by Jinibara person Karin Vea
 - Participants of the Straight Talk National Summit with Oxfam Australia shared their personal experiences on challenges facing Aboriginal and Torres Strait Islander women
 - Panel discussion with Shahleena Musk (Aboriginal senior lawyer at the HRLC) and Nerita Waight (Aboriginal lawyer at VALS) discussing the experience of Aboriginal women in the justice system, focusing on over-representation and lack of access of justice
 - Breakfast with special guest speaker Dr Sue Gordon, the first Aboriginal person to head a government department in WA and the first Aboriginal magistrate in the State's history
 - Lunch with special guest speaker Nadine Miles, Chief Legal Officer of the Aboriginal Legal Service (ACT/NSW)
 - Intranet article along with email to staff from the Chief Executive Partner promoting NRW and the events being held in each KWM office

RESPECT

Partnership with the National Aboriginal & Torres Strait Islander Legal Services

During our Reflect RAP we formalised a partnership with the National Aboriginal & Torres Strait Islander Legal Services (NATSILS).

NATSILS is the national peak representative body for the Aboriginal and Torres Strait Islander Legal Services (ATSILS) around Australia. NATSILS provides a united voice at the national level for the rights of Aboriginal and Torres Strait Islander peoples and also supports the ATSILS to provide high quality and culturally competent legal services.

The Australian justice system was not designed to meet the legal needs of Aboriginal and Torres Strait Islander communities and the ATSILS play a critical role for individuals and their communities in trying to improve justice outcomes and advocating for systems level change.

The purpose of the Memorandum of Understanding between KWM & NATSILS is to facilitate a mutually beneficial relationship which will contribute to our respective reconciliation goals while providing pro bono and other assistance to NATSILS to support its work with Aboriginal and Torres Strait Islander peoples.

- **Protocols:** we have developed and implemented Acknowledgment of Country protocols for each office, which are increasingly used at internal and external firm events.
- Acknowledgement of Traditional Owners: we have organised the displaying of Acknowledgement of Country plaques in the main reception areas of each of our offices to acknowledge the Traditional Owners of the land on which our offices are situated.
- Cultural Awareness: face to face cultural awareness training has been delivered across our offices. Training was well attended and well received by KWM staff.
- NAIDOC Week: we celebrated and participated in NAIDOC Week. We held events in a number of our offices. Staff also attended a number of external events throughout NAIDOC Week.
- Promoting culture: we have displayed the Australian Institute of Aboriginal and Torres Strait Islander Studies language map in the breakout areas on each floor in each office to promote Aboriginal and Torres Strait Islander languages and cultures.

Education and raising awareness

We have held presentations for our staff on a range of issues that affect Aboriginal and Torres Strait Islander peoples. Recent topics have included:

- 'Engaging with Aboriginal Communities' Workshop facilitated by Jolleen Hicks, Founder of Aboriginal Insights. Drawing on her experience as a Native Title Lawyer, Aboriginal woman, director of an Aboriginal organisation and Aboriginal consultant, Jolleen's workshop focussed on inclusive engagement and building relationships with Aboriginal and Torres Strait Islander peoples.
- Ann Wallin (archaeologist), with the support and endorsement of Jinibara People Aboriginal Corporation, shared some insights into the Jinibara People's native title determination, traditional country, history and contemporary identity and culture.
- Cultural Awareness and Competency Workshop run by Corporate Culcha. The workshop provided a practical understanding of how culture shapes our values, attitudes and behaviour along with tools for mentoring, managing and working with Aboriginal and Torres Strait Islander peoples.

OPPORTUNITIES

- **Mentoring:** we introduced the KWM Indigenous Law Students Mentoring Program.
- Scholarships: we introduced an annual scholarship in each of our five centres for an Aboriginal and Torres Strait Islander student via the KWM Aspire Award as part of our community partnership with The Smith Family. The scholarship is valued at \$9,000 across three years and includes a structured mentoring program delivered by a senior KWM partner or staff member.
- **Sponsored:** we sponsored three interns through the CareerTrackers Indigenous internship program.
- **Membership:** we continued to be a member of Supply Nation. In 2017, we joined the "Indigenous Procurement Program", a Business Council of Australia and Supply Nation collaborative initiative to design a sustainable framework for Aboriginal and Torres Strait Islander supplier development, measurement and reporting. We are also a member of Reconciliation Western Australia.
- Procurement: we have proactively pursued opportunities to procure goods and services from Tier 1 and Tier 2 Aboriginal and Torres Strait Islander businesses such as Aboriginal Steel Art, Corporate Culcha, Indigiearth, and Yaru Water.
- Equal opportunity: all of our job advertisements include the following wording: "King & Wood Mallesons is an equal opportunity employer and is committed to principles of diversity and inclusion. Applications from Aboriginal and Torres Strait Islander peoples are encouraged."

Facilitating study and employment pathways

In August 2017, we launched an Indigenous Law Students Mentoring Program with Macquarie University. The program aligns to our vision to create a diverse and inclusive workplace through building skills and connections with Aboriginal and/or Torres Strait Islander students. The program runs for 6 months and pairs an Aboriginal and Torres Strait Islander law student with up to two mentors, a junior lawyer and a senior lawyer. It is designed to give students a first-hand insight into the day-to-day work of a commercial lawyer and to share experiences and wisdom to support the further learning of the students. We are planning on expanding this program to other universities.

Since 2014, we have participated in the CareerTrackers Indigenous Internships Program. CareerTrackers is a national non-profit social enterprise that creates private sector paid internship opportunities for talented Aboriginal and Torres Strait Islander university students. The goal for participating companies is to produce a qualified candidate with corporate and community leadership potential who can be hired on university graduation. Each year, we employ Aboriginal and Torres Strait Islander law students for a 12-week internship in our offices. We also support the CareerTrackers National Leadership Development Institute which brings together 450 CareerTrackers participants from around the country each year. Our lawyers present a session on studying techniques for this conference.



KWM staff presenting to CareerTracker Interns at their 'Going for Gold' session.

continued

In partnership with The Smith Family we developed the KWM Aspire Award. The award is a combined scholarship and mentoring award and is granted annually in each state and territory where we have an office. The award was created to assist high-achieving disadvantaged secondary students with making the transition to tertiary study. Since our Reflect RAP we have introduced a second award in each of our offices which is specifically offered to Aboriginal and/or Torres Strait Islander high school students. In the first year we awarded scholarships to 5 young men and women who have demonstrated significant potential and commitment to their studies and their communities.

The Perth office's 2017 RAP Aspire Award winner Ashley Maroney has continued to go from strength to strength since receiving the scholarship. In early 2018 Ashley received the Rob Riley Memorial Prize which recognised her as the top performing Aboriginal Australian Tertiary Admission Rank (ATAR) student in a Western Australian public school having achieved an outstanding ATAR of 97.4. Ashley has secured an assured pathway to complete a Juris Doctor in Law at the University of Western Australia commencing in 2021, after she completes her Undergraduate Bachelor of Arts degree (majoring in Political Science and International Relations). She has also been recognised for her artistic talent which saw her artwork featured in the City of Fremantle's 25under25 exhibition.

Ashley shared her thoughts on how the RAP Aspire Award has supported her development:

'The RAP Aspire Award has had a great impact on my last year in high school, providing me with the funds to pay for my school fees, but also providing me with a great mentor who encouraged me in my studies and helped me figure out what I wanted to do at university and how to go about enrolling in my chosen courses. I'm excited for the next few years of my tertiary studies and am happy that I'll have someone who's been through it all to be able to guide me through it as well.'

L-R: Ashley Maroney with her artwork, and Ashley with KWM mentor Laura Smith, at the City of Fremantle's 25under25 exhibition.





OUR INNOVATE RAP

Through our Innovate RAP, we intend to continue our vision for reconciliation by focusing on the three major areas of reconciliation:

- Building relationships: continuing to build on our existing relationships and also establishing new relationships with Aboriginal and Torres Strait Islander peoples to increase connections, share experiences and create sustainable partnerships;
- Emphasising respect: actively promoting respect for Aboriginal and Torres Strait Islander cultures, by recognising and educating our people and our clients on the significance, diversity and richness of Aboriginal and Torres Strait Islander cultures; and
- Creating opportunities: by deploying our market leading legal experience, resources and skills to help improve access to legal services and to support business opportunities, education and employment for Aboriginal and Torres Strait Islander individuals, community controlled organisations and communities.

This, our second RAP, has been brought together through the collaboration and efforts of our **Reconciliation & Empowerment (R&E) Leadership Group** and the broader Reconciliation & Empowerment Working Group.

Our RAP is championed by our R&E leadership group (below) and our Partner R&E Ambassadors in each centre:

Berkeley Cox, Chief Executive Partner, KWM Australia

Kellie Wade, National Diversity, Inclusion & Wellbeing Manager

Dan Creasey, Head of Pro Bono & Community Impact

Sharron Anderson, Senior Associate – Business Management

It is their responsibility to lead the promotion of the RAP objectives across the broader business. Embracing the KWM RAP is the responsibility of every employee of the firm, but the facilitation of the RAP actions is steered by our R&E leadership group, local R&E Coordinators and the Reconciliation & Empowerment Working Group. This ensures there is a shared responsibility and the RAP actions are being achieved and monitored at a local level.

Reconciliation & Empowerment Working Group

Name	Position	Office
Sharron Anderson	Senior Associate – Business Management	Brisbane
Sally Audeyev	Partner	Perth
Megan Barnett-Smith	Pro Bono & Community Impact Manager	Melbourne
Anna Bond	Solicitor	Sydney
Stephen Brightman	Senior Associate	Canberra
Meadhbh Cacciaguidi-Fahy	Solicitor	Sydney
Rachel Choi	Solicitor	Brisbane
Andrew Cork	Senior Manager, Strategy	National
Berkeley Cox	Chief Executive Partner	National
Dan Creasey	Head of Pro Bono & Community Impact	National

Joshua Fisher	Solicitor	Melbourne
Antony Freeman	Solicitor	Melbourne
Acacia Hosking	Solicitor	Perth
Aleksandra Ilic	Solicitor	Sydney
Chloe Johnco	Pro Bono & Community Impact Manager	Sydney
Emma Kay	Solicitor	Perth
Emily Lawrence	Category Manager	Melbourne
Helen Maguire	Solicitor	Brisbane
Christie McGregor	Diversity, Inclusion & Wellbeing Consultant	Sydney
Neil Narayanan	National Procurement Manager	Sydney
Lisa Roberts	Practice Assistant	Perth
Aisling Scott	Solicitor	Brisbane
Daniellé Sharplin	Solicitor	Melbourne
Scott Singleton	Partner	Brisbane
Bella Skuthorp	Solicitor	Perth
Peter Stirling	Partner	Melbourne
Nick Testro	Senior Associate	Brisbane
Jessica Townsend	Solicitor	Perth
Anna Vella	Senior Associate	Brisbane
Kellie Wade	National Diversity, Inclusion & Wellbeing Manager	Sydney

Through the Reconciliation & Empowerment Working Group, we have engaged in a consultation process with a number of Aboriginal and Torres Strait Islander individuals and organisations, and Reconciliation Australia. We wish to acknowledge the invaluable contribution provided by our Reconciliation & Empowerment Working Group external advisor Karly Warner, Executive Officer of National Aboriginal and Torres Strait Islander Legal Services. We also gratefully acknowledge the input of Reconciliation Western Australia in the preparation of this RAP.

We have laid the foundations on our RAP journey and we are committed to the reconciliation actions which lie in front of us. We

acknowledge we are only at the start of a journey. We look forward to new opportunities and to the increased level of commitment and responsibility associated with our second RAP, an Innovate RAP. By deploying our experience, resources and skills (in each case legal and non-legal), we can continue towards our vision to make a significant and positive impact on the communities in which we work and operate.

We welcome the opportunity to strive to make a difference for Aboriginal and Torres Strait Islander peoples and to help build the capacity of their communities and organisations.

OUR RECONCILIATION COMMITMENT

RELATIONSHIPS

At KWM, one of our core business values is to build strong and enduring relationships. Relationships demonstrate a deep understanding of and our ability to care for our community, our people and our clients.

We believe that strong and enduring relationships between Aboriginal and Torres Strait Islander peoples and other Australians is critical to achieving reconciliation. The act of building and strengthening relationships serves as the foundation of many of our RAP commitments. The stronger the relationship the greater our mutual understanding and our ability to work together where it will be most valuable.

Action	Deliverable	Timeline	Responsibility
Reconciliation & Empowerment Working Group (RWG) actively monitors RAP development and implementation of actions, tracking progress and reporting	 Oversee development, endorsement and launch of the RAP. Meet at least twice per year to monitor progress against RAP actions. 	June 2018 September 2018, March 2019, September 2019, March 2020	All deliverables contained within this action are the joint responsibility of the Head of Pro Bono & Community Impact and the National Diversity, Inclusion & Wellbeing Manager
	 Ensure Aboriginal and Torres Strait Islander peoples are represented on the RWG. Confirm Terms of Reference for the RWG. 	September 2018, March 2019, September 2019, March 2020 September 2018	
2. Participate in and	Organise an event in each office annually during NRW.	May 2019, 2020	All deliverables
celebrate National Reconciliation	 Register all our NRW events via Reconciliation Australia's NRW website, and encourage staff to attend. 	May 2019, 2020	contained within this action are the
Week (NRW) by providing	■ Support an external NRW event.	May 2019, 2020	joint responsibility of the Head of Pro
opportunities to build and maintain relationships between Aboriginal and Torres Strait Islander peoples and other Australians	Ensure members of our R&E leadership group &/or RWG participate in an external event to recognise and celebrate NRW.	May 2019, 2020	Bono & Community Impact and the National Diversity, Inclusion &
	Extend an invitation to Aboriginal and Torres Strait Islander peoples to share their reconciliation experiences or stories during NRW.	April 2019, 2020	
	Encourage staff to participate in external events to recognise and celebrate NRW.	May 2019, 2020	Wellbeing Manager

Action	Deliverable	Timeline	Responsibility
3. Raise internal and external awareness of our RAP to promote reconciliation across our business and sector	 Implement and review a strategy to communicate our Innovate RAP to all internal and external stakeholders (including RAP launch events in each of our centres). Promote reconciliation through ongoing active engagement with all stakeholders. Incorporate RAP related news in the KWM in the Community Newsletter to increase awareness regarding events, education and actions regarding Aboriginal and Torres Strait Islander peoples. 	August 2018 via RWG meetings September 2018, 2019, March 2019, 2020 July, October 2018, January, April, July 2019 January, April 2020	All deliverables contained within this action are the joint responsibility of the Head of Pro Bono & Community Impact and the National Diversity, Inclusion & Wellbeing Manager
4. Continue to explore, develop and maintain mutually beneficial relationships with Aboriginal and Torres Strait Islander peoples, communities and organisations to support positive outcomes	 Continue our membership of the Legal Profession Reconciliation Network and seek opportunities to contribute to hosting or speaking requirements. Investigate membership of other state based Reconciliation bodies. Continue our membership of the Business Council of Australia's Business-Indigenous Network and offer hosting capability. Map out further potential opportunities and initiate contact or engagement with at least 3 Aboriginal and Torres Strait Islander community organisations or community members in each of the five States or Territory where KWM is based. Devise, develop and implement an engagement plan to work with each of our Aboriginal and Torres Strait Islander stakeholders. Meet with our key Aboriginal and Torres Strait Islander stakeholder organisations at least twice per year to listen, learn and better understand how we can assist those stakeholders and to develop guiding principles for future engagement Continue to work with Reconciliation Western Australia to identify strategic collaboration opportunities. 	June 2018 June 2018 June 2018 August 2019 September 2018 June & November 2018, 2019 June 2018	All deliverables contained within this action are the joint responsibility of the Head of Pro Bono & Community Impact and the National Diversity, Inclusion & Wellbeing Manager
5. Continue to develop and expand upon our relationship with the National Aboriginal and Torres Strait Islander Legal Service (NATSILS)	 Meet regularly with NATSILS Chief Executive Officer to learn about NATSILS's work and objectives, and to determine ways to support its operations and work. Visit NATSILS to develop and enhance our relationship and profile our engagement in the firm. Explore the possibility of a secondment to NATSILS. Circulate information concerning NATSILS's events to our staff and encourage attendance where appropriate. 	July 2018, 2019 (and as part of RWG meetings) August 2018 August 2018 Timing to be advised by NATSILS	All deliverables contained within this action are the joint responsibility of the Head of Pro Bono & Community Impact and the National Diversity, Inclusion & Wellbeing Manager
6. Develop our relationship with the Arts Law Centre and, in particular, the Waringarri Aboriginal Arts Centre which 'adopted' us through the Artists in the Black project	 Confirm our participation in the Artists in the Black project and explore doing other panel work for Aboriginal and Torres Strait Islander artists. Visit the Waringarri Aboriginal Arts Centre and Waringarri community to develop and enhance our relationship. Profile our relationship within the firm to promote Waringarri Aboriginal Arts Centre. Explore the possibility of an art show for Waringarri Aboriginal Arts Centre to be held in our office. Explore a range of assistance to be provided to Waringarri Aboriginal Arts Centre such as pro bono legal services, philanthropic support, in kind support, non-legal services and profile raising opportunities. 	June 2018 April 2019, 2020 June 2018 February 2019 June 2018	All deliverables contained within this action are the responsibility of the Head of Pro Bono & Community Impact

RESPECT

We believe in a culture which truly values all people and their wellbeing. In our workplace, we are committed to a culture of diversity and inclusion where everyone, regardless of gender, race, age, religion, disability, sexuality and gender identity feels respected. At the core of this commitment, we expect everyone to show respect for each other.

We believe that in order for us to deliver on our RAP commitments with meaning and purpose we must respect, acknowledge and appreciate Aboriginal and Torres Strait Islander peoples, cultures, lands, waters, histories and rights. This respect and understanding can be achieved through increased and sustained engagement, connection and education with Aboriginal and Torres Strait Islander peoples.





Action	Deliverable	Timeline	Responsibility
1. Engage employees in continuous cultural learning opportunities to increase understanding and appreciation of Aboriginal and Torres Strait Islander cultures, histories and achievements	Develop and implement an Aboriginal and Torres Strait Islander cultural awareness training strategy for our staff which defines cultural learning needs of employees in all areas of our business and considers various ways cultural learning can be provided (online, face to face workshops or cultural immersion).	September 2018	All deliverables contained within this action are the responsibility
	Investigate opportunities to work with local Traditional Owners and/or Aboriginal and Torres Strait Islander consultants to develop cultural awareness training.	September 2018	of the National Diversity, Inclusion & Wellbeing Manager
	Provide opportunities for RWG members, R&E Ambassadors, HR managers and other key leadership staff to participate in cultural training.	October 2018, February 2019	
	Analyse recent diversity survey data on our employees' current level of understanding around Aboriginal and Torres Strait Islander histories, cultures and contributions to inform future cultural awareness sessions.	August 2018	

Action	Deliverable	Timeline	Responsibility
2. Engage employees in understanding the significance of Aboriginal and Torres Strait Islander cultural protocols such as Welcome to Country and Acknowledgement of Country, to ensure there is a shared meaning	 Embed our cultural protocol document for Welcome to Country and Acknowledgement of Country. Develop a list of key contacts for organising a Welcome to Country and maintaining respectful partnerships. Invite a Traditional Owner to provide a Welcome to Country for at least one significant event in either National Reconciliation Week or NAIDOC Week in each of our five locations. Include an Acknowledgement of Country at the commencement of important internal and external meetings. Encourage staff to include an Acknowledgement of Country at the commencement of all meetings. Provide option to partners and staff to include acknowledgement of KWM reconciliation commitment at the base of email communications. Educate employees regarding preferred terminology when referring to Aboriginal and Torres Strait Islander peoples, by preparing and circulating guidance notes. Add an Acknowledgement of Country to meeting room guidelines in all meeting rooms. 	June 2018 – October 2018 August 2019, 2020 July 2018, 2019 June 2018 October 2018 October 2018 October 2018 October 2018	All deliverables contained within this action are the joint responsibility of the Head of Pro Bono & Community Impact and the National Diversity, Inclusio & Wellbeing Manager
3. Provide opportunities for Aboriginal and Torres Strait Islander staff to engage with their cultures and communities by celebrating NAIDOC Week	 Review HR policies and procedures to ensure there are no barriers to staff participating in NAIDOC Week. Provide opportunities for all Aboriginal and Torres Strait Islander staff to participate with their cultures and communities during NAIDOC Week. Provide opportunities for all staff to participate in NAIDOC Week activities. Contact our local NAIDOC Week Committee to discover events in our community. 	June 2018, 2019, 2020 July 2018, 2019 July 2018, 2019 June 2018, 2019, 2020	All deliverables contained within this action are the joint responsibility of the Head of Pro Bono & Community Impact and the National Diversity, Inclusic & Wellbeing Manager

OPPORTUNITIES

As a global law firm and an Australian market leader, we want to use our legal expertise to pursue access to justice for Aboriginal and Torres Strait Islander peoples and our resources (legal and non-legal) to create access to opportunities. We think these are two critical ways to achieving our vision for reconciliation success.

At KWM, we believe that access to justice is a fundamental aspect of the rule of law. Without access to justice, people are unable to have their voices heard, they are unable to challenge unfair laws, they cannot hold decision-makers to account and they cannot exercise their rights. We also believe that access to opportunity means that everyone in our society should have the ability to participate freely and equally, and have the ability to pursue their dreams, especially via education and employment pathways.

Against that backdrop, we will therefore focus on the following core projects:

- Participate in the Arts Law Centre's 'Adopt a Lawyer Program' whereby KWM will work closely with Waringarri Aboriginal Arts Centre to address its legal problems and provide an opportunity for our people to learn more about Aboriginal and Torres Strait Islander art and cultures.
- Continue to build and enhance our relationship with peak legal services body, the National Aboriginal & Torres Strait Islander Legal Service, to better understand and respond to legal issues affecting Aboriginal and Torres Strait Islander peoples.
- Continue working with CareerTrackers to raise Aboriginal and Torres Strait Islander participation across the legal profession as part of a long term plan to drive intergenerational change.
- Contribute skills, resources and financial contributions via a major and long-term signature skills matching program aimed at raising Aboriginal and Torres Strait Islander employment participation.

- Facilitate and actively contribute to the national discussion concerning recognition for Aboriginal and Torres Strait Islander peoples in the Constitution.
- Continue the KWM Aspire Award in partnership with The Smith Family to assist high-achieving secondary students with making the transition to tertiary study.
- Strengthen our Aboriginal and Torres Strait Islander Law Students Mentoring Program via Macquarie University to create a diverse and inclusive workplace through building skills and connections with Aboriginal and Torres Strait Islander students, and expand the program with other universities.
- Continue to include the Aboriginal Legal Service (NSW/ACT) in our workplace giving program, enabling our staff and partners to provide financial support.
- Work closely with Supply Nation to identify Aboriginal and Torres Strait Islander suppliers for sourcing goods and services as and when suitable opportunities become available.
- Encourage our supply chains to engage in the reconciliation journey.

Action	Deliverable	Timeline	Responsibility
1. Provide an increased level of pro bono legal advice and assistance to Aboriginal and Torres Strait Islander organisations, businesses and individuals	 Provide up to \$3 million of legal services over two years (2018 to 2020) to a range of Aboriginal and Torres Strait Islander organisations. The legal advice and legal services that we will explore will include: Advocacy and strategic reform; Legal research and drafting; Strategic litigation to address systemic issues; Capacity building and skills training; Pro bono clinics (including face to face clinics and telephone advice services); and Strategic advice for social enterprises and other Aboriginal and Torres Strait Islander organisations. 	June 2018 – June 2020 (report to Reconciliation Australia June 2019, 2020)	Head of Pro Bono & Community Impact Pro Bono & Community Impact Managers
2. Explore opportunities to undertake, and enhance, the legal work we do for the Brisbane, Canberra, Melbourne, Perth and Sydney-based Aboriginal and Torres Strait Islander communities	 Meet with organisations we currently work with to explore ways we might be able to assist the local Aboriginal and Torres Strait Islander communities with our legal expertise. Map out potential opportunities and initiate contact or engagement with at least three further community organisations or community members in each of the centres where KWM is located in Australia. 	December 2018 September 2018	Head of Pro Bono & Community Impact Pro Bono & Community Impact Managers
3. Support initiatives to reduce poverty and inequality in Aboriginal and Torres Strait Islander communities	 Continue to work closely with Aboriginal and Torres Strait Islander organisations and communities to identify key causes of child poverty and inequality, and explore legal options to overcome barriers. Work closely with the Child Rights Taskforce to identify key causes of child poverty and inequality, and explore legal avenues to overcome barriers. Explore Opportunities to support organisations that promote Aboriginal and Torres Strait Islander Rights, issues affecting Aboriginal and Torres Strait Islander Peoples and/or Reconciliation through our Workplace Giving program. Explore opportunities to 'crowdfund' a project for one of our Aboriginal and Torres Strait Islander charity partners. 	June 2018, 2019 and 2020 July 2018 June 2018, 2019 and 2020 September 2018	All deliverables contained within this action are the joint responsibility of the Head of Pro Bono & Community Impact and the Pro Bono & Community Impact Managers
Provide capacity building workshops and training to Aboriginal and Torres Strait Islander businesses and organisations	Identify, approach and, where requested, deliver to Aboriginal and Torres Strait Islander organisations tailored legal workshops and training on topics relevant to their aims and objectives.	June 2018, 2019 and 2020	Head of Pro Bono & Community Impact
5. Work with the Human Rights Law Centre on human rights matters involving Aboriginal and Torres Strait Islander peoples and organisations	 Meet with the Human Rights Law Centre (Indigenous Rights Unit) on a regular basis to identify referrals which we may be able to assist with. Endeavour to place those matters within the firm once requested provided it meets our criteria ie. individuals who cannot afford representation or organisations working on behalf on marginalised/disadvantaged people or matters that are in the public interest. 	June 2018, 2019 and 2020 June 2018, 2019 and 2020	Head of Pro Bono & Community Impact

Action	Deliverable	Timeline	Responsibility
6. Investigate Opportunities to advocate on behalf of Aboriginal and Torres Strait Islander peoples	■ Support Aboriginal and Torres Strait Islander community controlled organisations, such as NATSILS, to assist with submissions to Government about issues of concern to Aboriginal and Torres Strait Islander peoples, particularly issues related to poverty, inequality and access to justice.	June 2018, 2019 and 2020	Head of Pro Bono & Community Impact
iolaridor poopies	Facilitate and actively contribute to the national discussion concerning recognition for Aboriginal and Torres Strait Islander peoples in the Constitution.	June 2019	
7. Continue to support Aboriginal and Torres	Continue to fund an annual scholarship for an Aboriginal and Torres Strait Islander student through the KWM Aspire Award and/or an equivalent program.	June 2018, 2019, 2020	All deliverables contained within this action are the
Strait Islander high school and university students with achieving their	Develop a long term training program which enables our people to work with and alongside Aboriginal and Torres Strait Islander young people to develop the skills and resources they need to get into the careers they want.	June 2020	joint responsibility of the Head of Pro Bono & Community Impact and the
study and career aspirations	Encourage KWM partners and staff to mentor and support Aboriginal and Torres Strait Islander law students through university mentoring programs and/or State Law Society and Bar Association programs.	June 2019	National Diversity, Inclusion & Wellbeing Manager
	 Continue to provide internship opportunities for four Aboriginal and Torres Strait Islander law students each year through the CareerTrackers Indigenous Internship Program. 	December 2019	
8. Provide support and information to our lawyers to	Develop, draft and implement a briefing policy in relation to briefing Aboriginal and Torres Strait Islander barristers in Victoria, NSW, ACT, Queensland and Western Australia.	February 2019	All deliverables contained within this action are the
assist in briefing Aboriginal and	Offer opportunities for Aboriginal and Torres Strait Islander barristers to speak on topics for internal seminars.	February 2019	joint responsibility of the Head of Pro
Torres Strait Islander barristers	Highlight the work of Aboriginal and Torres Strait Island barristers in key internal and external communications.	February 2019	Bono & Community Impact and the National Diversity, Inclusion & Wellbeing Manager
9. Investigate opportunities to improve and increase Aboriginal and Torres Strait Islander employment outcomes within our workplace	 Develop and implement an Aboriginal and Torres Strait Islander Employment and retention strategy. 	October 2018	All deliverables contained within
	 Engage with existing Aboriginal and Torres Strait Islander staff to consult on employment strategies, including professional development. 	July 2018	this action are the responsibility of the
	Advertise vacancies in Aboriginal and Torres Strait Islander media.	July 2018	National Diversity, Inclusion &
	Collect information on our current Aboriginal and Torres Strait Islander staff, to inform future employment and development opportunities.	July 2018	Wellbeing Manager
	Review human resources procedures and policies to ensure that there are no barriers to Aboriginal and Torres Strait Islander employees and future applicants participating in our workplace.	October 2018	
	Engage with external Aboriginal and Torres Strait Islander peoples and/or consultants to advise on recruitment, employment and retention strategies, including professional development.	September 2018	

Action	Deliverable	Timeline	Responsibility
10. Investigate opportunities to incorporate Aboriginal and Torres Strait	Review internal procurement processes to ascertain if there are any barriers to procuring goods and services from Aboriginal and Torres Strait Islander owned businesses.	June 2018	All deliverables contained within this action are
	Implement actions to address or remove any barriers resulting from the abovementioned review.	August 2018	the responsibility of the National
Islander supplier diversity within our organisation	Raise awareness of the firm's procurement policy and procedures to encourage engagement with Supply Nation certified Aboriginal and Torres Strait Islander businesses.	August 2018	Procurement Manager
	■ Promote Supply Nation's Indigenous Business Direct portal to all staff.	August 2018	
	Renew Supply Nation membership.	August 2018, 2019	
	Collaborate with Business Council of Australia members on the "Indigenous Procurement Program" to design a sustainable framework for Aboriginal and Torres Strait Islander supplier development, measurement and reporting.	August 2018	
	Increase procurement of products and services from Aboriginal and Torres Strait Islander businesses with a target of \$150,000 of spend over three years.	December 2018, 2019	
	Develop at least one commercial relationship with an Aboriginal and/ or Torres Strait Islander owned business.	October 2018	
11. Introduce an Aboriginal and Torres Strait Islander art show to showcase Aboriginal and Torres Strait Islander artists.	■ Curate and sponsor an annual Aboriginal and Torres Strait Islander contemporary art show with the centre piece being a \$25k Art Prize. The prize would recognise and promote the important contribution made by Aboriginal and Torres Strait Islander artists from across Australia and provide them with a new stage to showcase their talent.	September 2018, 2019	Head of Pro Bono & Community Impact

GOVERNANCE, TRACKING PROGRESS AND REPORTING

Action	Deliverable	Timeline	Responsibility
Report RAP achievements, challenges and learnings to Reconciliation Australia	 RWG to collect data for the RAP Impact Measurement Questionnaire. RWG to seek internal approvals to submit the RAP Impact Measurement Questionnaire to Reconciliation Australia. Submit the RAP Impact Measurement Questionnaire to Reconciliation Australia annually. Investigate KWM participation in the RAP Barometer. 	July 2018, 2019 August 2018, 2019 30 September 2018, 2019 May 2020	All deliverables contained within this action are the joint responsibility of the Head of Pro Bono & Community Impact and the National Diversity, Inclusion & Wellbeing Manager
2. Report RAP achievements, challenges and learnings internally and externally	 Prepare and present a brief RAP progress paper outlining our achievements, challenges and learnings internally to Board and Executive Team. Prepare and publish a brief intranet RAP progress report to all Partners and staff. Incorporate RAP related news in the KWM in the Community Newsletter. Update KWM external website with RAP progress update. 	Internal reporting – June & November 2018 & 2019, External reporting - November 2018 & 2019 November 2018, 2019 November 2018, 2019	All deliverables contained within this action are the joint responsibility of the Head of Pro Bono & Community Impact and the National Diversity, Inclusion & Wellbeing Manager
3. Review, refresh and update RAP	 Liaise with Reconciliation Australia to develop a new RAP based on learnings, challenges and achievements. Submit draft RAP to Reconciliation Australia for review and feedback. Submit draft to Reconciliation Australia for formal endorsement. 	December 2019 January 2020 May 2020	All deliverables contained within this action are the joint responsibility of the Head of Pro Bono & Community Impact and the National Diversity, Inclusion & Wellbeing Manager

CONTACT



Kellie Wade
National Diversity, Inclusion
& Wellbeing Manager
T +61 2 9296 3332
kellie.wade@au.kwm.com



Dan Creasey
Head of Pro Bono
& Community Impact
T +61 3 9643 5339
dan.creasey@au.kwm.com

Or contact your nearest KWM office:

Brisbane Level 33 Waterfront Place 1 Eagle Street QLD 4000 Canberra
Level 5
NICTA Building
7 London Circuit
ACT 2601

Melbourne Level 50 Bourke Place 600 Bourke Street VIC 3000 Perth
Level 30
QV.1 Building
250 St Georges Terrace
WA 6000

Sydney
Level 61
Governor Phillip Tower
1 Farrer Place
NSW 2000

We look forward to continuing to grow our relationships with, and understanding of, Aboriginal and Torres Strait Islander peoples and cultures, to meaningfully contribute to the reconciliation process, and to empower Aboriginal and Torres Strait Islander peoples to ensure equal opportunities to flourish.

