Remarks of William Lye, OAM
Asian Australian Lawyers Association
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Leadership by mentoring and sponsoring

First, I acknowledge the traditional owners of the land upon which we are gathering (here in Melbourne, Sydney, Perth, and Brisbane) and pay my respects to their elders past and present and to any elders here with us tonight.

I am delighted to be asked to give the keynote address tonight on the topic of mentoring.

This is an important initiative and strategic program for the AALA.

Much have already been written and spoken of about the importance of mentoring.

Tonight, I would like to talk about ‘Leadership by mentoring and sponsoring’, as a push and pull strategy.

It is about:

• Coming together and being united so that our voices are heard.
• Building each other up to ensure there is a talent pool.
• Celebrating each other’s success.

Each of us, no matter how senior or junior, has an important role to play here.

Now that we have many more in numbers, I would also like to add that as Asian Australian lawyers we have an added responsibility to lead by mentoring and sponsoring others.

We have to build a legacy for the future of our younger generation of Australians who aspire to become lawyers.

I am a 3rd generation Chinese born in Malaysia. I have lived in Melbourne for 36 years.
When I signed the Victorian Bar roll in 1988 there was only one other barrister of Asian descent – Nimal Wickramanayake - who was much later appointed a Senior Counsel.

He is now retired.

Then there were only two of us of overseas Asian descent at the Bar in Victoria, and possibly in Australia.

There were no formal programs for mentoring and sponsoring.

If there was, it was more informal and is largely ‘who you know’, ‘which school you belonged to’, and the ‘family ties’ you had.

My wife also graduated as a lawyer.

She had the opportunity to work at Minter Ellison as a Banking & Finance lawyer.

There were only two other lawyers of Asian descent at her firm.

Gender diversity in law firms then was the exception rather than the norm.

Cultural diversity did not even feature in the mix.

Today, there is progress.

On 12 October 2017 at Ferguson CJ’s welcome, she said:

Much has been made by some of the fact that I am a woman and had been a solicitor before coming to the Court. I don’t think of these things as relevant distinguishing features. I can’t wait for the day when diversity – not just gender, but cultural, intellectual and other forms of diversity – is not worthy of mention because it occurs so commonly. From my own observation, organisations that have diversity function better and make better decisions. The Court and the legal profession can make a difference in encouraging and developing diversity so that our judiciary can be drawn from a wide pool of people who have different backgrounds – whether that be gender, culture, race or experience. In the context of the Court, the beneficiary of a diverse judiciary is the community which itself is diverse.

(emphasis added)

This message is a significant shift.
Now is the time for the AALA to strategically unite, encourage and empower, and build the talent pool.

It is no longer an option.

It is an imperative.

We cannot just leave it to the Court to make such positive remarks and not have a pool of people available to consider.

It goes beyond just the judiciary, it includes advancement at the bar, law firms, in-house lawyers, and government lawyers.

Since its establishment in 2013, the AALA has come together to make a contribution.

We are now uniquely placed in Victoria, New South Wales, Western Australia, and soon to be in Queensland to have ONE VOICE to be heard.

We now need to unite.

We must put aside our own personal self-interests and look at the bigger picture.

We must resist being a ‘naysayer’.

Don’t give 5 reasons why you cannot participate and contribute but find 1 reason to do so.

As US President John F. Kennedy said:

‘... ask not what your country [AALA] can do for you, ask what you can do for your country [AALA].’

I encourage you to turn up, participate, and get stretched.

Sign up for the Mentoring program.

Volunteer to be on the AALA Committee.

Contribute constructively towards the AALA’s mission ‘To promote cultural diversity in the law’.

There is no time and place to build little fiefdoms, or sit at the pew.
We need to come together and seize the opportunity together so that we can build that talent pool.

Back in 1995, my wife and I went to Hong Kong for an International Bar Association conference to get some inspiration.

We met Asian American lawyers who had formed their own association in the USA to undertake specifically tailored programs to help Asian American lawyers break through the barriers.

We were inspired to do the same in Melbourne.

But, we discovered that there were simply not enough numbers in the legal profession.

There was no traction.

So, I got involved in the community.

I learnt how to chair meetings.

I learnt how to organise events.

I learnt how to speak to larger crowds.

I found an avenue to practise leadership.

Experienced leaders in the community encourage my participation.

They helped me and gave me a chance to serve and lead.

However, it took nearly 18 years for me to participate at a leadership level within my own fraternity at the Bar.

A senior QC gave me the opportunity to contribute at the Commercial Bar Association of Victoria by taking charge of building its website.

When given a chance, we must not let others down.

When CommBar’s website was launched, it significantly altered the way barristers were represented to a larger audience – by providing a greater visual exposure that appealed to the human side rather than merely pure textual information.

To build the talent pool takes time, effort, and commitment.
We need to invest our time and resources to improve ourselves, and others.

This is our Australian value of mateship and looking out for one another.

Providing equal opportunity and having a fair go.

We can only put programs in place.

You have to ‘turn up’ and participate.

For example, the AALA coordinates a program ‘Elevating our presence!’ with a Master Voice and Presentation Coach.

Outside the AALA, for barristers there is the Advocacy Training Council providing advance learning in advocacy skills.

The various Law Societies have specialist accreditation courses to take.

There are industry awards that we can nominate others for their achievements.

It is important that we help build each other up.

This is done through active engagement at AALA events like this.

Mentoring is a good way for people not merely to engage in ‘transactional’ relationships but to engage ‘relationally’ with another person by building trust and mutual respect.

Mentoring is one way to pull someone into your circle and share experiences.

But it is equally important not to forget that Asian Australians are often ‘stereo-typed’ and miss out on being given a chance.

You can sponsor a mentee and help them progress. It is important to push that person to the next level.

To earn the privilege to be sponsored, the mentee has to prove herself as worthy.

You cannot prove yourself if you do not turn up and contribute.

In 2006, I had the privilege of accompanying the Chairman of the Asian Strategy Leadership Institute, a major Asian think tank, to the Victorian Government House for a luncheon reception.
It was the very first time I stepped foot into Government House.

There I met the then Official Secretary to the Governor of Victoria.

He took an interest in my career as one of the few barristers of Asian descent.

I believe it was in part due to his own learning about the law from Sir Henry Winneke, who was the Governor of Victoria from 1974 to 1982, and was also a Chief Justice of the Supreme Court of Victoria.

I considered him as a mentor and friend who has helped me along my own journey.

He gave me a chance to learn more about contribution within the wider Australian community.

By participating in the mainstream community, I have been given opportunities to contribute to the building of our nation.

Tonight, each of us has the opportunity to participate and contribute to the important work of AALA to promote cultural diversity in the law.

This important work benefits each of you and the future generation of Asian Australian lawyers.

Active contribution and building one another up will ensure that there will be a greater talent pool.

We must also learn to celebrate one another success.

If one of us is successful in our achievements then it is a good reflection for all of us.

This will inspire us to strive to be the best.

It will allow aspirants to see that there are role models.

Our success is a shared achievement of the collective.

We make it because others have brought us together, and helped build us up.

Let us not forget to share our success stories.
Can I conclude by reminding you of the journey that we (as an Association) undertook (by way of leadership) back in 2013 when we came together to form the AALA to promote diversity in the law.

In 2015, the Asian Australian Lawyers Association (AALA) launched a report “The Australian Legal Profession: A snapshot of Asian Australian diversity in 2015”.

The figures relating to cultural diversity in the legal profession in Victoria were dismal.

Speaking as a barrister, it shows that Asian Australians account for 1.6% of the 6,061 barristers in Australia. Of the 94 barristers with Asian ethnicity, only 7 were of the rank of Queens Counsel or Senior Counsel.

Since then, the numbers have improved slightly. There have also been appointments from a diverse pool to the Victorian Magistracy, County Court Registry, and the Victorian Civil & Administrative Tribunal.

I believe there is much work that needs to be done in the others States.

In July 2016, the Australian Human Rights Commission launched its report ‘Leading for Change: A blueprint for cultural diversity and inclusive leadership.’

While the AHRC’s report did not cover the legal profession, the statistics as to diversity in the business community and the higher education institutions were also dismal.

In September 2017, the Diversity Council of Australia launched its report ‘Cracking the Glass-Cultural Ceiling’.

The DCA report observed that:

‘Australian organizations with culturally and gender balanced leadership teams are well positioned to thrive in today’s diverse and complex operating environments.’

Just last week, the Asia Institute of The University of Melbourne launched its report ‘Workforce Diversity in Higher Education’.

Emeritus Professor Kwong Lee Dow, AO was the first and only Vice Chancellor of Asian descent to have been appointed in Australia.

In his foreword to the report, he observed:

‘As I think of the situation in the committees, boards and statutory bodies of influence at senior institutional levels, for me the most
relevant of all suggestions is to increase awareness among our leaders of the strong tendency we all have to make appointments of people who are most like ourselves. For Asians in Australia, that remains the stumbling block at the top.’ (emphasis added)

We are certainly not at the ‘bottom’ as we are making positive and constructive efforts for advancement.

Therefore, when we come together as a group united in one voice in promoting equality, fairness, and a chance to be given an opportunity to show case our talents, our voices will be heard.

United we stand. Divided we will fall.

We must continue to do our part with renewed vigour to promote cultural diversity in the law.

Each of us can start by taking up the mantle of leading by mentoring and sponsoring others, no matter the level of experience each has.

More importantly, we must take actual steps to participate in our mentoring and sponsoring programs that will contribute towards the building of the talent pool.

This requires concerted efforts by us (as leaders of AALA) so that each State/Territory will have the talent pool of Asian Australian lawyers from which judges, senior counsels, partners, and general counsels, can be drawn.

As we gather here tonight, you ought to be proud of your contribution towards the success we have made so far.

There is already progress in terms of cultural diversity within the legal profession.

Many law firms have signed up to a charter of diversity and inclusion.

Cross-cultural mentoring is now even more important.

All these things did not happen by chance.

It happened by design because a group of us took charge of leading, helping build each other up, and when it comes to advancement - we have the courage to speak on others’ behalf.
While the AALA provides numerous avenues for networking, the larger vision is about empowering our future lawyers to know that there is a pathway for them.

This is not a place to chase titles nor is it a place to be complacent.

It is through turning up and contributing that each of us will play an important role to mentor and sponsor others.

I hope that the AALA will continue to stand up, speak out, and act proactively in promoting cultural diversity in the law for the benefit of all Australians living in a multicultural society.

Thank you.