



# TAC Protocols

## Inclusion & Diversity: Shared Commitment

6 April 2023

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## 1. INTRODUCTION

- 1.1 The legal sector is a powerful and influential part of our community, and it is imperative that we ensure those working within our profession feel safe and that opportunities are available equitably to all.
- 1.2 In 2019 the Victorian Legal Services Board + Commissioner released a report into [Sexual Harassment in the Victorian Legal Sector](#), indicating that sexual harassment continues to be a prevalent concern. In 2020 the Law Council of Australia released its [National Action Plan to Reduce Sexual Harassment in the Australian Legal Profession](#), which provided clear guidance to address the regulatory and cultural changes required to improve the experience of all legal professionals.
- 1.3 In 2020 the [Respect@Work: Sexual Harassment National Inquiry Report](#) by Kate Jenkins, Sex Discrimination Commissioner, found that in addition to gender, other population groups at greater risk of harassment across all workforces include: young workers, LGBTIQ+ workers, Aboriginal and Torres Strait Islander workers, workers with disability, workers from culturally and linguistically diverse backgrounds, migrant workers or workers on temporary visas, and other vulnerable workers. As a result, the [Anti-Discrimination and Human Rights Legislation Amendment \(Respect at Work\) Act 2022 \(Cth\)](#) has introduced an important shift for all Australian workplaces, creating a positive duty for employers to prevent sexual harassment, discrimination, and victimisation.

## 2. OBJECTIVES

- 2.1 The Transport Accident Commission (TAC) and the Australian Lawyers Alliance (ALA) are committed to working collaboratively to ensure an inclusive and diverse work community.
- 2.2 This document has been agreed by the TAC and ALA to encompass signatories to the TAC Protocols, and aims to influence all those that work within our profession both directly and indirectly. This includes solicitors, counsel, the courts and related services, medical practitioners, support staff, and others.
- 2.3 This document seeks to unify and bring to life our commitment to each other and our future colleagues to create and maintain an inclusive system that reflects the diversity of the Victorian community, where people are empowered to participate and contribute to their full potential.

## 3. COMMITMENT

- 3.1 The TAC and ALA commit to ensuring an inclusive, accessible and safe environment for everyone, in particular women and gender diverse people, people from culturally and linguistically diverse backgrounds, LGBTIQ+ people, Aboriginals and Torres Strait Islander peoples, and people with disability. We actively oppose and condemn any form of harassment or discrimination.
- 3.2 Together we will:
  - 3.2.1 Demonstrate leadership in the community by proactively identifying and addressing disrespect and inequality, in accordance with the standards and expectations at Clause 4;
  - 3.2.2 Uphold the rights of individuals to make complaint about actions that deviate from respectful and inclusive standards and expectations, to access support, and to participate in resolution processes like those described at Clause 5;

- 3.2.3 Adopt and implement recruitment practices that welcome and encourage a diverse range of candidates;
  - 3.2.4 Ensure diversity of representation on working groups that seek to continuously improve our processes and procedures; and
  - 3.2.5 Promote a safe and equitable legal sector, for all.
- 3.3 The TAC and ALA will regularly seek feedback to ensure that this Commitment remains responsive to current and emerging challenges, and that it is effective and impactful.
- 3.4 The Protocols Working Group will list on its agenda a bi-annual discussion of any items relevant to this Commitment and minute any necessary actions arising from those items. Such actions may include sharing insights with the legal sector regarding identified themes and opportunities, facilitating consultation on relevant topics, and influencing key stakeholders on relevant decisions.
- 3.5 Further guidance about the application of this Commitment can be obtained by contacting a member of the Protocols Working Group from the TAC (at [protocols@tac.vic.gov.au](mailto:protocols@tac.vic.gov.au)) or the ALA (at [enquiries@lawyersalliance.com.au](mailto:enquiries@lawyersalliance.com.au)).

#### 4. EXPECTATIONS AND RESOURCES

- 4.1 What defines respect and equality is constantly evolving. The following resources provide relevant guidance on respectful and inclusive standards in the Victorian legal and public sectors that continue to apply during conduct of Protocols matters:
- 4.1.1 [Australian Solicitors Conduct Rules](#)
  - 4.1.2 [Uniform Law and Conduct Rules](#)
  - 4.1.3 [Judicial Conduct Policy](#)
  - 4.1.4 [Victorian Bar Conduct Policies](#)
  - 4.1.5 [LIV Charter for the Advancement of Women: Guidelines](#)
  - 4.1.6 [LCA Diversity and Equality Charter](#)
  - 4.1.7 [VPSC Code of Conduct](#)
  - 4.1.8 [TAC Code of Conduct](#) *(internal link available to TAC employees)*
  - 4.1.9 [TAC Inclusion & Diversity Framework](#) *(internal link available to TAC employees)*

#### 5. COMPLAINTS PROCESSES

- 5.1 Complaints about disrespect and inequality during conduct of Protocols matters should be referred to the manager or responsible employer of the individual demonstrating those behaviours, in the first instance. The following resources also provide relevant guidance on reporting and investigation processes in the Victorian legal and public sectors:
- 5.1.1 [Raising employee conduct with the TAC.](#)
  - 5.1.2 [Victorian Legal Services Board + Commissioner – conduct/behaviour complaints](#)
  - 5.1.3 [Victorian Legal Services Board + Commissioner – complaints about sexual harassment](#)
  - 5.1.4 [Judicial Commission of Victoria](#)
  - 5.1.5 [Victorian Bar Council](#)
  - 5.1.6 [Victorian Equal Opportunity & Human Rights Commission – make a complaint](#)
  - 5.1.7 [Victorian Equal Opportunity & Human Rights Commission – sexual harassment support and response tool](#)
  - 5.1.8 [Australian Human Rights Commission](#)
  - 5.1.9 [Victorian Ombudsman](#)

## 6. SUPPORTS

6.1 The following supports are available for individuals affected by any form of harassment or discrimination:

- 6.1.1 [1800RESPECT](#) - 1800 737 732 (24 hours, 7 days a week)
- 6.1.2 [Lifeline](#) - 13 11 14 (24 hours, 7 days a week)
- 6.1.3 [Beyond Blue](#) - 1300 22 4636 (24 hours, 7 days a week)
- 6.1.4 [Victorian Bar](#) funds two independent counselling services to members and their families
- 6.1.5 [Law Institute Victoria](#) member counselling service
- 6.1.6 TAC employee [Safe Work Practices \(Behaviours of Concern\)](#), [Employee Assistance Program](#), and [Manager Assist program](#) (*internal links available to TAC employees*)