



Reconciliation Action Plan

July 2023 – June 2024



Acknowledgment of Country:

The First Nations of Australia belong to the longest continuing cultures in the world and are also the holders of some of the oldest legal systems and jurisprudence known to us. Russell Kennedy Lawyers acknowledges the Traditional Custodians of the lands on which we meet and work. Our offices are situated on the unceded lands of the Wurundjeri and Gadigal peoples. We pay our respects to their Elders, past and present, to their emerging leaders and to the resilience, creativity and vitality of their cultures including their laws and systems of governance.



Artwork

The beautiful artwork used throughout our Reflect RAP document was created by Stormie Lee Dutton, a proud Barkinji / Wiradjuri woman. Stormie is based in Albury-Wodonga, on the Dhungala (Murray River) the mighty waterway which dissects the states in which the two Russell Kennedy offices are located.



Stormie Dutton

Artist's Statement | Stormie Dutton

“The artwork is founded in blues and greens. They represent reflection, collaboration and truth telling, which is important for us to move forward and come together to work towards a better tomorrow. This collaboration is also represented in the two large circular shapes, which show people walking into a big group, coming together. The circles coming through the centre are all our ancestors that have walked this earth, who are no longer with us, but still leave their spirits here to guide all of us through this life.

The green and purple markings through the centre are emu tracks often found across this beautiful country. Animal tracks are very important in our culture to be able to hunt and provide food. The flowing section in the top represents all our waterways: our rivers, beaches, freshwater streams and waterfalls. Water is a vital element that sustains life on earth and our overall well-being. The green dots along the waterways are the River Wattle, which grow only in Victoria and New South Wales, and which symbolise our connectedness across these two regions where the Russell Kennedy offices are located. The Yellow Wattle, which is also native to south-eastern Australia, is a medicinal remedy for a variety of illnesses and is a symbol of renewal and growth. It is also a symbol of the lands on which Russell Kennedy operates.

By embracing the blues and greens, which symbolise our hopes for the future, especially as we currently reflect and collaborate on the Voice, we can come together into a big group and work towards a better tomorrow.”



Paul Gleeson

Message from Paul Gleeson, Managing Director

I would first like to acknowledge the Traditional Custodians of the lands on which we meet and work and pay my respects to their Elders, past and present, and to their emerging leaders.

I am extremely pleased to present Russell Kennedy Lawyers' first Reconciliation Action Plan (RAP). Our Reflect RAP is a milestone in our firm's continuing journey and commitment to reconciliation. We recognise the discrimination and disadvantages that First Nations peoples continue to face today and understand the important contribution our firm can make as legal practitioners.

The Reflect RAP is not just about what we can do to assist people and community through pro bono services - it is a shared undertaking to build knowledge, respect and understanding between us all and to share in the vibrant, resilient and ongoing cultures of First Nations peoples.

The Reflect RAP provides a framework for our firm to grow awareness and better engage with First Nations as well as celebrate their rich cultures. It will enable us to reflect on the contributions we have previously made, and how we can be better informed and better engaged with First Nations communities. Our RAP will ensure that our Reconciliation work is properly embedded within the structural workings of the firm, so that it is carried out in a strategic and consistent manner. I am pleased to announce that Donna Rayner (Principal) and Kyle Gillan (Principal) have been appointed Joint Chairs of our RAP Committee and that Michael Gorton (Principal) has been appointed as our RAP Champion.

Russell Kennedy has been actively involved in the reconciliation movement in Victoria for over 20 years. Michael Gorton was a member of the State Reconciliation Council and was a founder and inaugural Co-Chair of Reconciliation Victoria. Through Michael and our Pro Bono Practice, we have supported the work of Reconciliation Australia and Reconciliation Victoria for over 15 years, including involvement in the creation of Reconciliation Victoria and provision of pro bono office space to Reconciliation Australia. We are proud to continue these longstanding relationships and our work within the reconciliation movement and we are proud to formalise our commitment with Reconciliation Australia. Further, we are proud to support the call for constitutional recognition of First Nations through the establishment an Aboriginal and Torres Strait Islander Voice and will continue our support for the Uluru Statement from the Heart.

We look forward to the year ahead.





Karen Mundine

Statement from Reconciliation Australia CEO, Karen Mundine

Reconciliation Australia welcomes Russell Kennedy Lawyers to the Reconciliation Action Plan (RAP) program with the formal endorsement of its inaugural Reflect RAP.

Russell Kennedy Lawyers joins a network of more than 1,100 corporate, government, and not-for-profit organisations that have made a formal commitment to reconciliation through the RAP program.

Since 2006, RAPs have provided a framework for organisations to leverage their structures and diverse spheres of influence to support the national reconciliation movement. The program's potential for impact is greater than ever, with close to 3 million people now working or studying in an organisation with a RAP.

The four RAP types — Reflect, Innovate, Stretch and Elevate — allow RAP partners to continuously develop and strengthen reconciliation commitments in new ways. This Reflect RAP will lay the foundations, priming the workplace for future RAPs and reconciliation initiatives.

The RAP program's strength is its framework of relationships, respect, and opportunities, allowing an organisation to strategically set its reconciliation commitments in line with its own business objectives, for the most effective outcomes.

These outcomes contribute towards the five dimensions of reconciliation: race relations; equality and equity; institutional integrity; unity; and historical acceptance.

It is critical to not only uphold all five dimensions of reconciliation, but also increase awareness of Aboriginal and Torres Strait Islander cultures, histories, knowledge, and leadership across all sectors of Australian society.

This Reflect RAP enables Russell Kennedy Lawyers to deepen its understanding of its sphere of influence and the unique contribution it can make to lead progress across the five dimensions. Getting these first steps right will ensure the sustainability of future RAPs and reconciliation initiatives and provide meaningful impact toward Australia's reconciliation journey.

Congratulations Russell Kennedy Lawyers welcome to the RAP program, and I look forward to following your reconciliation journey in the years to come.

Karen Mundine
Chief Executive Officer
Reconciliation Australia



Our Business

Russell Kennedy Lawyers is a leading Australian commercial law firm which employs approximately 300 people from offices in Naarm (Melbourne), on the lands of the Wurundjeri people, and in Cadi (Sydney), on the lands of the Gadigal people. Russell Kennedy's origins date back to 1857 and we have operated under the Russell Kennedy name since 1926.

We provide exceptional legal strategies and solutions to our clients in the corporate, private and public sectors acting for a broad range of clients, including major companies, state, federal and local governments, statutory authorities and public and private owned corporations, not-for-profit organisations and individuals. We are trusted legal advisors and representatives with market leading expertise. Our areas of practice include corporate and commercial, insurance and compensation, dispute resolution, property and development, government, aged care and retirement living, health, workplace relations and employment, estate planning, rural services and renewable energy, not-for-profit, insurance, construction and infrastructure, public law and family law. Our membership of Ally Law, an international legal network, means that our work stretches to advising international clients whose business interests bring them to Australia.

We strive to make a positive impact on the community through our work, including our Pro Bono Practice, charity work, voluntary Board work and through our partnerships and client focus in key sectors. We take our responsibility as a community member and employer seriously. Our ability to effect positive change, both at an individual and structural level, is a responsibility and a privilege and is a core objective of our work as a law firm. We are genuinely committed to our clients, our people and our communities.

Russell Kennedy actively promotes a culture that fosters inclusion. We encourage sharing, learning and growing in the context of our differences as a pathway to harnessing the great value brought by our people and the opportunity this brings to strengthen mutually beneficial relationships. We aim to support a culture where individuals of all backgrounds feel included and confident, and where their talents are fostered, which, in turn, contributes to the success of the firm.

While we have attempted to gather data on how many of our staff members identify as First Nations people, to date only one of our staff members has identified themselves as such. We aim to address this during the term of our Reflect RAP by reviewing our recruitment processes to increase employment opportunities for First Nations peoples and will seek to consult externally on the RAP.

We are committed to our place in the national reconciliation movement and look forward with enthusiasm to maintaining and growing our work for reconciliation in a structured and intentional manner, through this Reflect RAP.



Michael Gorton AM

Our Reflect RAP

Statement from Michael Gorton, RAP Champion

Russell Kennedy is dedicated to creating and participating in a meaningful process of reconciliation as part of the broader national reconciliation movement. Our key aims in embarking on our first RAP are to celebrate the deep knowledge of First Nations communities, the longest continuing cultures in the world, acknowledge past wrongs and to begin to build a structured future together where we can play our part in righting those wrongs through our own reconciliation initiatives.

We believe that this is not achievable without guidance from and collaboration with First Nations peoples, especially the Wurundjeri and Gadigal peoples, on whose lands our offices are located. Our RAP is not only about reparations and relationship building through practical and achievable actions, it is a way forward for us as a firm to learn more about Australia's First Nations histories. It is an opportunity to incorporate our learnings into our business planning and into our workplace culture, thereby strengthening our understanding and sense of solidarity with First Nations peoples.

We acknowledge the significant health and well-being, justice, education and economic inequalities existent between First Nations peoples and the wider Australian community. Our RAP will seek to contribute to closing these gaps by implementing programs and initiatives which support First Nations owned businesses, organisations which provide key services to First Nations peoples and through direct service delivery to First Nations identifying individuals.

Our Reflect RAP will be adopted by our Board and partnership and our management team (led by myself, RAP Champion, and Joint RAP Committee Chairs Donna Rayner and Kyle Gillan) will oversee its implementation across the firm.





Donna Rayner



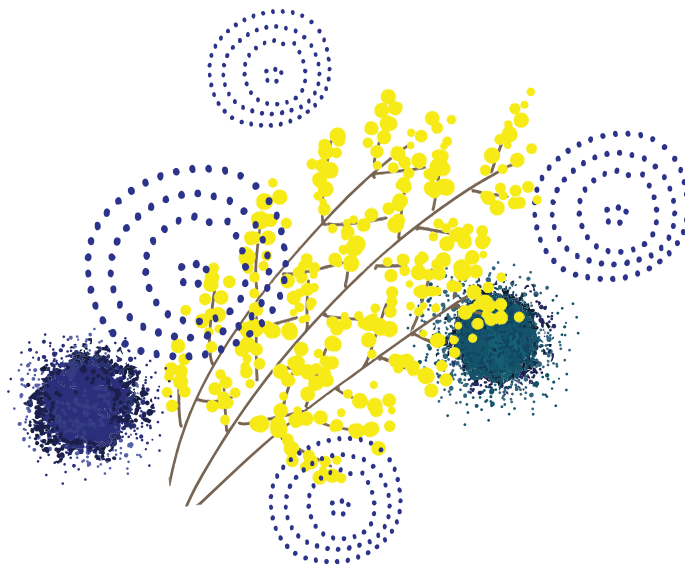
Kyle Gillan

Statement from RAP Joint Chairs, Donna Rayner and Kyle Gillan

Russell Kennedy has focused on a range of reconciliation work in recent years, although the advent of COVID slowed some initiatives. We will continue and strengthen our reconciliation work while also finding innovative ways to forge and grow new and existing relationships.

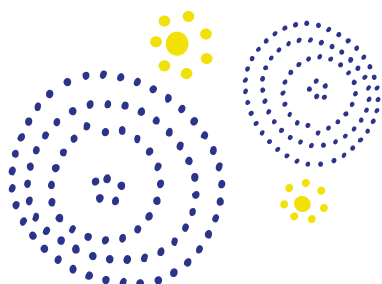
We are proud of our reconciliation work to date:

- In March 2019, Russell Kennedy was one of 18 Australian law firms to endorse a law firm statement in support of the Uluru Statement from the Heart, and its calls for a constitutionally enshrined First Nations Voice to Parliament.
- On 30 October 2019, the Minister for Indigenous Australians, the Hon Ken Wyatt AM MP announced the start of the Indigenous Voice Co-design process. As part of this process, there was a call for submissions on the Indigenous Voice Co-design Interim Report. Russell Kennedy made detailed submissions on 30 April 2021. Recently, we also made a submission to the Parliamentary Inquiry into the Aboriginal and Torres Strait Islander Voice Referendum in support of the Voice.
- In 2020, Russell Kennedy introduced the First Nations Seasonal Clerkship pathway, which sits alongside our mainstream seasonal clerkships, our Access clerkships (for people with disability) and our Social Justice clerkships (for people of refugee background). The Indigenous clerkship pathway is ongoing since 2020. To date, we have had two successful candidates complete their clerkships at Russell Kennedy under the Indigenous clerkship stream. There are ongoing discussions on how the firm might create another work experience option for First Nations students that may run as a parallel option to the seasonal clerkship.
- In 2020, our Pro Bono Practice entered into a partnership with the Victorian Aboriginal Legal Service to formalise a referral pathway for clients seeking assistance with applications to the Victims of Crime Assistance Tribunal. This partnership is ongoing and we seek to expand it this coming year.
- Since 2020, our Pro Bono Practice has provided over 3600 hours of pro bono assistance to First Nations clients, with much of this work ongoing in 2023.
- One of the core areas of focus for our Pro Bono Practice is the legal needs of people in immigration detention. For a period of over 2 years between 2020-2022, we assisted Mr Shayne Montgomery, an Aboriginal man who was detained as a result of his visa cancellation as he is not a citizen of Australia because he was born overseas (*Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs & Anor v Montgomery – S192/2020*). In this High Court matter, the federal government sought to overturn the landmark High Court decision of *Love & Thoms*, which stated that First Nations peoples cannot be considered aliens under the Constitution and cannot therefore be treated as migrants in Australia. Our Pro Bono Practice successfully defended Mr Montgomery and the principles set down by the High Court in *Love & Thoms* and continues to assist First Nations clients impacted by *Love & Thoms* with a range of legal needs.



- In 2022, Russell Kennedy Lawyers partnered with Australians for Native Title and Reconciliation (ANTAR) to assist in amplifying the voices of First Nations people and organisations across the country. In doing so, Russell Kennedy continues to provide ANTAR with legal services on a pro bono basis, focusing on two primary projects related to their governance needs including an in-depth review and update of ANTAR's policies.
- We have in recent years:
 - ▷ provided staff with opportunities for Aboriginal cultural awareness training facilitated by the Wurundjeri Council, Girraway Ganyi and the Victorian Aboriginal Community Services Association Ltd (VACSAL). We intend to continue opportunities for cultural training and education;
 - ▷ organised events and communications in celebration of key dates throughout the year, including NAIDOC Week and National Reconciliation Week. We have organised Aboriginal cultural walks facilitated by the Koorie Heritage Trust, movie events through the Reconciliation Film Club and have commemorated key dates;
 - ▷ obtained Acknowledgment of Country plaques through Kinya Lerrk for display in each of the Naarm and Cadi offices;
 - ▷ included an Acknowledgment of Country on our webpages;
 - ▷ finalised a protocol to be used by the firm which provides guidance on spoken and written language and requirements around making an Acknowledgement of Country.
- In 2022, in recognition that 26 January is not a day of celebration for all, we invited any staff who do not wish to take 26 January as a day of leave to instead work and take leave on a different day within the financial year. This will be our ongoing practice.
- We continue to engage several suppliers and contractors that are First Nations owned businesses. Most recently, they include Orana Commercial Relocations and Bibbulmun stationary products.

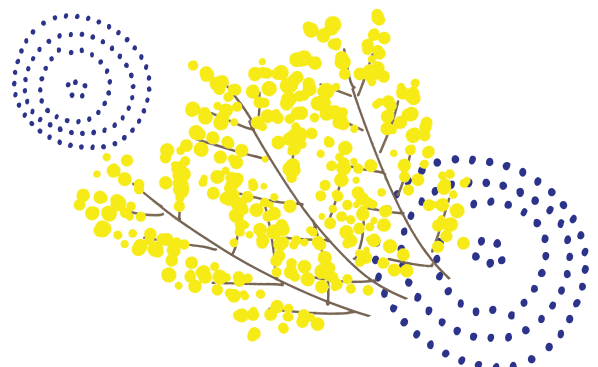
As Joint Chairs of our RAP Committee, we look forward to leading Russell Kennedy's reconciliation work; to strengthening and growing our relationships with First Nations stakeholders and partners, and to building on the foundations of the work already underway.





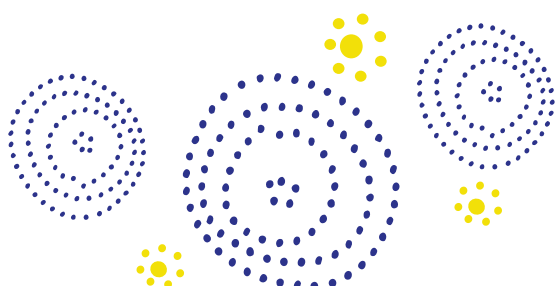
Relationships

Action	Deliverable	Timeline	Responsibility
1. Establish and strengthen mutually beneficial relationships with Aboriginal and Torres Strait Islander stakeholders and organisations.	<ul style="list-style-type: none"> Identify Aboriginal and Torres Strait Islander stakeholders and organisations within our local area or sphere of influence including opportunities for partnering or sub-contracting with First Nations legal service providers. 	February 2024	RAP Research Lead
	<ul style="list-style-type: none"> Commence and develop at least 1 new ongoing relationship with an Aboriginal and/or Torres Strait Islander organisation in the context of providing pro bono services. 	April 2024	Pro Bono Manager
	<ul style="list-style-type: none"> Research best practice and principles that support partnerships with Aboriginal and Torres Strait Islander stakeholders and organisations. 	October 2023	RAP Research Lead
	<ul style="list-style-type: none"> Build relationships with key Elders in Naarm and Cadi for ongoing guidance, collaboration, education and consultation. 	June 2024	RAP Champion and Chairs
2. Build relationships through celebrating National Reconciliation Week (NRW).	<ul style="list-style-type: none"> Circulate Reconciliation Australia's National Sorry Day and NRW resources and reconciliation materials to our staff and communicate our progress on our reconciliation journey to our staff. 	May 2024	Lead: RAP Comms Lead Support: RAP Chairs/ RAP Champion
	<ul style="list-style-type: none"> RAP Working Group members to participate in an external National Sorry Day or NRW event. Broader firm to be invited to attend 	27 May – 3 June 2024	RAP Events Lead/ RAP Champion
	<ul style="list-style-type: none"> Encourage and support staff and senior leaders to participate in at least one external event to recognise and celebrate NRW or commemorate National Sorry Day. 	27 May – 3 June 2024	RAP Comms and Events Leads/RAP Champion





Action	Deliverable	Timeline	Responsibility
3. Promote reconciliation through our sphere of influence.	<ul style="list-style-type: none"> Communicate our commitment to reconciliation to all staff including by promoting our Reflect RAP in each office via a RAP launch event 	August 2023	RAP Comms and Events Leads/RAP Champion
	<ul style="list-style-type: none"> Identify external stakeholders that our organisation can engage with on our reconciliation journey. 	February 2024	RAP Research Lead
	<ul style="list-style-type: none"> Include our RAP and commitment to reconciliation as a standard aspect of our staff induction processes. 	January 2024	Director People & Culture
	<ul style="list-style-type: none"> Prepare and record a video presentation promoting and explaining the RAP and encourage staff unable to attend launch events to access the video presentation on our intranet. 	September 2023	RAP Comms Lead/RAP Champion
	<ul style="list-style-type: none"> Identify opportunities for First Nations speakers to present at Russell Kennedy events, including Pro Bono and RKWN events, to promote reconciliation and First Nations voices in legal sector dialogue. 	September 2023	RAP Events Lead
	<ul style="list-style-type: none"> Identify RAP and other like-minded organisations that we could approach to collaborate with on our reconciliation journey including organisations within the Legal Profession Reconciliation Network. 	February 2024	RAP Research Lead
4. Promote positive race relations through anti-discrimination strategies.	<ul style="list-style-type: none"> Research best practice and policies in areas of race relations and anti-discrimination. 	October 2023	RAP Research Lead
	<ul style="list-style-type: none"> Conduct a review of HR policies and procedures to identify existing anti-discrimination provisions, and future needs. 	January 2024	Director People & Culture





Respect

Action	Deliverable	Timeline	Responsibility
5. Increase understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights through cultural learning.	<ul style="list-style-type: none"> Develop a business case for increasing understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights within our organisation. 	March 2024	RAP Chairs
	<ul style="list-style-type: none"> Conduct a review of cultural learning needs within our organisation. 	September 2023	L&D Advisor
	<ul style="list-style-type: none"> Following the review of cultural learning needs, deliver appropriate cultural awareness training and education in each office facilitated by a First Nations organisation / facilitator. 	March 2024	L&D Advisor
	<ul style="list-style-type: none"> Explore opportunities to consult and engage with local Traditional Custodians to build knowledge of local First Nations histories, cultures, stories and future needs. 	May 2024	RAP Research Lead
	<ul style="list-style-type: none"> Ethically purchase at least one artwork for each office from a local First Nations artist. If possible, invite them to speak about the piece at Russell Kennedy if appropriate. 	May 2024	RAP Chairs/RAP Events Lead
	<ul style="list-style-type: none"> Build a RAP page on Russell Kennedy intranet linking to key resources on the reconciliation movement and First Nations histories and cultures, especially writings and audio from First Nations individuals. 	December 2023	RAP Comms Lead

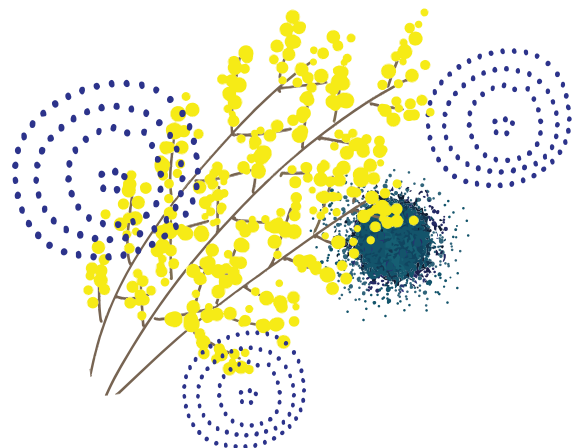


Action	Deliverable	Timeline	Responsibility
6. Demonstrate respect to Aboriginal and Torres Strait Islander peoples by observing cultural protocols.	<ul style="list-style-type: none"> Develop an understanding of the local Traditional Owners or Custodians of the lands and waters within our organisation's operational area. 	June 2024	RAP Research Lead
	<ul style="list-style-type: none"> Increase principals' and employees' understanding of the purpose and significance behind cultural protocols, including Acknowledgement of Country and Welcome to Country protocols. 	September 2023	RAP Champion/RAP Chairs
	<ul style="list-style-type: none"> In collaboration with Elders, rename the boardrooms in the Naarm and Cadi offices and Invite Elders to our offices for celebration of the renaming of the boardrooms (event to take place in approximately August 2024). 	June 2024	Lead: RAP Champion Support: RAP Chairs/RAP Events Lead
	<ul style="list-style-type: none"> Invite a local Traditional Owner or Custodian to provide a Welcome to Country or other appropriate cultural protocol for at least one significant event. 	December 2023	RAP Champion/RAP Chairs
7. Build respect for Aboriginal and Torres Strait Islander cultures and histories by celebrating NAIDOC Week.	<ul style="list-style-type: none"> Raise awareness and share information amongst our principals and employees about the meaning of NAIDOC Week. 	June 2024	RAP Comms Lead/RAP Champion
	<ul style="list-style-type: none"> Introduce our principals and employees to NAIDOC Week by promoting external events in our local area. 	First week in July 2023	RAP Events Lead/RAP Champion
	<ul style="list-style-type: none"> RAP Working Group to participate in an external NAIDOC Week event. Invite wider firm to attend. 	First week in July 2023	RAP Events Lead/RAP Chairs/RAP Champion
8. Build respect for Aboriginal and Torres Strait Islander peoples and cultures by supporting and promoting the Uluru Statement from the Heart	<ul style="list-style-type: none"> Increase staff awareness and understanding around the Uluru Statement of the Heart and the principles of Voice, Treaty and Truth 	August 2023	Lead: RAP Champion Support: RAP Chairs/RAP Events Lead
	<ul style="list-style-type: none"> Continue our support for the Uluru Statement from the Heart with ongoing engagement with the constitutional process for the Voice to Parliament and by actively supporting the campaign for constitutional recognition. 	January 2024	Lead: Pro Bono Manager Support: RAP Champion/RAP Chairs



Opportunities

Action	Deliverable	Timeline	Responsibility
9. Improve employment outcomes by increasing Aboriginal and Torres Strait Islander recruitment, retention and professional development.	<ul style="list-style-type: none"> Develop a business case for Aboriginal and Torres Strait Islander employment within our organisation. 	February 2024	Director People & Culture
	<ul style="list-style-type: none"> Build understanding of current Aboriginal and Torres Strait Islander staffing to inform future employment and professional development opportunities. 	February 2024	Director People & Culture
	<ul style="list-style-type: none"> Continue and expand provision of pro bono services to First Nations organisations and individuals 	June 2024	Pro Bono Manager
10. Increase Aboriginal and Torres Strait Islander supplier diversity to support improved economic and social outcomes.	<ul style="list-style-type: none"> Develop a business case for procurement from Aboriginal and Torres Strait Islander owned businesses. 	April 2024	Business Services Manager
	<ul style="list-style-type: none"> Commit to paying an annual donation to two organisations in Naarm and Cadi, respectively, which provide service delivery and assistance to Aboriginal and Torres Strait Islander organisations and/or individuals. 	December 2023	Lead: RAP Chairs Support: RAP Champion/Pro Bono Manager
	<ul style="list-style-type: none"> Investigate Supply Nation membership. 	July 2023	Business Services Manager
	<ul style="list-style-type: none"> Develop a plan to increase procurement from Aboriginal and Torres Strait Islander businesses to engage and support in legal support service delivery, corporate services, events, administration and office management or other business needs. 	April 2024	Business Services Manager





Governance

Action	Deliverable	Timeline	Responsibility
11. Establish and maintain an effective RAP Working Group (RWG) to drive governance of the RAP.	• Maintain a RWG to govern RAP implementation.	January 2024	RAP Champion/RAP Chairs
	• Draft Terms of Reference for the RWG.	August 2023	RAP Governance Lead
	• Establish Aboriginal and Torres Strait Islander representation on the RWG.	June 2024	RAP Chairs/RAP Champion
12. Provide appropriate support for effective implementation of RAP commitments.	• Define resource needs for RAP implementation.	August 2023	RAP Governance Lead
	• Engage senior leaders in the delivery of RAP commitments.	August 2023	RAP Champion/RAP Chairs
	• Define appropriate systems and capability to track, measure and report on RAP commitments.	September 2023	RAP Governance Lead
13. Build accountability and transparency through reporting RAP achievements, challenges and learnings both internally and externally.	• Complete and submit the annual RAP Impact Measurement Questionnaire to Reconciliation Australia.	September annually	RAP Chairs
	• Contact Reconciliation Australia to verify that our primary and secondary contact details are up to date, to ensure we do not miss out on important RAP correspondence.	June annually	RAP Comms Lead
	• Contact Reconciliation Australia to request our unique link, to access the online RAP Impact Measurement Questionnaire.	August annually	RAP Governance Lead
	• Provide biannual updates to all staff on implementation of RAP deliverables	December 2023 and June 2024	Lead: RAP Champion Support: RAP Chairs/ RAP Comms Lead
	• Register via Reconciliation Australia's website to begin developing our next RAP.	May 2024	RAP Governance Lead
14. Continue our reconciliation journey by developing our next RAP.	• Commence development of next RAP	June 2024	RAP Chairs



Contact details

Name Donna Rayner
Position Principal and RAP Co-chair
Phone (03) 9609 1503
Email drayner@rk.com.au

Kyle Gillan
Principal and RAP Co-chair
(03) 8602 7221
kgillan@rk.com.au