

Meet **Catherine Stewart**, convenor Employment Law committee

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Catherine Stewart

The new law creates a much fairer regime for victims of sexual harassment in the workplace

Brenda Newth

Where do you work, what's your role?

I'm a barrister, specialising in employment law. I have my own practice with four fabulous staff barristers. We have our offices in Hobson Street Towers in Auckland.

Where did you study?

I studied at Victoria University, where I did an arts degree, specialising in languages and an LLB (Hons) degree in law.

What's been your career to date?

I was admitted to the bar in 1990. I spent my first three years working at Chapman Tripp in Wellington. I worked primarily in the general litigation team, where I had some involvement in a couple of employment law cases, and this piqued my interest in employment law. I quickly realised that employment law is my passion. It's the area of law that interests me most, largely because of the deeply human element involved. At its heart, employment law is all about people.

After that, I went to the UK and worked as a commercial lawyer. Although I always knew that litigation was my calling rather than commercial law, it was good to have some diverse experience early on in my career. I then came back to New Zealand and worked in a couple of Auckland law firms – Brookfields and then Kiely Thompson Caisley – before going out on my own as a barrister in 2012. I made this move when my son (my youngest child) turned five and started school as I then felt I had a bit more liberty to do my own thing. It was a somewhat scary move at the time, but I have absolutely loved it.

How long have you been involved with The Law Association committees and which committees have you worked with?

Since 2014. In 2013, I was awarded Employment Lawyer of the Year at the NZ Law Awards, and shortly afterwards the Auckland District Law Society (as it then was) approached me to ask if I would be convenor of its employment law committee. I was delighted and continue to enjoy the role 10 years on.

Why is committee work important?

Committees make huge contributions in an educational sense and an advocacy sense and promote collegiality within the profession. There is nothing quite like sitting around a table, having lunch and having a friendly "argument" with your colleagues about the latest case or piece of legislation, to form bonds with one another in your own community of lawyers.

How do The Law Association committees make a difference?

As committees, we can speak with an independent voice on issues of collective concern. If there's something that we're concerned about, we can speak collectively to the minister or whoever the relevant person is about our concerns. A committee gives us a platform for our voices, which I think is really important.

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Continued from page 12**How do you see the role of a committee convener? What specific skills do you think a convener needs?**

For me, the key thing is bringing people together. We've got the largest committee of all The Law Association committees, with 28 members, and meetings are usually well attended which means they are often very large.

We pride ourselves on being a diverse and vibrant committee: we have representatives from large firms, small firms, barristers, a former Chief Judge of the Employment Court, a university academic, a KC, senior in-house representatives from business, a Māori lawyer, a community law representative and an Equal Justice Project representative who is a student from the University of Auckland. We have a very large, diverse group from all levels, and from all areas.

And as you can imagine, there are often very strong and divergent views brought to the conversation. I see my role as convener as listening and respecting each one of those 28 views, hearing those viewpoints, allowing discussion and debate to occur and then trying to find a consensus or, if not a consensus, then at least a way forward.

It's really about bringing people, ideas and viewpoints together, so we can hopefully achieve some common goals. On some issues, our members don't always agree and that's also okay. Simply having a robust debate on issues brings up some interesting and helpful ideas, regardless of whether there is ultimately consensus.

Convenors also need strong organisational skills, because a lot of admin and preparation goes into it all as well, especially when there are submissions or bespoke pieces of work that need to be done over and above the usual minutes and agenda. I'm always greatly appreciative of the work the committee secretary does in supporting the convener role.

What is your biggest frustration as a convener?

Having enough time to do justice to all the issues that we grapple with.

What's been the most notable achievement or biggest focus of your committee over the past few years? Why was that important?

Our submissions work is very important and probably our most notable achievement. We write submissions to Parliament on numerous issues and given that employment law is something of a "political football", there is always plenty to write about!

We had a meeting with the Minister of Workplace Safety Relations a couple of years ago which was very constructive, during which we raised a number of issues of concern to members of our committee. Our independent voice and being able to speak as a diverse group with quite a lot of authority on important issues in employment law is quite powerful.

We also hold two key events each year: the Burning Issues forum, where we cover the most topical employment law issues of the day, and our annual dinner, which is the highlight on the calendar for our committee and many employment lawyers. Last year we held a quiz on the topic of Music and Employment Law. I think it would be fair to say that the laughter in the room sometimes drowned out the quiz questions.

Over the past year, has your committee made submissions on a parliamentary bill or any consultation paper?

We have made numerous submissions over the past year or 18 months. In particular, I'd like to speak to our submissions on the Employment Relations (Extended Time for Personal Grievance for Sexual Harassment) Amendment Bill which we supported, and which was passed into law.

I spoke before the select committee and put forward our collective viewpoint as a committee. We unanimously supported the extension of time to raise a personal grievance from 90 days to one year for people who have been sexually harassed in the workplace.

In some ways, we wanted it to go further as we felt that the extension of time could also be helpful for other situations where there is a power dynamic arising from the employment relationship, such as in situations of bullying or harassment. We also wanted some changes to the wording of the Bill to make it

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clearer as to what circumstances the extension of time would apply to, and to be sure that the benefit of extra time was working for the people who needed it. We were pleased that this was clarified in the final wording of the Act.

This Bill was something that as a committee we felt very strongly about. A lot of us have seen in practice situations where clients have suffered sexual harassment and have been quite traumatised by it and unable to raise their grievance within 90 days, or even seek legal advice within that timeframe. That has created a real barrier for them. The new law creates a much fairer regime for victims of sexual harassment in the workplace and gives greater access to justice for them.

What would you say to anyone thinking of becoming involved in a Law Association committee?

Get involved, be part of it. The old cliché is true: the more you put in, the more you'll get out of it.

What do you think is the biggest issue facing your practice area and how does it affect practitioners and their clients?

We're yet to see the full gamut of what changes will occur to employment law with the new government. That will be something our committee will be looking at with much gusto.

What's the best kept secret about The Law Association?

That being involved with The Law Association is just a huge amount of fun.

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What is the biggest issue facing the legal profession right now?

How we conduct our regulation going forward, working it through in a productive way that leads to fair and balanced regulation for ourselves and our future generations of lawyers.

Have you done any media interviews/ provided any statements to the media in the past year as a committee convenor and spokesperson for ADLS/The Law Association?

Over the past year, as a committee we commented in the media on a matter that was of concern to members of our committee in relation to an access to justice issue involving the Employment Relations Authority.

I get approached by media for comment in my personal capacity as well.

We pride ourselves on being a diverse and vibrant committee

What is your vision for the legal profession in 2050?

My vision for the legal profession in 2050 is that it holds on to all of our great and time-honoured traditions of excellence, integrity and hard work, fairness and the rule of law but at the same time continues to widen with more diversity, to value equity at all levels, to promote wellness amongst our members (both on a physical and mental level) and to prioritise support and respect for one another.

I am a great believer in adversaries in court being friends outside the courtroom and my vision would also encompass that ideal.

My daughter is in her final year of studying law at Otago University and it has been heartening for me to see her with her friends and wider cohort embracing the law with such enthusiasm. There are so many

bright, capable young people coming through with lots of ideas to carry the torch for the next generation – into 2050 and beyond. It really is quite exciting.

What do you think The Law Association could do to improve its offering to members?

Just keep on going from strength to strength - building on the momentum of the last few years and the recent re-branding – to create a centre of excellence for practitioners. And foster collaboration as much as possible with other professional organisations which also have a lot to offer practitioners. Ultimately, we will all benefit from the collective wisdom of these organisations working together. ■

To find out more about the professional, collegiality and networking opportunities associated with being involved in Law Association committee work, please contact Daniel.Conway@thelawassociation.nz or Moira.McFarland@thelawassociation.nz ■

The Law Association



Mastering the Art of Negotiation
Thursday 22 February | 9.00 am – 12.15 pm
Auckland | 3 CPD hours



How to Lead a Team
Tuesday 27 February | 9.00 am – 1.15 pm
Auckland | 4 CPD hours



Networking 101
Thursday 21 March | 4.00 – 6.15 pm
Auckland | 2 CPD hours

CPD Workshops