



# Reconciliation Action Plan

JULY 2023 – JUNE 2024



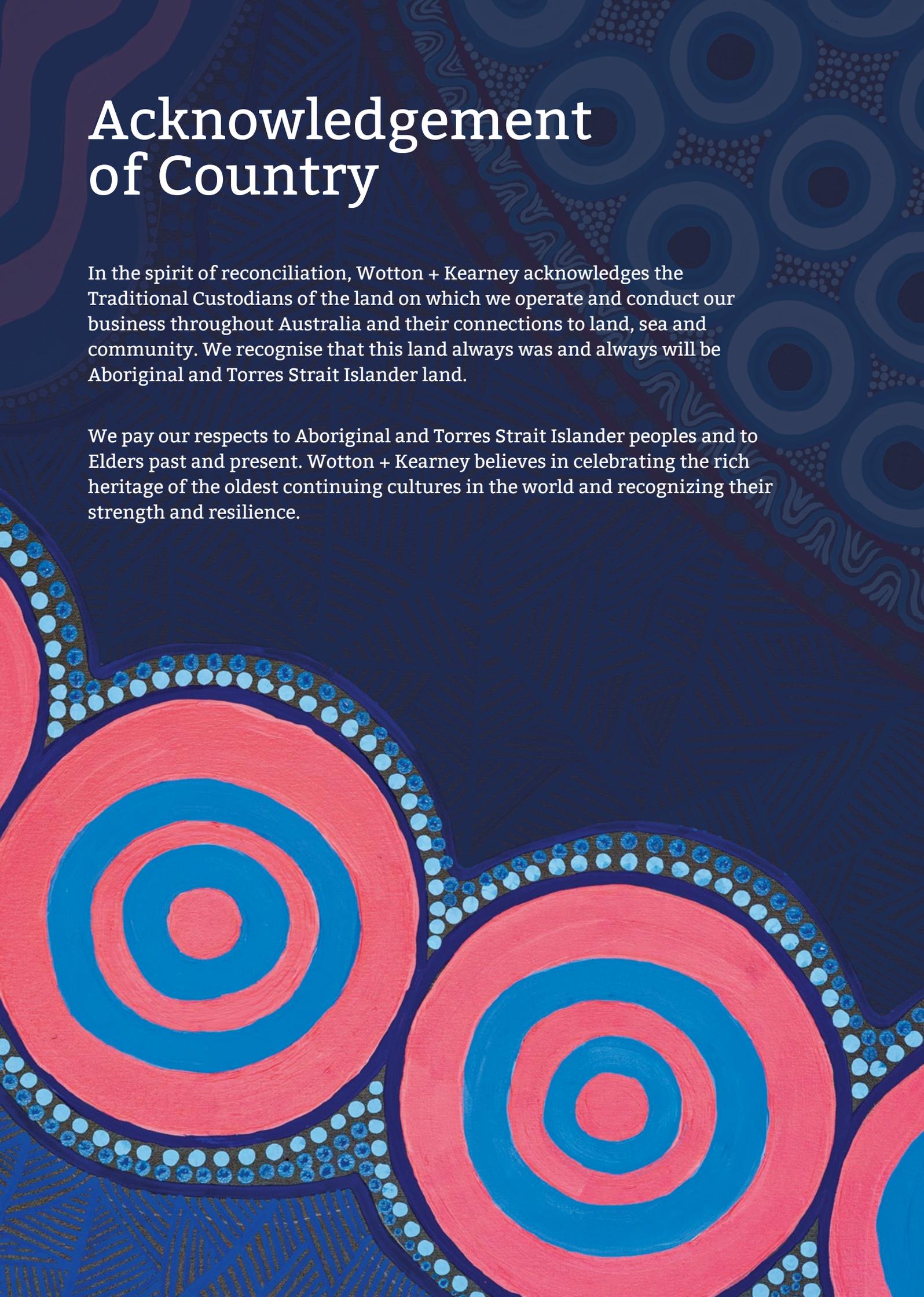
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# Acknowledgement of Country

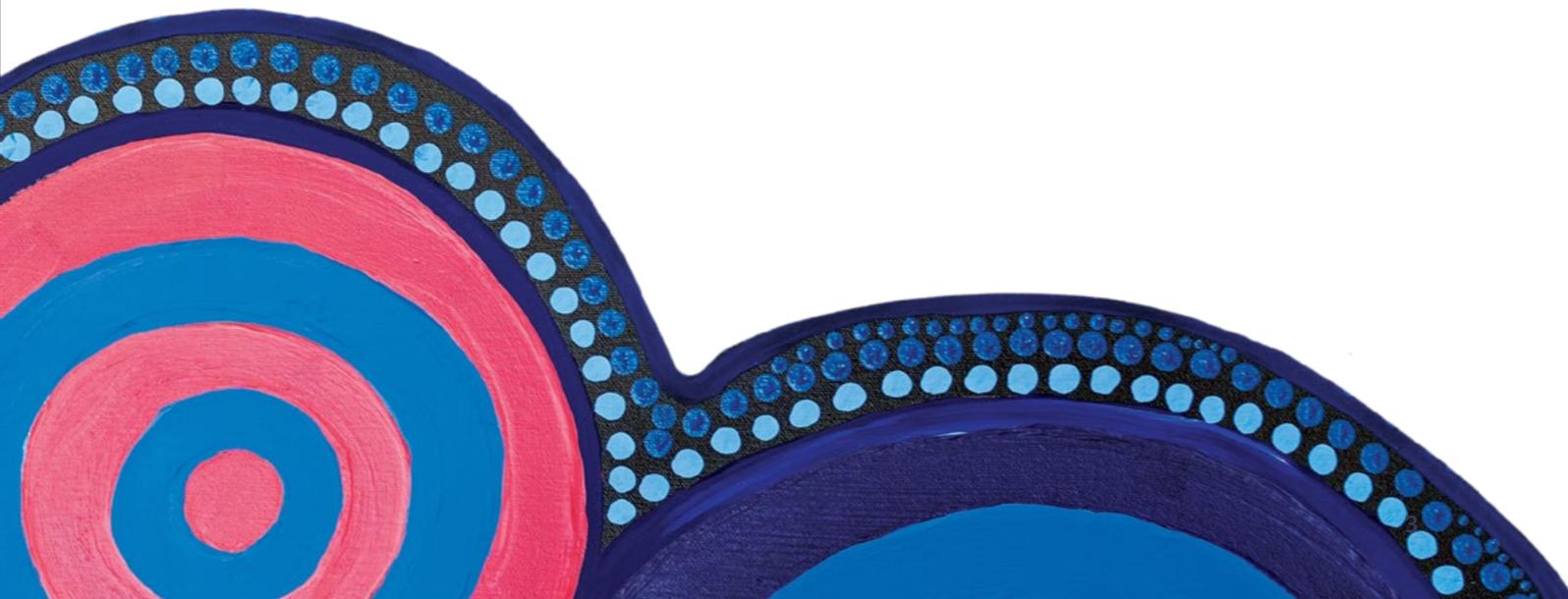
In the spirit of reconciliation, Wotton + Kearney acknowledges the Traditional Custodians of the land on which we operate and conduct our business throughout Australia and their connections to land, sea and community. We recognise that this land always was and always will be Aboriginal and Torres Strait Islander land.

We pay our respects to Aboriginal and Torres Strait Islander peoples and to Elders past and present. Wotton + Kearney believes in celebrating the rich heritage of the oldest continuing cultures in the world and recognizing their strength and resilience.



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# Our RAP artwork

**Moving Forward, 2023**

Melissa Bell

Gunditjmara/Yorta Yorta

“Making art makes me feel connected to my land. To be an Aboriginal female artist, just to put down a beautiful picture from my Country – knowing I can put that down on a canvas and express my Country to other people is amazing.”



## About the artist

Created by Gunditjmara and Yorta Yorta artist, Melissa Bell, the artwork ‘Moving Forward’ represents the concept of coming together as one. By restoring relationships and sharing responsibilities we can move forward into the future as one.

The central image depicts the reconciliation journey of everyone coming together. Each circle is a different mob with the dots within them depicting individuals. It also includes the symbol to represent yarning in this space.

The linework in the background reflects going both ways and reciprocal responsibilities. This is how we move forward as Wotton + Kearney. Wavy linework used in the outer corners symbolise yarning, conversations, collaboration and letting conversations flow.

The larger outer circles represent making connections with each other, similar to the symbol for communities.

On the edges are rivers and waterways, reflecting Melissa’s connection to Country. As a Yorta Yorta/ Gunditjmara woman, Melissa says: “waterways plays a part in our Country as we get food sources from the river. The river is where we live, when we sit by the campfires on the river, we connect with each other through yarning.”

Wotton + Kearney is extremely proud to have Melissa’s beautiful artwork Moving Forward as part of our RAP and now pride of place in our head office. This canvas reminds us of the importance of our reconciliation journey and collaborative relationship with Aboriginal and Torres Strait Islander peoples.

# Message from Reconciliation Australia

## Reconciliation Australia welcomes Wotton + Kearney to the Reconciliation Action Plan (RAP) program with the formal endorsement of its inaugural Reflect RAP.

Wotton + Kearney joins a network of more than 2,200 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 Wotton + Kearney 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 Wotton + Kearney, 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



# Message from David Kearney, Chief Executive Partner

**I acknowledge the Traditional Owners of the land where I work and live, The Gadigal People of the Eora Nation and pay my respect to Elders past and present. I celebrate the stories, cultures, and traditions of Aboriginal and Torres Strait Islander Elders of all communities who also work and live on this land.**

Wotton + Kearney's (W+K) Reconciliation Action Plan (RAP) shows our commitment to transformation and how W+K intends to contribute to reducing inequalities, in this case the social, economic, and legal inequities between Aboriginal and Torres Strait Islander peoples and other Australians.

Our RAP acknowledges the five interrelated dimensions of reconciliation based on institutional integrity, race relations, equality and equity, unity and historical acceptance. To achieve full reconciliation, W+K is committed to progress in all five dimensions. Our Reflect RAP identifies the practical steps that we will pursue in the next 12 months to boost our commitment to reconciliation both internally and in the communities in which we operate across Australia. The RAP will be underpinned by three core pillars of building relationships, respect and opportunities supported by effective governance and reporting practices.

Our RAP is powered by our shared values – *Focus on the Main Game, Have Each Other's Back and Be Real* underpinned by our strategic behavioural capabilities of kindness, collaboration, expertise, ambition, inclusion and belonging. With just under 500 employees, our firm is committed to building strong relationships with Aboriginal and Torres Strait Islander peoples to better understand the heritage of the world's oldest civilization.

Our RAP reflects the commitment of the W+K team to our Aboriginal and Torres Strait Islander partners to extend and deepen our relationship to the broader community and to make a real difference in the lives of our Aboriginal and Torres Strait Islander peoples. As we commit to working with Reconciliation Australia and our business partners, we expect we will need to adjust and sharpen our focus on those dimensions of reconciliation that provide the most rewarding and effective outcomes.

**David Kearney**  
Chief Executive Partner



# Message from our Head of Pro Bono & Responsible Business

Reducing inequalities and ensuring no-one is left behind are integral to achieving the United Nations Sustainable Development Goals.

For the last 10 years, we have used our expertise at Wotton + Kearney to create a fairer and more inclusive society through our pro bono legal work and our community partnerships. A critical part of our contribution is reducing the inequalities experienced by Aboriginal and Torres Strait Islander communities.

Our pro bono efforts are focussed on removing systemic barriers to improve justice outcomes for Aboriginal and Torres Strait Islander peoples and improving access to the legal system. In recent years, we have supported Change the Record's campaign to raise the age of criminal responsibility from 10 to 14 years of age by mapping diversionary and preventative services which provide an alternative to incarceration for children aged between 10 and 14 years. We also developed a comprehensive briefing document that makes the case for justice reinvestment and, specifically, for establishing a national justice reinvestment body. Work like this can help bring positive change and as lawyers, we have a professional responsibility to use our expertise to improve access to justice and strengthen the rule of law.

**Our RAP is aimed at having a positive impact on Aboriginal and Torres Strait Islander communities through improving access to the legal system and therefore justice, being culturally aware as lawyers of Aboriginal and Torres Strait Islander peoples' needs, and by supporting Aboriginal and Torres Strait Islander peoples' employment initiatives as well as enterprises to maximise business opportunities.**

Through a shared approach, our RAP defines strategic and operational goals and is supported by our people to achieve meaningful reconciliation outcomes.

## **Heidi Nash-Smith**

Partner & Head of Pro Bono & Responsible Business



# Our Business

**Wotton + Kearney is Australasia's largest law firm dedicated to insurance, risk management and dispute resolution.**

Founded in 2002, the firm has grown from two partners to be a recognised leader in the provision of legal services to the insurance and risk industry with more than 450 employees across 8 offices in Australia and New Zealand.

Wotton + Kearney is the 'go to' firm in our region for the majority of global and London market insurers, as well as local brokers and corporate insureds – particularly with the more complex issues facing the market. The firm is highly regarded in Australia for general liability, financial lines and property, energy and infrastructure claims. We also act for individual directors and officers, corporations and organisations facing reputational and other significant risks, and have rapidly growing specialist disputes practices in the areas of class actions, cyber and technology, environmental liability, healthcare, marine, media law, employment and WHS.

Our experience extends across a broad range of industry sectors including construction, energy and mining, financial services, healthcare, manufacturing, media, property, public sector, retail, SME, sports/leisure, technology and transport.

We are proud to have been consistently recognised by our clients as a Band 1 firm for insurance law in the *Chambers & Partners* and *The Legal 500 Asia-Pacific* legal rankings.

At Wotton + Kearney we take seriously our role as a responsible global citizen and playing our part to help protect our environment, eradicate modern slavery, and encourage diversity and inclusion through our own business practices. We recently launched our '20 Actions for 20 Years' Project, which envisages the firm in 20 years' time and identifies the positive changes we will make to achieve sustainable growth and to be a responsible business.

We have aligned our Pro Bono and Responsible Business program, Community Footprint, with the United Nations Sustainable Development Goals with the following key areas of focus: Gender Equality (SDG 5), Reduced Inequalities (SDG 10), Climate Action (SDG 13), and Peace, Justice and Strong Institutions (SDG 16). Having built such a strong foundation over the years, our Community Footprint program is committed to advancing the RAP and working towards justice, recognition and respect for Aboriginal and Torres Strait Islander peoples.

Currently our organisation has no known staff that identify as Aboriginal and/or Torres Strait Islander peoples. While the number of Aboriginal and Torres Strait Islander staff is currently not known, we will work within this RAP to determine culturally appropriate ways to understand this.



# Our RAP

**By developing a RAP, Wotton + Kearney wants to ensure that our good intentions are turned into positive actions and contributions to the national journey towards reconciliation.**

By spending time scoping, developing and nurturing relationships with Aboriginal and Torres Strait Islander stakeholders, our RAP gives us an opportunity to define our vision for reconciliation and how the actions we have committed to can be leveraged by our legal expertise and areas of influence.

We are on a journey to inclusive leadership which encompasses all aspects of diversity and inclusion, aimed at positively impacting the people we recruit, the clients we serve, the communities where we operate as well as the suppliers we collaborate and partner with. Through our RAP, we want to ensure that Aboriginal and Torres Strait Islander peoples are at the heart of our inclusive leadership journey, creating a business that understands, values and respects the histories, cultures and contributions of Aboriginal and Torres Strait Islander peoples.

The Reflect RAP offers us valuable opportunities to set the right foundations for relationships, respect and opportunities to thrive in our endeavours. The growing awareness and support our RAP creates across our firm enables our staff to also impact society in their private lives, across the communities where they live, beyond their professional activities and responsibilities.

Our RAP Champion Naraya Lamart is our RAP Working Group Executive Sponsor, who is a Partner in the firm. As a senior leader, our RAP Champion is responsible for driving and championing internal engagement and awareness of the RAP, supporting our RAP Working Group, providing guidance and support to its Chair. Our inaugural RWG Chairperson is Renee Magee, Associate – Pro Bono. Ahead of finalising our Reflect RAP, we have already established a RAP Working Group to ensure the responsibility of implementing reconciliation initiatives sits within several roles and W+K responsibilities. Within a month of its launch our RAP Working Group attracted 20 members across all our offices in Australia. As members, we have an Executive Sponsor (Partner), a Chair (Associate – Pro Bono), a co-Chair (Associate), Solicitors, Associates, Senior Associates, Special Counsel, People + Culture Manager, Practice Administrators as well as Law Graduates. Our Reflect RAP and our recruitment effort will ensure we advance our reconciliation efforts and also look to increase the representation of Aboriginal and Torres Strait Islander peoples across our firm and on our RAP Working Group.

To guide our reconciliation journey in a positive direction, we will also form our Vision for Reconciliation, an aspirational statement/goal shared by all staff that publicly articulates to the wider community what reconciliation means to us as a firm operating across Australia.

# Our Partnerships

**Wotton + Kearney’s Community Footprint program has a strong focus on addressing inequalities experienced by Aboriginal and Torres Strait Islander peoples through our pro bono work and our community partnerships.**

In support of Change the Record’s campaign to raise the age of criminal responsibility from 10 to 14 years of age, we conducted research mapping diversionary and preventative services which provide an alternative to incarceration for children aged 10 –14 years. To support Change the Record’s advocacy, we have also developed a comprehensive briefing document for Change the Record that makes the case for justice reinvestment and, specifically, for establishing a national justice reinvestment body. We have also authored an article published in the Professional Services Marketing Group’s quarterly magazine to raise the profile of the Raise the Age campaign.

Other pro bono work includes partnering with Seniors Rights Service NSW to prepare podcasts for Aboriginal and Torres Strait Islander older peoples, mapping informal complaints processes in partnership with National Justice Project, researching unmet legal needs of women in the Northern Territory, particularly those in remote Aboriginal and Torres Strait Islander communities, in partnership with Darwin Community Legal Service and Katherine Women’s Information and Legal Service, and developing factsheets on employment and tenancy issues for the First Nations Foundation.

Our Perth office has recently established a partnership with the Aboriginal Legal Service in Western Australia, helping to ensure Aboriginal peoples are treated fairly and equally.

In parallel, we have embarked on a three-year community partnership with Indigenous Literacy Foundation (ILF) a national charity of the Australian Book Industry, working with Aboriginal and Torres Strait Islander remote Communities across Australia. They are Community-led, responding to requests from remote Communities for culturally relevant books including early learning books, resources and programs to support Communities to create and publish their own stories in languages of their choice. This partnership will provide us with an opportunity to advocate for, fundraise and support ILF and deepen our appreciation of Aboriginal and Torres Strait Islander peoples’ languages, histories and cultures. This partnership is underpinned by pro bono initiatives, through our support of Arts Law, Australian Society of Authors and Authors Legal.







# Relationships

Action	Deliverable	Timeline	Responsibility
<b>1. Establish and strengthen mutually beneficial relationships with Aboriginal and Torres Strait Islander stakeholders and organisations.</b>	Identify and compile a list of Aboriginal and Torres Strait Islander peoples, communities, stakeholders and organisations within our local area or sphere of influence that we could approach in future to connect with on our reconciliation journey.	October 2023	RAP Working Group Chairperson
	Research best practice and principles that support partnerships with Aboriginal and Torres Strait Islander stakeholders and organisations.	December 2023	RAP Working Group Chairperson
	Explore the opportunity to build relationships with relevant Aboriginal and Torres Strait Islander organisations and attend their events.	October 2023	Head of Diversity & Inclusion
	Maintain our current partnership with the Aboriginal Legal Service in Western Australia (ALSWA).	July 2023	Perth Pro Bono Champion
<b>2. Build relationships through celebrating National Reconciliation Week (NRW).</b>	Circulate Reconciliation Australia's NRW resources and reconciliation materials to our staff.	April 2024	Head of Diversity & Inclusion
	RAP Working Group members to participate in an external NRW event.	27 May – 3 June, 2024	Head of Diversity & Inclusion
	Encourage and support staff and senior leaders to participate in at least one external event to recognise and celebrate NRW.	27 May – 3 June, 2024	Head of Diversity & Inclusion
	Host a National Reconciliation Week (NRW) internal event in each of our offices each year and encourage our people to attend.	27 May – 3 June, 2024	RAP Working Group Chairperson
<b>3. Raise internal awareness of our RAP.</b>	Deliver a presentation in each of the offices to introduce and promote our RAP and an understanding of the firm's commitment towards reconciliation.	August 2023	Partner – Head of Pro Bono & Responsible Business
	Publish the RAP on W+K's website and intranet.	August 2023	Community Footprint Coordinator
	Include written material on W+K's commitment to Aboriginal and Torres Strait Islander engagement and our RAP in new starters' packs.	August 2023	Head of Diversity & Inclusion

Action	Deliverable	Timeline	Responsibility
<b>4.</b> <b>Promote reconciliation through our sphere of influence.</b>	Develop a strategy to communicate our RAP to all internal and external stakeholders.	July 2023	Head of Diversity & Inclusion
	Communicate our commitment to reconciliation to all staff.	August 2023	Head of Diversity & Inclusion
	Identify external stakeholders that we can engage with on our reconciliation journey.	October 2023	RAP Working Group Chairperson
	Identify a list of RAP organisations and other like-minded organisations that we could approach to collaborate with on our reconciliation journey.	October 2023	RAP Working Group Chairperson
	Share information internally about why a constitutionally enshrined voice to parliament is needed to achieve reconciliation and reduced inequalities for Aboriginal and Torres Strait Islander peoples and communities.	September 2023	Pro Bono Special Counsel
	Invite Aboriginal and Torres Strait Islander speaker to provide an opportunity for our staff and networks to learn about the Uluru Statement from the Heart.	November 2023	Pro Bono Special Counsel
<b>5.</b> <b>Promote positive race relations through anti- discrimination strategies.</b>	Research best practice and policies in areas of race relations and anti-discrimination.	May 2024	People + Culture Director
	Conduct a review of firm HR policies, systems, and procedures to identify existing anti-discrimination provisions, and future needs.	June 2024	People + Culture Director
	Promote inclusion of Aboriginal and Torres Strait Islander peoples and perspectives and show leadership on counteracting racism.	October 2023	Pro Bono Special Counsel



# Respect

Action	Deliverable	Timeline	Responsibility
<b>6.</b> Increase understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights through cultural learning (community groups, businesses and students).	Create a calendar of Aboriginal and Torres Strait Islander dates of significance to communicate key dates to all staff across the firm.	August 2023	RAP Working Group Chairperson
	Develop a business case for increasing understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights within our organisation.	September 2023	Head of Diversity & Inclusion
	Conduct a review of cultural learning needs within our organisation.	October 2023	People + Culture Director
	Investigate opportunities to work with local Traditional Owners and/or Aboriginal and Torres Strait Islander consultants to develop cultural awareness training.	April 2024	Head of Diversity & Inclusion
<b>7.</b> Demonstrate respect to Aboriginal and Torres Strait Islander peoples by observing cultural protocols.	Develop an understanding of the local Traditional Owners or Custodians of the lands and waters within our organisation's operational area.	November 2023	RAP Working Group Chairperson
	Provide training and suggested wording for each Australian W+K office relating to Acknowledgement of Country and the Aboriginal names of lands on which staff will work from.	August 2023	RAP Working Group Chairperson
	Increase staff's understanding of the purpose and significance behind cultural protocols including Acknowledgement of Country and Welcome to Country protocols.	July 2023	RAP Working Group Chairperson



Action	Deliverable	Timeline	Responsibility
	Install Acknowledgement of Country signage in each of our offices	December 2023	Workplace Director
	Identify a list of RAP organisations and other like-minded organisations that we could approach to collaborate with on our reconciliation journey.	October 2023	RAP Working Group Chairperson
	Share information internally about why a constitutionally enshrined voice to parliament is needed to achieve reconciliation and reduced inequalities for Aboriginal and Torres Strait Islander peoples and communities.	September 2023	Pro Bono Special Counsel
	Invite Aboriginal and Torres Strait Islander speaker to provide an opportunity for our staff and networks to learn about the Uluru Statement from the Heart.	November 2023	Pro Bono Special Counsel
<b>8. Build respect for Aboriginal and Torres Strait Islander cultures and histories by celebrating NAIDOC Week.</b>	Raise awareness and share information amongst our staff about the meaning of NAIDOC Week.	July 2023	RAP Working Group Chairperson
	Introduce our staff to NAIDOC Week by promoting external events in our local area.	July 2023	RAP Working Group Chairperson
	RAP Working Group to participate in an external NAIDOC Week event.	First week in July, 2023	RAP Working Group Chairperson



# Opportunities

Action	Deliverable	Timeline	Responsibility
<b>9.</b> Improve employment outcomes by increasing Aboriginal and Torres Strait Islander recruitment, retention, and professional development.	Build understanding of current Aboriginal and Torres Strait Islander staffing to inform future employment and professional development opportunities.	October 2023	People + Culture Director
	Develop a business case for Aboriginal and Torres Strait Islander employment within our organisation.	November 2023	People + Culture Director
	Review recruitment processes to identify opportunities to increase engagement from Aboriginal and Torres Strait Islander students	May 2024	
	Advertise job vacancies to effectively reach Aboriginal and Torres Strait Islander stakeholders, including in the Koori Mail and National Indigenous Times	June 2024	People + Culture Director
<b>10.</b> Build opportunities for Aboriginal and Torres Strait Islander peoples in the justice system.	Undertake pro bono legal work which removes systemic barriers to improving Aboriginal and Torres Strait Islander peoples justice outcomes.	January 2024	Partner – Head of Pro Bono & Responsible Business
	Research further areas of unmet legal need where there is a match for our skills and capacity to improve access to justice for Aboriginal and Torres Strait Islander peoples.	January 2024	Partner – Head of Pro Bono & Responsible Business
<b>11.</b> Increase Aboriginal and Torres Strait Islander supplier diversity to support improved economic and social outcomes.	Develop a business case for procurement from Aboriginal and Torres Strait Islander owned businesses.	November 2023	Head of Diversity & Inclusion
	Investigate Supply Nation membership opportunities.	December 2023	Head of Diversity & Inclusion
	Identify opportunities to support Aboriginal and Torres Strait Islander people owned businesses by looking at supply chain and procurement decisions.	March 2024	Head of Diversity & Inclusion



# Governance

Action	Deliverable	Timeline	Responsibility
<b>12.</b> Establish and maintain an effective RAP Working Group (RWG) to drive governance of the RAP.	Maintain a RWG to govern RAP implementation.	December 2023	Head of Diversity & Inclusion
	Review and update a Terms of Reference for the RWG.	July 2023	Head of Diversity & Inclusion
	Establish Aboriginal and Torres Strait Islander representation on the RWG.	November 2023	Head of Diversity & Inclusion
<b>13.</b> Provide appropriate support for effective implementation of RAP commitments.	Define resource needs for RAP implementation.	August 2023	Partner – Head of Pro Bono & Responsible Business
	Engage senior leaders in the delivery of RAP commitments.	September 2023	RAP Working Group Executive Sponsor
	Maintain a senior leader to sponsor and champion our RAP internally.	October 2023	RAP Working Group Executive Sponsor
	Define appropriate systems and capability to monitor and track, measure and report on RAP commitments.	October 2023	Head of Diversity & Inclusion
<b>14.</b> Build accountability and transparency through reporting RAP achievements, challenges and learnings both internally and externally.	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 Working Group Chairperson
	Contact Reconciliation Australia to request our unique link, to access the online RAP Impact Measurement Questionnaire.	August annually	RAP Working Group Chairperson
	Meet quarterly to monitor and report on implementation of our RAP and its deliverables.	September 2023 December 2023 March 2024 June 2024	RAP Working Group Chairperson
	Complete and submit the annual RAP Impact Measurement Questionnaire to Reconciliation Australia.	30 September, annually	RAP Working Group Chairperson
<b>15.</b> Continue our reconciliation journey by developing our next RAP.	Register via Reconciliation Australia's website to begin developing our next RAP.	April 2024	RAP Working Group Chairperson



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