



## *What's Our Story?*

**Opening remarks to  
Law Society of Western Australia and College of Law  
workshop addressing Workplace Sexual Harassment**

**The Honourable Justice Peter Quinlan  
Chief Justice of Western Australia**

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### **Opening remarks to the Law Society of Western Australia and College of Law workshop addressing Workplace Sexual Harassment**

Thank you to the Law Society and the College of Law for your kind invitation to open this evening's important event.

May I commence by acknowledging the Whadjuk people of the Noongar nation and pay my respects to their elders past and present?

To commence with an expression of respect for the traditional custodians of the land on which we meet this evening, should remind us of the theme which underlies the subject of tonight's interactive performance: respect.

Respect for the fundamental dignity and humanity of each and every person, and how we can make that respect a reality in our workplaces.

It will hardly come as a surprise to you if I observe that issues of sexual harassment, discrimination and, indeed, sexual assault have, over recent years, forced their way into the forefront of our collective consciousness like never before.

For some, the realisation that there is a pervasive and insidious current of sexual harassment and gendered discrimination at work in our culture and in our workplaces has been a shock. For many, I am sure, it has not been a realisation at all; but rather a long overdue unveiling of a reality that has been all too present for all too long. And for many in leadership, it has been a source of shame, such

as the shame expressed by the Chief Justice of Australia on behalf of the High Court, in the wake of revelations in relation to a former judge of that court.

And for some, it has been a mixture of all of these reactions.

Speaking for myself, and of course in this context I may only speak for myself, the reaction has been a combination both of surprise (even shock) at the reality of the problem matched with an uncomfortable recognition that I should not be surprised at all. That in the decades in which I have been part of the legal profession there have been countless examples in which I witnessed or heard about harassment or discrimination but was too ignorant, wilfully blind or simply afraid to stick my head above the parapet to call out what, as a lawyer, I should have been ethically bound to name and condemn.

How often have those of us in this room, those of us who have *not* been the subject of sexual harassment or discrimination, stood quietly by while others, including or perhaps especially those who were our appointed leaders, have used degrading and dehumanising language in relation to our colleagues: language that could only serve to degrade and dehumanise our professional culture and to cause harm to those who must work within it.

I won't ask for a show of hands. But I will hazard a guess that there are many people here who, like me, have in the past responded to outrageous behaviour by our colleagues with complicity, cowardice or confusion.

To look back on our own past failings like this can, of course, be a source of great discomfort. After all, as L P Hartley remarked: 'The past is a foreign country. They do things differently there'. But it should not be; or at least we can push through our discomfort and do things better. To *be* better.

And so now, while the issues are unavoidably on the table, we need to be able to do two things: to see and to respond.

To be able to see harassment and discrimination for what it is and to respond decisively and appropriately.

These are no doubt very different skills.

In some respects the first is harder than the second. Because to be able to respond properly to workplace harassment and discrimination might involve methods or strategies that we can learn, or perhaps we can implement and follow new policies or procedures.

The first skill, however – to see - is more of a challenge. It requires a change of vision and perspective and involves far more risk to our sense of how enlightened and righteous we think we are and to recognise what, for us, may be hidden in plain sight. And it also requires us to *listen* to other people, without presuming to know what their experiences are, or, better yet, what we think they ought to be.

And so, it is gratifying to see so many people here tonight to see and to listen to an exploration of these issues in narrative form. Narrative is – I want to suggest – the best if not the only way to truly understand the world around us.

Forty years ago this year, the moral philosopher Alasdair MacIntyre, published his ground-breaking work in moral and ethical philosophy 'After Virtue: A Study in Moral Theory'.

One of the most famous quotes from MacIntyre's After Virtue is this:

'I can only answer the question 'What am I to do?' if I can answer the prior question 'Of what story or stories do I find myself a part?'.

As we engage with tonight's performance, it is as well that we ask, 'Of which of these stories do I find myself a part?'

And then to ask, 'What am I to do?'