

Shift to online courts could help ‘smash the...

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Mediation

For corporate barrister Laura Keily, the legal industry’s shift online in response to the virus crisis is an opportunity to leverage technology in a sector that has been reticent to adopt it – and to “smash the patriarchy” in the process.

Ms Keily is the brains behind online mediation platform Immediation, which is being widely utilised by law firms and courts to enable virtual mediations during the pandemic.

It is one of several technologies adopted by the industry as the shift to remote working forced lawyers and judges home.

The court adopted a broad range of platforms so matters could progress remotely – Federal Court hearings are now held via Microsoft Teams, for example – while loosening regulations concerning document witnessing helped transactional law matters keep running.

Ms Keily, whose platform has been added to the Federal Court, Federal Circuit Court and Family Court’s arsenal of online tools, hopes the use of such technology could improve some court processes.

At the Family Court, for example, the fact that Immediation allowed video facilities to be turned off had provided relief for victims of domestic violence who do not want to see or be seen by their former partners, Ms Keily said.

A spokeswoman for the Family Court and Federal Circuit Court said the pandemic had given the courts an opportunity to be innovative and to quickly implement new and effective ways of operating.

Ms Keily said that by better enabling remote work for lawyers, some of the industry’s historic problems with retaining women into senior positions might fade, as it would allow for more flexible work.

“So much of [our work] is about smashing the industry’s patriarchy and model and making it more equitable, not just for women, but for anyone wanting to access the courts. It’s a bit of a disruptor,” she said.

She also hoped to see more lawyers working on the remote technology as a way to lessen the issues arising from running procedure-heavy hearings and mediations virtually.

The fact that Immediation was staffed by lawyers meant “the tribunal member or judge or mediator doesn’t

have to say, ‘no, in a court this can’t happen’, because we already know,” Ms Keily said.

It could also help create jobs in an industry where the COVID-19 downturn is triggering pay cuts and stand downs of staff.

Late last month, in the first week of the pandemic lockdown, Immediation took on 36 casual staff and demand has grown since then.



Laura Keily hopes platforms such as Immediation will ease access to justice.