

The Australian Women's Register

Entry type: Person
Entry ID: AWE5601

Sievers, Sally

(1965 -)

Born 1 January, 1965, Near Launceston Tasmania Australia

Occupation Barrister, Commissioner, Lawyer, Magistrate, Solicitor, Sportswoman

Summary

Sally Sievers has been a lawyer in the Northern Territory since 1988, practising within government, in private practice and as a Relieving Magistrate from time to time. She was appointed the Anti-Discrimination Commissioner for the Northern Territory in January 2013. As commissioner, she has focused the Commission's activities in the areas of race and disability discrimination and women's equality, in particular the impact of discrimination against women and families.

Go to 'Details' below to read a reflective essay written by Sally Sievers for the Trailblazing Women and the Law Project.

Details

The following additional information was provided by Sally Sievers and is reproduced with permission in its entirety.

I was born in 1965, the third child of a young Tasmanian family, which over the next six years would increase from three children to six.

I grew up in the rural surrounds of Launceston with my brothers and sisters and an array of foster children coming through our home. It was a happy and secure childhood with a stay at home Mum and Dad working in sales.

I attended a variety of local public primary schools and then the local high school when we moved into Launceston city.

There was no expectation that I would attend school past year 10 as my older siblings and vast number of cousins had not. Tasmania's low high school retention rate remains an issue even today.

I had always been a very active and physical child, which paid off when my ability to kick a ball a country mile was noticed by the school hockey coach, and thus my involvement in hockey began. Hockey at both school and club level gave me an exposure to a whole different world of opportunities. Most influential were a number of young women, including Penny Gray who returned to Launceston after being away at university with stories of adventure and plans for the future.

Luckily for me, dual Olympian Penny Gray, whose history I was unaware of at this time, picked me up and ran me to and from hockey training. In our conversation on the way to and from training a whole array of options opened up for me and as a result for the first time I began to entertain the idea of university.

From there my journey to university was set. It began with convincing my family that attending a matriculation college was a good idea.

It was in my second year at Alanvale Community College that I came across legal studies. The course was presented in an engaging way, with newspaper clippings of cases which peaked my interest in law and justice. Not having any idea where my access to education would take me, I asked the teacher what I would need to do to become a legal studies teacher like him. He responded that if I was not going to consider being a lawyer he wasn't sure who in the class would. It was all the encouragement I needed, although I had never met a lawyer at that stage, nor did I until I started at the University of Tasmania.

The University of Tasmania at that time only had a campus in Hobart. A big hurdle for my family in my decision to go to university was leaving home to study; until that time my older siblings had only left home once married.

Another considerable factor was how this was to be funded. I am totally the beneficiary of the very limited window in

Australia's history of free education. As a child from a low income family, with no income after my father lost his last paid employment a week or so into my university degree, my studies were largely funded by Austudy, holiday jobs and living very frugally.

Only two or three other students from Alanvale ended up with me at residential college and at the University of Tasmania in 1982. Over the next five years I completed a pretty conservative arts/law degree. It was a time of social change in Tasmania the rise of environmental movements such as the Franklin Dam blockades etc. I was exposed to many great lecturers, including present Tasmanian Governor Kate Warner.

Hockey was still a very significant feature in my life, providing role models, strong women and also opportunities to travel in representative teams. Fortunately for me this included a trip to Darwin in my last year at university, playing hockey for Tasmania. I did not play a lot of hockey being second goalkeeper to the current Australian keeper. However in this time I decide that Darwin was the place for me to begin my professional life.

In the 1980s the Northern Territory (NT) offered an articles program over twelve months, far better than what was on offer to me in Tasmania. I was not sure how I would fare in the established legal fraternity in Tasmania as, apart from my lecturers and a few hockey-playing lawyers, I had still never met a working lawyer or been to chambers or an office.

I was offered and took up articles with the NT Department of Law. There were four article clerks that year. We rotated through different areas of the Department including, commercial, litigation, policy and prosecutions. I also took up the opportunity to spend three months in the Alice Springs' office.

My time in Alice Springs coincided with sittings of the Royal Commission into Aboriginal Deaths in Custody in Alice. I had the opportunity to observe great advocates. I also had the opportunity to do some very minor appearance work in Coronial Inquest. This was a great first exposure to Central Australia, which included travelling with the court to Yulara, with Magistrate Denny Barrett (famous for his involvement in the Chamberlain matter and part of NT legal history). A unique feature of NT practise at this time was the solicitor in charge of the Department of Justice offices had his Harley Davidson in pieces in library of the office.

I returned to Darwin at the start of 1989 and was admitted to practise as a Barrister and Solicitor in the NT in April 1989.

The first years of my career were as a prosecutor for NT prosecutions and then Office of the Director of Public Prosecutions. This was a tough environment for a 23/24 year old appearing in summary prosecutions and travelling to bush courts. There were very few women prosecutors. I observed what worked best in a male dominated work place and with an array of police officers. Lindy Jenkins now a Western Australian Judge, was the only senior female prosecutor, a great example of integrity and hard work.

Sally Thomas was then the Chief Magistrate and I appeared in front of her frequently. She was always courteous, generous and instructive in the reasons for her decisions. I have been extremely fortunate that my career has intersected with hers on many occasions prior to her recent retirement as Administrator of NT. She signed my current appointment.

The police prosecutors and senior prosecutor Dick Wallace were generous with their time, skills and knowledge during this time.

As my skills developed I was being allocated a lot of child sexual assault indecent dealing matters. The memory of sitting under a tree in Katherine, trying to establish rapport to elicit evidence from a young, eleven-year-old girl who had been sexually assaulted and whose life was changed forever still sticks with me. There is a spot in Katherine that I still find very difficult to walk past.

I was steered away from this area of practice by Dick Wallace who let me instruct him in a fraud, white collar crime cases. I then prosecuted these cases myself.

This was an area I enjoyed as preparation of documentary cases does not take such an emotional toll. Once prepared the evidence does not change. We worked our way through a number of scams that existed in the NT at this time.

An opportunity then arose to move and work at the Australian Government Solicitor's offices conducting Commonwealth prosecutions in 1994. The cases were very diverse: arguing cases re: the scope of Australian's jurisdiction for fishers, tax fraud, dental fraud etc. I had the opportunity to work and travel to Kakadu, Broome, Uluru and Christmas Island training various agencies.

During this time in my life hockey took a back seat as I discovered the joy and flexibility of triathlons.

Whilst working for the Commonwealth I worked on a large heroin importation matter. I worked with in my opinion one of the best Counsel I have ever seen current Supreme Court Judge of NSW, Elizabeth Fullerton. She was always prepared to share her knowledge, strategy and approach to the case, during the conduct of the lengthy Supreme Court trial. However there were also extensive preparations, committal, trial and then guilty pleas of the remaining accused, which consumed a good year, and half of my life. I was awarded the Attorney-General's Australia Day Award for my work on this matter.

As well as generously sharing her legal skills, Judge Fullerton also swung into action, helping me decide what my next

career move would be. After exploring numerous options she paved the way for my introduction to David Farquhar who would be my professional mentor and good friend for the next 10 years as we worked together at Cridlands, a private firm in the NT. The work was again diverse, as the practise of law is in NT.

David Farquhar and I first worked together as counsel assisting the Coroner in a series of deaths in custody in Alice Springs, and then on numerous health matters including for the medical and health professional boards. With his guidance I moved through the ranks to special Counsel over the next 10 years.

During this time I was also involved in a number of community organisations. Between 1998 and 2003 I filled numerous roles on the Top End Women's Legal Services management committee. I was a Tribunal Commissioner for the AFL NT Tribunal, and member of the Legal Aid Review Committee. I was also Director and Secretary NT Division – National Heart Foundation.

Early in my time at Cridlands I was given the opportunity to Relieve as a magistrate.

During this time I also had two children, and was well supported by the firm and given great flexibility. This ranged from going home for naps during the day in the last months of pregnancy and then signing on remotely, to the very practical gift of six months nappy service for my second child.

While working at Cridlands my clients, primarily in the health and allied health field, were also incredibly supportive during each of my pregnancies and my return to work part time.

I was Counsel in numerous coronial inquests into deaths of those in the mental health system, and also appeared in matters in the Supreme Court where people with a disability or people with a mental health diagnosis had come into contact with the criminal justice system I was also involved in medical negligence matters, a review of the mental health legislation and work health matters both prosecuting and defending, companies after work place deaths

During my ten years at Cridlands my knowledge and interest in the areas of mental health and disability increased. The issues colleagues and other women around me faced after having children and returning to the work force also piqued my interest. The experiences were so variable.

In 2008 I followed the work I had been doing back into government, working again primarily in health law, mental health, disability and medical negligence matters.

During 2012 and the beginning of 2013 I also had two long periods as a Relieving Magistrate with the privilege of working in the alcohol and drug court, using a therapeutic model. I also spent time in the youth court, as well as travelling to remote communities for circuit court.

On 30 January 2013 I was appointed to my current role as NT Anti-Discrimination Commissioner. It has been a challenge; I took over in a time of change for the small office. I have concentrated on establishing relationships and determining and focussing on key priorities for the small team; passionately using social media and also modernising the ADC's webpage.

It has been a great privilege to be appointed as Principal Community Visitor a program I had come across previously in my work with mental health matters. This program has expanding into disability and during the first 12 months of my appointment has taken up the role of monitoring and oversight of the NT's Alcohol Mandatory Treatment Program.

The Community Visitor Program (CVP) ensures those who would not usually complain to bodies such as the ADC are given a voice. Access to mechanisms on a day-to-day basis to resolve issues they have at the lowest possible level. The CVP advocates to ensure those compulsorily detained have their human rights respected.

Dedicated people with a service focus staff both the ADC and CVP teams.

Last year with great buy-in from the NT community, we launch the Inaugural NT Human Rights Awards "The Fitzgerald's", partly to honour the memory and achievements of long term NT Anti-Discrimination Commissioner Tony Fitzgerald and to recognise the amazing work being done on a day to day basis by people and groups in the NT. It was also established to raise the profile of human rights in a time when they seem to be under attack across the community.

The people I have met through my role are leaders in their fields, and have been generous with their support and knowledge. I would like to thank Graeme Innes OA for social media tips and numerous visits to the NT, and Liz Broderick who has shared her experience and approaches to difficult issues.

I would also like to thank people in the NT willing to share knowledge and experience such as Priscilla Collins, the head of NAAJA and Brenda Monaghan, fellow Independent Commissioner for Information and Open Disclosures.

I look forward to the challenges of a career of great diversity over the next twenty years as our four girls make their way through school and university.

Published resources

Site Exhibition

Australian Women Lawyers as Active Citizens, Trailblazing Women Lawyers Project Team, 2016,
<http://www.womenaustralia.info/lawyers>

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