

## COMMENTARY

### THE CHANGING SCENE

*"Women in time to come will do much".*

Mary Ward, Foundress of the Loreto Sisters. 16th Century.

Looking through the names included in the Institute's published list of Arbitrators one quickly observes that there are very few womens names listed, in fact only 2 names appear. In the words of Professor Julius Sumner Miller of "Chocolate Advertising" fame Why is it so?

During the centuries that commercial Arbitration as we know it today has envolved the major industries/trades/professions which embraced Arbitration were all male dominated namely construction, maritime, the corn and grain trades and the legal profession. In addition, in the past the role of the woman was largely seen as being that of wife and mother, however the winds of change have been such that today we find an increasing number of women opting to work in the construction industry, others are pursuing careers in the professions of law, architecture and engineering to name a few.

Those winds of change have not yet resulted in a substantial number of women embracing the role of Arbitrator as part of their professional career, however an increasing number of female lawyers, quantity surveyors, architects and project managers are being exposed to the arbitral process in their daily work. By and large this group of women are under 40 years of age and it is from this group that it can be expected that an increasing number of female Arbitrators will emerge in the future. Indeed, as the sphere of influence of the Institute increases in the community to such areas as the travel and holiday industry, banking and insurance many more opportunities will present themselves for women to act as commercial Arbitrators. Many are already involved in the mediation and arbitration of neighbourhood disputes and in the family law area.

An increasing number of women are being appointed Judges in the Courts and to tribunals exercising judicial functions and it may fairly be said that their presence has been beneficial in the dispensation of justice and appreciated by at least some of the users of court procedures and elsewhere to settle their disputes. The same benefits could flow to arbitration. Experience in the courts has shown that female lawyers and barristers feel an empathy with female Judges. No longer do they have to "ape" men in presenting their clients cases. Just as male Arbitrators are being exposed to an increasing number of female lawyers appearing before them so it will be that, in the future, those of our members who

also practice as expert witnesses will have to come to terms with the existence of female Arbitrators.

There is no reason at all why a properly trained woman cannot discharge her responsibilities as an Arbitrator as well as would a similarly trained male. It can be confidently anticipated that the number of women seeking to undertake the quasi judicial role of Arbitrator will increase in future and, like their male counterparts, will earn the approbation of the commercial community, lawyers and their peers alike according to how well they discharge their duties.

## **THE INSTITUTE OF ARBITRATORS AUSTRALIA**

### **GENERAL AND ADVANCED ARBITRATION COURSES BRISBANE—1991**

#### **ADVANCE NOTICE**

The Institute of Arbitrators Australia will be offering General and Advanced Arbitration Courses in Brisbane during 1991. The courses will be residential and the venue will be Grace College at the University of Queensland. Dates of the courses are:

**General Arbitration Course:** Thursday 4 April 1991  
to Sunday 7 April 1991

**Advanced Arbitration Course:** Thursday 3 October 1991  
to Sunday 6 October 1991

Detailed Programmes and Registration Forms will be forwarded to members and will be available to non-members approximately 2 months prior to each course.