

# Child care for barristers

By Rashda Rana

All of us with children, in any profession, at some time have had to deal with the nanny who can't come in today, the sick child who can't go to school or the child who throws up at the door of the day care centre. We are expected in court or an important conference in about an hour. What to do?

If you are lucky, and very few of us seem to fall into that category, you might be able to enlist the help of granny, grandpa or a friendly neighbour. But these indulgences are few and far between and if called upon too often can turn a good relationship into a sour one.

For many years the Bar Association's Equal Opportunity Committee has received complaints, information and expressions of concern from barristers indicating that they were having difficulty in reconciling their responsibilities for the care of one or more children with conduct of a successful practice at the Bar. In short, the problem appears to arise when rigid court hours meet inflexible children's day care arrangements, the risk of some failure in the overall arrangements of which leads to professional embarrassment. When it occurs it is extremely stressful for those involved.

The Equal Opportunity Committee investigated whether or not the Bar Association could do anything to assist. It concluded that there was a possible solution.

What the committee proposed was a scheme, the principal purpose of which is to provide a backup or emergency child care service to cover the situations that had been identified as problematic for barristers. The scheme can best be described as an 'in-home care scheme' or otherwise as occasional care based in the home.

The scheme and a pilot being conducted at the moment will operate in the same way. The pilot is necessary to test the feasibility of the scheme before it is offered more widely to the Bar. The pilot will take six months, commencing in May 2003 and will operate over the winter months when unexpected child sickness is highest.

The scheme is to be operated by a service provider with extensive experience in the child care industry. With the detailed help of a consultant, Jane Smythe, the committee is working with a well-established service provider, McArthur Management Services ('McArthur'). McArthur was discovered by Jane Smythe and assessed by her as one of the few service providers with the size, background and reputation sufficient to provide services to the barristers involved in the pilot scheme to a standard and with the level of reliability that would be expected by barristers.

McArthur is an Australian owned and operated consultancy which commenced providing services in South Australia in 1969. It specializes in providing recruitment and human resources services in a number of divisions, including health and child care services.

The scheme enables a barrister in an emergency or when

normal child care arrangements fail to make one phone call to McArthur, which would then make all the necessary arrangements for the carer to arrive at the barrister's home or collect the child as is required. The centralised phone system operated by McArthur will be a 24-hour service. McArthur will have a comprehensive database supporting the facility containing the names, address, chambers address of the barrister parent, clerk, children's likes and dislikes, the child's routine and more, which assist in administering the scheme and which would also be available to the carer.

If, for example, a family member or usual carer calls in sick at 7am and the barrister is due in court at 10am, it is a requirement of McArthur's service under the scheme that the carer will be there to relieve the situation within an hour of the call. Similarly, the barrister may be caught unexpectedly at a hearing until 5pm and is unable to meet prior arrangements to collect a child from day care or to meet some other commitment in relation to the child that the barrister expected to be able to meet. In those circumstances, the barrister (or the barrister's clerk) can telephone McArthur to have the carer collect the child and do whatever is necessary to care for the child until the barrister becomes free from immediate professional obligations to meet domestic commitments.

A key feature of the scheme is that the carer who is called in under this service will be someone who already knows the children of the barrister because of a regular periodic investment of some child care time by the barrister's family with that carer. A regular engagement is necessary for the smooth running of the scheme. This is achieved by the barrister engaging the carer in a minimum of four hours per fortnight in some caring role with the children. This may be babysitting or some other child-centered activity. The continuity of contact will ensure that the transition from the parent leaving for work and the carer arriving at the home goes smoothly and without causing any stress or anxiety for the parent, child or carer.

Families will be given a choice of carers matched to suit the needs of the family and the location of the home.

McArthur has indicated to the committee that so far as they are aware no scheme like this for professionals exists anywhere else in Australia. The scheme will only work if the Bar can generate interest in it. However, it would be unwise to allow the scheme to be offered to the Bar as a whole until the pilot has proved successful. The Equal Opportunity Committee's informal research indicates that a number of barristers would readily use this facility if it existed. Indeed, the idea of the scheme and the realisation that there was a problem at the Bar arose from a number of complaints by barristers that they lacked that kind of support.

Further information on the pilot or the proposed scheme may be obtained by contacting Rashda Rana on 9930 7965 or Julia Lonergan on 9221 5140.

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