

### Bill Grant

Bill Grant OAM, a member of the New South Wales Bar Association, retired as CEO of the NSW Legal Aid Commission in December 2016 after a combined eleven years at the head of Legal Aid NSW. He died on 22 January 2017 while mowing the lawn of his new retirement home in northern NSW. Bill had been a senior officer of the NSW Attorney General's Department, at Legal Aid, and secretary-general of the Law Council of Australia. In each of these positions he was a good friend to the bar, in particular with amendments to the Legal Profession Act, in endeavouring to obtain reasonable fees for counsel in legal aid matters and the bar's role in the national legal profession. At his funeral on 2 February in a church packed with Bill's friends and colleagues, including the chief justice and many members of the judiciary and of the bar, Philip Selth, the recently retired as executive director of the Bar Association, spoke of Bill.



Michelle and Alison have spoken about Bill as husband and father; they have asked that I say a few words about Bill the public servant. I cannot say I am 'happy' to do so, but I am proud to say that Bill was my friend.

In June 2006 William Grant was awarded the Medal in the Order of Australia 'For service to the community and to the law through the New South Wales Legal Aid Commission'. That is probably one of the few times Bill was called 'William' in public.

This is not an occasion for a detailed recitation of Bill's illustrious curriculum vitae. But in summary, Bill commenced work in the Crown Solicitor's Office on 4 June 1973 as a legal clerk in the Conveyancing Branch. Upon completing the final year of his LLB degree from the University of Sydney in 1974, he was appointed to the position of legal officer, Conveyancing Branch on 1 January 1975. He was admitted as a solicitor of the Supreme Court of NSW on 26 July

1976. In the Crown Solicitor's Office Bill worked in the Prosecutions, Special litigation and Constitutional branches. Over a meal and a glass of wine Bill occasionally reminisced about those days, including him running matters in the Supreme Court under the Disorderly Houses Act and working on the Juanita Nielsen inquest.

In December 2003 Bill was asked by the minister for health to act as the commissioner of the Health Care Complaints Commission until a new commissioner was appointed. At the time the commission was under a lot of pressure as a result of the release of the Report of a Parliamentary Inquiry into procedures during investigations and prosecutions undertaken by the commission. Bill had been given a difficult political and management problem to clean up. He did so well with that bundle of problems that he was given another collection to sort out at Legal Aid, of which he became acting managing director in April 1999 - and CEO in November 2001.

Bill was a committed lawyer who never readily gave in. He had a strong passion for justice. Passion is a word that regularly comes up when talking about Bill's accomplishments. Bill used to work in the Goodsell Building in Phillip Street. It had a small underground car park. It was always stacked and Bill never appreciated being parked in. Staff often had to move another car during the day to get their own car out. One day in moving a car the accelerator 'got stuck' and he damaged two cars. The building manager

for some reason reported the incident to the police, who subsequently charged Bill with negligent driving. Bill felt it was unfair as no-one was injured and it was an accident. He studied the relevant traffic laws and successfully challenged the charge on the basis that the carpark was private property not subject to the traffic laws.

Bill was a very strong black letter lawyer but always able to imagine how laws, systems and processes could be improved for the benefit of users and the broader community. One important matter Bill led over 25 years ago was the NSW response to the 1991 report of the Royal Commission into Aboriginal Deaths in Custody. There were some important outcomes from that response, including establishing the Aboriginal Justice Advisory Committee and making significant changes to provide more and better pre-sentencing diversion programs and post sentencing options. The way Bill went about it was indicative of his approach. Bill met directly with many Aboriginal people and their organisations to hear firsthand experiences, taking the time to properly listen and to respectfully engage. A senior public servant who worked with Bill then notes that this was 'a wonderful example of appropriate cultural awareness long before that was even recognised as a term and practice'. That officer, Bill and I had lunch a few months ago. Bill's frustration that the Indigenous incarceration rate remains unacceptably high was on full display. Although Bill held passionate views on social justice and related matters,

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it was, however, unusual for him to publicly show his frustration. Perhaps on this occasion it was in part because The Malaya Restaurant was his second office. For the past twenty years Bill and I regularly had lunch at that restaurant and its predecessors. I gave up bothering to look at the menu. Bill just ordered - he didn't need to look at the menu! We always ordered a bottle of sparkling water, the main purpose of which was so we could try and get the inevitable curry stains off our business shirts before our PAs and wives noticed. Michelle tells me Bill need not have bothered even trying!

Today the term 'public servant' is at times used by the ignorant pejoratively. But Bill was proud that he was a public servant - someone who passionately, enthusiastically and with the utmost integrity delivers a service to the community, particularly the less fortunate. Not only did Bill believe in access to justice for all, but he did all he could in a range of positions to increase that access. Bill didn't play favourites - or games with the Ministers he served. He was no 'Sir Humphrey'. He was a very traditional public servant, dealing with both sides of politics in a straightforward, non-partisan manner.

Bill was fascinated by politics of the day. He scanned all of the daily newspapers and tuned in to media reports. If there was a leadership spill on, or something controversial taking place in parliament, Bill's door would be closed as he followed the situation unfolding. But he never played party politics.

One of the attorneys general with whom Bill worked told me last week he felt that his contact with Bill on multiple occasions 'reflected his commitment to outcomes for people who were vulnerable. He genuinely cared. The way he dealt with Labor and Liberal ministers always conjured an image of his next career being more than a passingly adequate tightrope

walker and a really good juggler!' Bill's nomination for the OAM was strongly backed by the attorney general at the time. Yet another attorney general told me that while he was AG, Legal Aid in effect ran on auto-pilot - that is, it was so well managed by Bill that the minister could devote his attention to matters elsewhere.

Bill and Michelle moved to Canberra in 2007 where he served to 2011 as the secretary-general of the Law Council of Australia, the legal profession's peak body. The president of the Law Council noted a few days ago that Bill's 'natural warmth and impeccable work ethic meant that he was loved and respected within the Law Council and across the legal profession'.

Without Bill's work on the Commonwealth/state national legal profession reform taskforce, out of which torturously, and belatedly, emerged the Uniform Law that now regulates the legal profession in NSW and Victoria - it is possible the profession would now be governed by Canberra. He worked tirelessly on the national profession in an absolutely thankless role. He was very disappointed that so far only NSW and Victoria have signed up to the uniform law.

Each year the Law Council has a new president; each needs the strong and loyal support of the CEO. Bill gave that support in spades. One president recalls how Bill and Michelle took him out one evening when he was on his own in Canberra. 'Bill was a top bloke and very kind to me. When I first started as president we went out for some drinks at a new hotel (very trendy) in Canberra and we were having a drink that they would set alight and you drink it. A flaming scotch or something called a Blue Blazer. Bill was very keen on that drink and we had a few. The next day the place burned down and we both felt guilty.' Last week the current president spoke of having recently caught up with Bill as she

was preparing to take on her new role as president of the Law Council. She noted that Bill 'was as warm and encouraging of me then as he always was', and that she was greatly buoyed by their exchange.

The quarterly meetings of Law Council directors have been compared with mandatory meetings of a dysfunctional family seeking to ensure each is not left out of the will of the mad uncle. Well, that is a slight exaggeration - but the meetings could at times be heated - or boring - and overlong. Bill would sit next to the president giving sage advice, never seeking attention. But if Bill was asked a question, we all listened. Usually Bill had before the meeting effected a reconciliation or compromise over contentious matters. He was trusted by all. Occasionally some at the meeting would send Bill SMS messages along the lines of 'Are we there yet?', 'Can we please go home now Daddy?' Back would swiftly come a reply, not always suitable for publication. Bill never gave any indication that he was not totally engrossed in the agenda. The best we ever got was a slight smile. His was a dry wit rather than a raucous laugh.

I tried Google to see if there was a Scottish Imp - but all I found was the Hillman car. But Bill did at times resemble a 'mischievous devil', albeit that Bill was not small - although in recent months he was proud of losing a bit of weight.

When Bill finished up at the Law Council, the Legal Aid Commission was again in need of a strong, innovative and passionate leader. Both the NSW Law Society and Bar Association spoke wistfully of Bill returning to his old patch. But the timing wasn't good; the usual recruitment and appointment processes made it very likely that Bill would be snapped up by some other agency before he could be considered by the government for appointment to Legal

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Aid. So the CEOs of the Law Society and the bar spoke with the attorney general about how this was a great opportunity to have Bill back at Legal Aid. I think the AG was well ahead of us, for a few days later Bill rang and told me that Cabinet had agreed to his appointment.

Bill was absolutely committed to legal aid and ensured as much as he could that the underprivileged people - and the lawyers acting for them - got fair funding. Bill's legacy at Legal Aid included making services for victims of domestic violence a core part of the Legal Aid NSW, expanding civil law services, and bringing legal services to remote, rural and regional NSW.

As at the LCA, the staff respected and admired Bill and enjoyed working with him. I emphasise with him rather than for him. He was passionate about the health and wellbeing of his staff. In particular, Bill would not tolerate bullying of any staff. At times he had to be 'talked down' from his initial 'charge them' position. But he listened. He was a leader focussed on leadership and management skills. He threw out the concept of the longest serving lawyer being the successor to the manager's role.

One of Bill's Legal Aid staff recently wrote down a few thoughts they had of Bill, which I unashamedly plagiarise to share with you, Bill's family and friends.

There was an aura around Bill. I remember watching a former Director nervously prepare for meetings with him. Papers in order, personal grooming done and fully briefed. Nothing would be put forward if there were holes or doubt – because Bill didn't tolerate that. When Bill came back from Law Council we were told by people who knew Bill that he most valued strategic thinking. And they were right. When a difficulty was

presented to him, he would always approach it from the most strategic angle. 'Keep the powder dry' and 'Pick your battles' were two of his favoured lines.

He believed in his people and what we could achieve at Legal Aid. But he also had high expectations which led to a culture of achievement. Sitting in on meetings about a recent project he said: 'Well of course we will be delivering services first. And I expect our services will be of a much higher standard than what is offered by other legal services around Australia. People will always turn to us as the leaders'.

He spoke in a similar way about collaboration across the legal sector in NSW, with the court administrations, profession, community legal centres and others providing support services.

When in 2015 the new National Partnership Agreement on Legal Assistance set objectives for legal services requiring Legal Aid to collaborate with other legal services, governments and the private legal profession to provide joined-up services to address people's legal and related problems, Bill was heard proudly proclaiming that Legal Aid NSW was years ahead of other states on this score. 'We are ahead of the game' was one of his favoured lines whenever he compared Legal Aid NSW with other agencies – and he would have been immensely disappointed if it had not been.

It is little wonder that for the last two years Bill had Legal Aid's executive team and those around him in a frenzy. Often when people approach retirement they start to slow down – not Bill. He was determined to have Legal Aid handed over in the best shape it could be. Workshops requiring 'blue sky thinking' took place, many hours were spent by his executive team offline plotting where the organisation needed to be and how

it would get there. As one staff member has noted: 'Such was the activity that by the time Bill left the building there was almost palpable relief – we all needed a holiday – and many commented it was like Dad leaving the house!'

I have not before thought of Bill as some kind of Australian Elvis Presley. Bill having a 'selfie' taken with his finance staff on his last day at Legal Aid doesn't quite get there. 'Elvis has left the building' is a phrase that was often used by public address announcers at the conclusion of [Elvis Presley](#) concerts in order to disperse audiences who lingered in hopes of an [encore](#).

We cannot have an encore. But when Bill leaves the building today he leaves behind many, many friends who admired him, respected him, and who enjoyed his company. He was a true public servant who gave so much trying to improve the lot of others less fortunate. He will be remembered well beyond the time of most of us. He deserves to be.

*2 February 2017.*