



**TITLE:** College of Law Victoria Graduation Speech

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I thank you all for the kind invitation to speak to you tonight on this, a most momentous occasion in all your lives. I congratulate all tonight's graduands on their achievements. I wish also to congratulate the parents, guardians, partners and friends who provided the necessary assistance, both financial and emotional, to make this event possible.

It is said that the graduation speech is a difficult sort to write. I hope to deliver a positive message to you tonight.

Your lives as lawyers begin very soon from now; from the date of your actual admission. Many of you will have noble goals in mind, and intend to spend at least part of your time giving advice for free, or pro bono, as we say, once you become qualified lawyers. Nevertheless, the image of lawyers remains a problem in the wider community. We are far from corrupt, and yet, lawyers are continually rated as one of the least trusted professions. I often wonder why. Most lawyers I know cling tenaciously to the notion that justice is an integral part of our work. That we above all are somehow assisting in the social good, aiding to ensure that Australians do indeed live in a generally just and safe society. Rarely do we hear stories in the media about the vast numbers of talented practitioners who gladly give up their valuable time for free in order to promote socially important issues, or for the relief of impecunious clients. Does the same phenomenon ever happen in many other professions and occupations I wonder?

Indeed, for those of you who intend to practise law with the College of Law qualification you have obtained today, remember that upon admission you are first and foremost an officer of the court. Practising law in the State of Victoria is nothing like that depicted in LA Law or Boston Legal, or Ally McBeal. Though your clients are important and must become the source of your livelihood, you should remember that the court, and the upholding of justice, comes first. At core, you have a moral obligation and a duty and you must not fail to remember it.

If I was to offer any advice to those intending to practise, I would say in the course of your practice as a solicitor or barrister to avoid unquestioning acceptance and application of your client's instructions. You have an overriding duty to the court to be honest and faithful to the court. That duty has been described by Sir Gerard Brennan, a former Chief Justice of the High Court, as one that requires you "to assist the court in the doing of justice according to law".



You might reflect also upon the remark of Mr Justice Callaway, another Judge of the Supreme Court, when he said:

"Part of the judicial oath is to do justice according to law, not to do law, but to do justice".

His Honour further said:

"There is not much point in being a doctor unless you care about healing the sick. There is not much point in being a lawyer unless you care about justice".

The belief that the law and morality are linked concepts must stay with you, though we live in interesting times. Extraordinary leaps are being made in terms of technology, economics, population shifts and scientific advances. On the other hand, our era also remains a time of great conflict and destruction.

How epochal trends shape your careers as graduates of law in Victoria in the year 2005 are very different from those which shaped mine when I became a lawyer in the mid-1970's. For instance, nearly all of my graduating class from university went straight into law-related fields and jobs. That, however, will not necessarily be the case for the group sitting in front of me, though you have all gone the extra step of becoming, or nearly becoming, lawyers.

It would seem to me that more and more law graduates are expanding out into less traditional roles. One reason why law graduates may not be so strictly confined to conventional "lawyerly" roles anymore might be owing to the fact we belong to an information age. For instance, think of the skills you have learned over the past few years and how you may use them in future. Your presence here today indicates to me that you are doubtless able to learn and apply complex principles. That skill alone is useful in a myriad of ways today when the internet reigns supreme; and where above all, people pay to obtain information. You are furthermore without question adept at finding information relevant to your cause and analysing it very quickly. That alone makes you a valuable potential employee for many organisations. Little can Shakespeare have realised centuries ago when Puck assured his master, King Oberon, that he would "put a girdle round about the earth/In forty minutes", that forty minutes would be considered a very long time to undertake a task today. Things are done in a fraction of a second these days or the attitude is that time has been wasted.

I hope that in the past few minutes I have given you some useful advice. I wish to finish up now with a few words from Associate Justice Sandra Day O'Connor, the first woman judge to sit on the US Supreme Court, and Sir Winston Churchill. In a memorable speech given at Stanford University in the US in 2004, Justice O'Connor urged graduates to spend their lives "building bridges" for others to cross, encouraging students to dedicate at least part of their lives to public service. Sir Winston Churchill focussed on personal courage and honour when he delivered his graduation speech, the shortest on record, to his old preparatory school, Harrow, in 1941. The Battle of Britain was at that time raging, and that country was fighting for its very survival. Hence, many of the young graduates he was addressing would all soon be serving in the armed forces. The story goes that as he stood before them, after putting his derby hat on the podium, and, leaning his cane up against the side, he made various observations and comments and then ended with the following. He



said, and I quote: “Never give in. Never give in. Never, never, never — on nothing great or small, large or petty, never give in, except to the convictions of your own honour and good sense.”

Great words from both a judge and a political leader; and good advice not only for all future lawyers intending to practise, but all graduates of this College no matter what you do.

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