**Admission of Lawyers Ceremony**

15 February 2019

Supreme Court of the Australian Capital Territory

*Justice Loukas-Karlsson*

The Court acknowledges the traditional custodians of this land and we pay our respects to their elders, past, present and emerging.

Today I am joined by the Honourable Justice Burns and the Honourable Justice Mossop.

We together congratulate the newly admitted practitioners. For each one of you, your admission today is a great personal achievement. Welcome to the legal profession.

An admission ceremony is not only about the person being admitted; it is also about your supporters. Family and friends, you are entitled to be very proud. You have supported your loved one through the stress and exhaustion of many years of study.

If you will pardon an indulgence, I would at this point like to mention my associate Peta Leigh who is part of the admission ceremony today.

Each of you, the new legal practitioners will have arrived here today by a different path, and each of you will follow a different path from here. But today we come together.

The legal profession values the diversity of your backgrounds and experience. A profession that reflects the diverse community that it serves is apt to inspire greater community confidence.

It is also important for the judiciary to reflect the community’s diversity. The ACT Supreme Court is the first Australian Supreme Court to achieve gender equality on its bench.

The Supreme Court has even come into the 21st century in terms of technology with a Twitter account, the incredible popularity of which is indicated by the fact that as at this morning it had a total of 227 followers. Last time I gave this speech, it was only 183 followers.

As a member of the legal profession, you are now a guardian of the rule of law. The rule of law requires equal application of laws to both citizens and government, access to justice and openness, judicial independence, and adherence to the presumption of innocence.

Commitment to the rule of law and associated human rights may require you to defend the minority against the majority. It may require you to defend an unpopular client. It requires courage.

Fortunately, the legal profession in Australia and around the world provides important examples of lawyers who have demonstrated enormous courage in the face of great challenges. I will speak of three inspiring lawyers today.

Let’s consider the story of Bob Bellear. He was one of nine children. He was raised near Mullumbimby in northern NSW, the grandson of a Vanuatu sugar-cutting slave and a Noonuccal woman from Stradbroke Island. As a child, he saw poverty, hunger and alcoholism in his community.

He left school early to obtain work, and joined the Royal Australian Navy.

Then he decided to study law. He was inspired to do so because he had seen firsthand the systematic brutality and harassment then used by some police against the Redfern Aboriginal community.

Aged 27, he returned to high school, then enrolled in law at university. He was only the third Aboriginal or Torres Strait Islander person to be admitted as a barrister in NSW.

He was counsel assisting the Royal Commission into Aboriginal Deaths in Custody.

In 1991, he was appointed a Public Defender in NSW and that is where I met him, when I was appointed as a Public Defender in 1995. He continued to work once a week as an overnight volunteer at the Matthew Talbot Hostel for homeless men.

In 1996, Bob Bellear was appointed as a judge of the District Court of NSW, the first Aboriginal or Torres Strait Islander person to be appointed to an intermediate court in Australia.

Let’s also consider the story of Mary Gaudron. Mary was born to a working class family in 1940s Moree.

It was a bleak time for women. There were no women in Parliament, women were required to resign from the Commonwealth Public Service when they married, and there were certainly no women judges.

Mary won a university scholarship and during her final year of university, had her first child. She graduated with first class honours and the University Medal in Law. She was called to the bar in 1968. Despite an outstanding academic result, other barristers refused to sell chambers to Mary because of her gender. Eventually, another woman, Janet Coombs, offered to share chambers with her. Mary was the first woman to be elected to the NSW Bar Council, she was the first woman to become NSW Solicitor-General (1981) and later that same year she became the first female Queen’s Counsel in NSW.

Mary did not forget the prejudice that she had experienced in her early professional life. She did much to address discrimination against women in the legal profession. When she was solicitor-general, she advocated for an equitable briefing policy at the NSW Crown Solicitors Office.

In 1987 at the age of 43, Mary Gaudron was the first woman to be appointed to the High Court of Australia. In the words of Mary, “Change is inevitable. We must make it work for us and in the interests of justice. We should seize the opportunities which now present themselves. We must refuse to be exploited, demeaned and humiliated. We need only dare to be different and have confidence in ourselves.”[[1]](#footnote-1)

Mary Gaudron’s story echoes that of another famous – and famously brave jurist – Ruth Bader Ginsburg. “RBG” was the Brooklyn born daughter of working-class Russian–Jewish immigrant parents. In 1956, when her daughter was one year old, RBG enrolled at Harvard Law School where she was one of nine women in a class of about 500. She graduated from Columbia Law School equal first in her class. She has been a champion of human rights and gender equality throughout her professional career. It was RBG who famously quoted American abolitionist, attorney and judge Sarah Grimke to the US Supreme Court, stating:

“I ask no favours for me sex…All I ask of our brethren is, that they will take their feet from our necks”.

It must be said that not every lawyer will be the subject of two feature length films, nor the subject of vast internet adoration like the Notorious RBG.

 But it is worth remembering what RBG had to say when asked in 2015 what she would like to be remembered for. RBG replied that she would like to be remembered as:

“Someone who used whatever talent she had to do her work to the very best of her ability. And to help repair tears in her society, to make things a little better through the use of whatever ability she has”.

All of you here today, whether you practice in personal injury, criminal justice, or corporate law, and those of you who take on non-legal practice roles, can take guidance from RBG’s legacy of doing whatever you can, to the best of your ability, to make things a little better for whom ever comes your way. Doing so may not always be easy, and may take courage.

So yes, being a lawyer may require courage.

And it certainly requires dealing with failure. To fail is essential to success. Perseverance and resilience are critical. And here I will quote from the former President of the USA, Barack Obama:

“Making your mark on the world is hard. If it were easy, everybody would do it. But it’s not. It takes patience, it takes commitment, and it comes with plenty of failure along the way. The real test is not whether you avoid this failure, because you won’t. It’s whether you let it harden or shame you into inaction, or whether you learn from it; whether you choose to persevere.”

And so, my advice to you is to use your legal skills wisely and generously. Use them with integrity. Be a beacon to others who practice in the law. Combine intellect with humanity and ethics.

And remember, in the words attributed to the ancient Greek philosopher Aristotle, that there is only one way to avoid criticism: Do nothing, say nothing and be nothing.

On behalf of the Court, I congratulate you again for your admission today. We, the Judges, hope that your future careers will bring you professional success and personal satisfaction.

You are all to be commended and congratulated for reaching this important milestone which marks your entitlement to practise your skills in our community as a lawyer.

1. <http://www.hcourt.gov.au/assets/pulications/speeches/former-justices/gaudronj/gaudronj_wlansw.html> [↑](#footnote-ref-1)