

Ceremony for the Admission of Lawyers

Speech delivered by Justice Gray

16 October 2009

On behalf of the Court, which on this Ceremony comprises Chief Justice Higgins, Justice Refshauge and myself, we congratulate and welcome each of you on your admission as lawyers.

This is an occasion of celebration. I would wish to acknowledge and pay respect to the Ngunnawal people on whose traditional lands we are assembled.

For each of you who have just been admitted as a lawyer of this Court, this ceremony is a considerable milestone witnessed by your friends and families here today who have encouraged and assisted you in reaching this point in your legal career. Indeed, I would like to take this opportunity to acknowledge the significant contribution made by the families and friends of these new lawyers. I believe that you all share a sense of great pride in their achievements and perhaps also a justifiable sense of relief. It is moments such as today which provide us, who have practised law for some time now, with a degree of inspiration as we sense the idealism of the next generation of Australian lawyers.

For you who are newly admitted, today's ceremony marks your entitlement to a practising certificate which will enable you to advocate, as a fully fledged lawyer, for

both the fundamental principles of the law and the rights of members of society. And I mean lawyer in the professional, positive sense, not as a punch line in some cheap joke. Jokes about sharks and rats may spring to mind. Jokes of this nature, you will come to appreciate, are an occupational hazard.

Given the fact that there are some in the wider community who seem to perceive lawyers as unethical, overpaid and motivated primarily by greed, may I urge you, by your conduct, to dispel such notions. I should at least try to get you off to a positive start and invite you to consider and understand the privileged place you now hold in our society. I should remind you that by your admission here today, you have become officers of this Court and you will, from now on, carry with you the duties and responsibilities that your admission in this jurisdiction entails. Your admission in this jurisdiction entitles you to practise throughout Australia. But the fundamental responsibilities that you are accepting in this Court before the Chief Justice and myself today, shall be maintained over the course of your legal career wherever that may take you.

Times have certainly changed since I was admitted to practice. The legal landscape you are poised to enter is a different professional environment to that which I knew. You certainly do not have to do complicated mathematical assessments under a *Succession Duties Act* which is concerned with Inheritance Taxes, for that you can be grateful. Nor do you have to cut up envelopes so that you can save paper by writing on the back of them! With globalisation and technological change there has been a profound effect on the legal services marketplace. Gone are the days when the aspiration of law graduates was to practise as sole practitioners or in small

partnerships with a few others. Not only do we now have mega law firms with the tyranny of the billable six minutes, but also the phenomenon of in-house counsel and legal advisers to national and multinational commercial organisations with their own particular corporate ethos. Today, law graduates are seeking employment in a multitude of roles, some barely related to the practise of law, which involve conflicting loyalties. These different types of practices raise ethical issues for today's legal practitioners that were never experienced before. In this challenging new era of the profession, it is all the more imperative for your own protection that you have grounding in, and commitment to, the professional rules that regulate your practise of law wherever and whenever it takes place. Those professional rules governing your practise are based on standards of honesty, integrity, respect and courtesy which the public, the court, and your fellow practitioners are entitled to expect and which I trust you will maintain.

For those of you who have determined to enter the practice of law, as a solicitor or a barrister, there is one very positive aspect to it – by entering this profession, you gain the assistance of your fellow practitioners. You have the benefit of participating in Law Societies and Bar Associations. Through these bodies, you will be given not only comradeship but true support and assistance. Never hesitate to turn to your colleagues, particularly in your formative years, to ask for advice. Nor, after your formative years, should you hold back from giving advice – just as I am doing now (with a captive audience). Assistance to fellow practitioners is one of the great traditions of this profession. It is my hope that you will be always open, and ready to uphold that tradition.

The legal profession prides itself on implementing the accepted principles of fairness, equality and human rights. You should embrace that. Lawyers like yourselves, carrying on your responsibilities under the law must do the utmost to understand the situation of those you deal with, and be ready to equally uphold the rights of all. More so, if the cause is not a popular one. This Court urges you, if called upon, to accept the challenge of taking instructions to represent all who need representation and to do so without fear or favour. If you do so, the opportunity to use your skills and knowledge to the advantage of others will present itself and thereby contribute to keeping our community free and fair for all.

This is an important day for you and your family and friends. It represents your considerable achievement and it reflects the support that you have been given by those who care for you. To all you new lawyers, this Court wishes you all the best in your future endeavours wherever they may be and wherever they may take you.