

Ceremony for the Admission of Lawyers

Speech delivered by Justice Gray

20 April 2007

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

For all of you who have just now been admitted as a lawyer of this court, this ceremony is a considerable milestone for you. It marks your entitlement to a practising certificate enabling you to practise your now recognised professional skills in the community as a lawyer.

Most of you have graduated from the Australian National University or the University of Canberra (5), but others at this sitting are graduates from New South Wales (2), Western Australia (3), Tasmania (2), Victoria (1) and Queensland (1). Quite a diversity and an indication of a truly national profession. It is in this context that we now have the more or less uniform *Legal Profession Acts* replacing those Acts that formerly regulated the profession in the States and Territories.

The enactment of the *Legal Profession Act* in this Territory is a significant milestone. It means that the practice of what has been sometimes unkindly described as the second oldest profession should, after all this time, be generally regulated by uniform legislation throughout the States and Territories of Australia.

“Lawyer” is not nearly a colourful term as, perhaps, barrister, solicitor, attorney or proctor, but it encompasses each of these aspects of the profession.

Proctor may be an unfamiliar term to you, but it relates to the ecclesiastical jurisdiction of the English courts, which like all of this court’s jurisdiction, was conferred and exercised when Australia was an aggregation of British colonies. The inheritors of the jurisdiction are those who practise family law. If that is where you intend to practice, you will probably appreciate being relieved of the duty to check the bed linen (as was sometimes once the task of the proctor looking for evidence of collusion in divorce proceedings).

These various callings now included in the expression “lawyer”, are the background to the diversity which the practise of the law offers, whether it be the bar, private legal practice, commerce, industry or in the government service.

I recently read an article in *The Age* entitled “Law and (the new) Order. It quoted a response from a prominent large Australian (and international) law firm discussing the bogey of the profession “billable hours”. Asked what this firm was looking for from prospective employees, the firm said:

A law degree; willingness to work till it hurts, then keep working; and the personality and personal values of a federal cabinet minister.

Asked how many graduates it will hire this year, the reply was:

We prefer to hire in bulk to account for natural attrition and burnout. This year we are taking 150 graduates in the hope of there being six or seven of them left standing by February 2008. This is more than previously because we've been losing them faster than anticipated. Young people today just seem to be soft.

Which of the areas of practice you choose, you have this Court's best wishes for your future endeavours in whatever field of law you make your career. There is, however, one thing that I should remind you of. By your admission here, you become officers of this Court and you will carry with you the responsibility that your admission in this jurisdiction entails. Your admission entitles you to practise throughout Australia, but the fundamental responsibilities that you are accepting in this Court today, as an officer of this Court, will be maintained over the course of your career in the law.

In these times, as you are aware, the legal profession and the judiciary are both under far more intense public scrutiny than in the past. It is proper that it be so, but it makes it imperative for your own protection that you have a grounding in, and a commitment to, the professional rules that will regulate your practise of law. 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.

For those of you who have determined to enter the practice of the law as legal practitioners, whether as barristers or solicitors, a very positive aspect is that, by entering

this profession, you gain the assistance of your fellow practitioners. You have the benefit of participating in Law Societies or Bar Associations. Through those bodies, you will be given not only comradeship but true support and assistance. This is one of the great traditions of the legal profession. You should always be open to, and ready to participate in that tradition.

To be a good lawyer you will spend your lifetime learning the law, and this is just when you thought that by completing your studies, you knew it all. There are many times when I, too, am reminded of this both by counsel and by the appeal court. You will, however, be surprised how much, and how soon, people will come to rely upon your skills, learning and integrity. You will soon have brought home to you your responsibilities to your client, to the court and to the profession itself.

Another important thing is the perspective from which you approach this, your chosen profession. It is a challenge to question and to not accept that which is received wisdom. You have the discipline and training for that challenge. You also have the training to find innovative ways to solve the problems with which your clients face.

It may not be necessary to do pro bono work or to work in legal aid to be a force for achieving social justice, although I commend those ways of doing so. 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 always ready to equally uphold the rights of all. More so, if the cause is not particularly popular. I urge you, if called upon, to accept the challenge of accepting instructions to represent all who need representation and to do so without fear or favour.

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. They, too, can share in this event and be justifiably proud of you and their role. To all you new lawyers, the Court wishes you well in facing the challenges of the future.