

**SUPREME COURT OF THE
AUSTRALIAN CAPITAL TERRITORY
CEREMONY FOR ADMISSION OF
LAWYERS**

**SPEECH DELIVERED BY
CHIEF JUSTICE MURRELL**

13 DECEMBER 2013

To the newly admitted practitioners, your families and friends – welcome.

Today I am sitting with the Honourable Justice Refshauge and the Honourable Justice Burns.

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

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

Family and friends – congratulations on your endurance. Undoubtedly, the past few years have been stressful for you. Today you can forget that stress and celebrate the success to which you have contributed.

To the families and friends with an existing connection to the legal profession - it will be deeply satisfying for you to see your connection with the law carrying through to a new generation of lawyers.

To the families and friends who are for the first time witnessing a loved one embarking on a legal career – this will be a special event for you. You are entitled to feel very proud.

In this country, the legal profession is not nepotistic. We recognise the importance of flexibility, the value of new perspectives, and the need for the profession to reflect wider society. By broadening our legal community, we strengthen it.

We hope that, coming from diverse backgrounds, our new practitioners will bring both continuity and change to the profession.

New practitioners, today marks the end of one arduous journey and the start of a longer and more challenging one.

As you walked through the doors of the Supreme Court this morning - having removed from your person both sharp objects and contraband – you may have noticed a garbage bin on your left. That was for you to dispose of your concerns about passing the litigation exam, addressing all issues in an ethics essay (and I hope that none of you cheated) or getting the trust account to balance for those fictitious characters. After five years of blood, sweat and tears, you have finally made it to the bar table.

You leave Court this morning as practitioners of the law, but with the important “essays” and “exams” of professional life still awaiting you. And you step into a rapidly changing world.

It is more than three decades since I was admitted to the profession in this very courtroom (I pray that I don't have to say “this very courtroom” for much longer). When I stepped out as a new practitioner, it was to a world of books, letters, typewriters and telephones. Just before I was appointed to the District Court bench in 1996, my floor of barristers installed a computer system for the floor, and each of us acquired a large desktop computer and an email address. I considered that to be a waste of money and a waste of space on my desk. I had no idea what an email was, or how it could possibly benefit the practice of a barrister. I was relieved that I could forget about such rubbish when I began as a judge.

How times have changed. Where would I be now without multiple email addresses and an iPad to take to court every day - not to mention Snapchat?

And the pace of change is hastening. I cannot imagine the content of your reflections in thirty years – or even five years.

But there are some things that should remain constant. High among those are true professionalism and a strong and independent judiciary.

It is a privilege to be a member of any profession. I do not mean that it is a licence to live a privileged life. The entry into a profession is no longer a guaranteed meal ticket, let alone a meal ticket to the best restaurants.

Whether you become rich and prominent lawyers, or work for disadvantaged people in remote locations, or utilise your legal knowledge in non-legal arenas, your real satisfaction will derive not from the money that you earn but from the service that you provide to the communities in which you work.

Your satisfaction will also derive from what you give to the law. If the judicial arm of government is one of the pillars of our democracy, then the legal profession is the foundation of that pillar. Henceforth, you are officers of the Court and your overriding duty is to assist the Court.

We depend upon your support to enable us to provide the best quality of justice. We also depend upon you to defend the independence of the judiciary from the encroachment of the executive.

Public attention on this Court has been focussed on the issues of reserved judgments and backlogs. We are addressing those problems as quickly as our resources will permit. The more fundamental challenge that we face is a structural challenge – the encroachment of the executive and the threat that it poses to our judicial independence. The problem is more acute in the ACT than elsewhere because the jurisdiction is so small. We must draw a bright line between the executive and the judiciary. The best way to do that is by according self-administration to the courts.

When I was a Year 12 school girl, the quote that was deemed (by my fellow prefects) to be most apt to describe me was: “Laws were made to be broken”. In one sense (but not the one that you may think) that was true. I have never believed that laws were made to be broken, but I have always believed that laws were made to be questioned.

That is one of the great things about the law. When questioned, it grows and changes to meet the times.

New practitioners, you now have both the standing to uphold what is valuable about our legal system and the tools to question and change that which should be changed.

May the road rise up to meet you – wherever your journey leads.

The Court will adjourn.