

ADMISSION OF LAWYERS

- 1 **BATHURST CJ:** Now that the formal part of these proceedings has ended I would like to offer a few words of congratulations and encouragement to the newly admitted lawyers of the Court.

- 2 Present with me on the Bench today are two other Justices of the Supreme Court. Together, we constitute the Court that has, in exercise of its jurisdiction, admitted you to practice.

- 3 It is a great pleasure to welcome you to the legal profession of this State. You have all worked extremely hard to get here. There are many adjectives that could be used to describe law school, some of them no doubt more colourful than others, especially around exam time. Easy is certainly not one of them. You should be very proud of yourselves, as I am sure your family and friends are of you. In fact they are probably not only proud, but relieved that at least this initial part of your study is over. Many of them will have felt over the years that they were doing your courses with you.

- 4 I say the initial part of your study because, as you will know only too well by now, the law demands the pursuit of constant learning. Today is a day not only to celebrate how far you have come, but to look to the future. In that spirit, I would like to use my prerogative as Chief Justice to give you your first lesson as newly admitted Officers of the Supreme Court of New South Wales. I have a great advantage over your lecturers, in that you cannot interrupt me or walk out.

- 5 Today you join an ancient profession, and one which has made a vital contribution to the economic and social welfare of this nation. Australia often thinks of itself as a young democracy, but in truth both our nation's history and our modern institutions of governance are extremely old.

- 6 The Supreme Court was established in 1823, making it 190 this year. The countries with a court as old as this State's can be counted on one hand. Since it was established, this Court and the lawyers who have served it have played an essential role in promoting and upholding the fundamental values of our society, including a commitment to equality, tolerance, and

the rule of law. It is that tradition which you inherit and have pledged to uphold today.

7 Each of your paths here has been different. You come from different homes, backgrounds and in some cases countries. Some of the more precocious amongst you are realising an ambition you have had since you were teenagers. Others will have come to study law in a more round about way, perhaps even after a previous degree or career. You will each bring different experiences, knowledge and perspectives to the practice of the law. The legal profession and the administration of justice are greatly enriched by that diversity.

8 From today however, you have in common your membership of a professional community and the pledge you have made to accept both the exceptional privileges and the obligations that come with the practice of law. It is what this means for your professional lives that I would like to say a few words about today.

9 First, as I mentioned a moment ago, you are joining a profession that demands a constant commitment to learning. This is both a privilege and an obligation.

The law is complicated and continuously evolving. It is also fascinating and wonderfully quirky. Some of you may be interested to discover for example that until relatively recently, it was criminal to eavesdrop or be a common scold. I must say that I am surprised that the ranks of the legal profession were not decimated by these offences.

- 10 It will never be possible for you to learn everything there is to know about the law. Believe me, I was admitted as a legal practitioner an inordinately long time ago, and I am still constantly discovering new things – or, to be more accurate, having them pointed out to me. Don't send yourselves mad trying.
- 11 However, you do have an obligation to keep engaging with the ever-changing body of legal rules that are the result of hundreds of years of analysis, reflection and dialogue about how best to ensure a just and prosperous society. It is also your great privilege as a lawyer to not only inherit this body of knowledge, but to have the chance to contribute to its ongoing evolution, by engaging in legal reform where needed. There are countless ways in which you can do this, whether or not you ultimately practice as a

lawyer - from work with law reform bodies or non-governmental organisations, to advancing a novel legal argument. All of them however, require continuous learning.

- 12 Second, today you assume ethical obligations over and above those demanded of you as members of the community. The legal profession is dedicated to upholding the rule of law – one of the most important pillars of a peaceful and democratic society. The standards expected of legal professionals are correspondingly high. You have accepted a duty to your clients and, more importantly, a paramount duty to the Court. That requires that you comply faithfully with your ethical obligations, no matter what pressures may be placed upon you.

- 13 You must also remember that your enumerated duties are the minimum, not total, of your professional obligations. As a lawyer, you also have a duty to serve the community by protecting and promoting the basic tenets of our legal system: justice, equality, due process, and the rule of law. This means that at times you may have to defend unpopular clients and causes, be willing to protect

the rights of minorities, and speak out against abuses of power. This will rarely be easy, but it is essential and if lawyers do not do it, there may be no one else who will.

- 14 Along with these weighty obligations come exceptional privileges. The practice of law is a stimulating and rewarding career. Over your professional lives you will face many intellectually challenging problems and become familiar with a wide range of issues. Your cases may demand that you become experts in genetics, aviation engineering or phone tapping. You will also have the chance to play a trusted role in some of the most important and difficult events in the lives of others. You will inevitably be a confidante, advisor and advocate.

- 15 Importantly, you will have the great privilege of being part of a professional *community*. It is vitally important that you make use of this. By its very nature, law is not a solitary occupation, but there is no doubt that it can be isolating and highly stressful. When clients are demanding – and they often are - or work is not progressing in the way you might have hoped, the support of your peers will be invaluable.

- 16 I was a barrister for some 35 years and over that time I lost my fair share of cases – certainly far more than I think I should have - and the other barristers on my floor could always be counted on to share my commiserations on the unfairness of the verdict, the sly tactics of opposing counsel, and most often, regrettably, the obtuseness of the judge. I hasten to add that I don't include my fellow judges on the bench today in that comment. My colleagues ensured that my career was not only rewarding, but a great deal of fun. One of the great joys and comforts of the legal profession is its collegiality – make use of it.
- 17 Lastly, for all the lawyer jokes you will no doubt have to endure over your careers, you are today joining a profession that is held in high regard by society. You must be careful that this does not lead you to delusions of grandeur or self-importance. Any prestige that attaches to being a lawyer is merely a reflection of the central significance of the law and legal system to almost every sphere of human activity. It is because of *that* importance that we mark occasions such as today's with the ceremony and tradition you have just witnessed. Believe me, neither

I nor my fellow judges are wearing these wigs because they are comfortable.

18 Each member of the legal profession, no matter the role they play, is simply a custodian and servant of these legal traditions, which stand at the very heart of society and which are far greater than any one of us.

19 On behalf of all the judges of the Supreme Court, I offer you my sincerest congratulations on your admission and warm wishes as you embark on what I hope will be a long and fulfilling career in the law.

20 **The Court will now adjourn.**