

# Breathing Value into your law degree

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University of Newcastle Law School

Delighted to be here just days after the announcement of \$30 million for the university.

Thank you for inviting me to give this lecture. What an honour to deliver a lecture framed about a man who gave his life to public service – and used his law degree for the benefit of the community in so many different ways.

More particularly it is an honour to be talking to law students early in their degree – while you are still shaping your ideas and thoughts and aspirations.

Firstly, congratulations on choosing a degree that will open so many doors to you in the future. And lucky you for being able to do it in such a lovely part of the world, in a law school full of energy and passion.

My words of advice to you today are going to be a little different than if Susan A Paton, a graduate of Princeton, in the USA, were giving this speech. Last month, Mrs Paton wrote in the Princeton magazine that female students at Princeton should focus their time in securing a husband before they graduate, because the pool of worthy, marriageable men seriously diminishes after graduation. What's more, they had better start as freshman to maximize their chances of snagging someone on their level. Now, while I hope you are enjoying the range of social activities that Newcastle University has provided in your first semester, my advice is going to be rather more professionally than personally focussed!

I feel very acutely that my law degree allowed and even helped me to contribute to my fullest in public life. It helped me learn how to marshal arguments, to think logically, to summarise, to read quickly, to advocate and – perhaps most importantly – built on my views of social justice and fairness. My degree showed me what significant impact the law can have on the lives of those who live at the margins of our society – the homeless, the vulnerable and those without a voice.

All this was a very strong personal driver for me, and part of the reason to join the Labor Party.

And, of course, understanding the separation of powers – the roles and boundaries of different institutions in Australia – the process of government, the drafting, shaping and passing of legislation became very important in my working life. Let alone understanding the importance of Courts in our system of democracy, when I then go the unique opportunities I had to appoint leading lawyers to those very courts, was fundamental grounding that continues to add value even today.

But, enough for me for now – more of this later!

The point is just to emphasise how your degree is providing you with a base – and you can jump from that base in lots of directions.

Thank goodness (for the world would be very boring otherwise) not everyone is the same and the ways and opportunities of breathing value into your degree can come in millions of variations.

So as you set out in the early days of obtaining your law degree I want to sow the seeds of the huge variety of ways you can truly get value out of your law degree – not just for yourselves, but for the community.

I am a very strong believer that the difference between a profession and a job, is the obligation it attaches to you as a professional. It encompasses using all the best of your skill and professionalism to do the best job for your client, but applying standards that are set by the profession and, to some extent, the community. You owe an obligation to the court, to law itself, as well as to any client.

Some of you may already have your heart set on being a commercial lawyer, a family lawyer or a criminal lawyer –or working in these, or other areas, as a barrister. You'll need to work hard, read widely, get a good degree, position yourselves well for a practice you want to work in and use all your effort and skill to prepare and provide good quality and accurate advice, manage the affairs of those clients you're responsible for and defend those in court who pay for or need your help.

These are worthy aims and good respectable jobs to have – but they are not the ones I’m here to talk to you about today. There are clear pathways for you into these good jobs and you’ll hear and see plenty of them in the coming years. I want to look at careers of some well known and less well known people in order to encourage you to think about some of the less trodden paths and invite you, so early in your careers, to keep your mind open to the world around you and the opportunities your law degree will give you. I want to encourage you to look at how you can contribute to public life in Australia and see the immense social change that you can drive and fight for.

Lets look first at Sir Ninian’s career – the great Australian this speech is named in honour of. He served in the Australian Army and completed his law degree after doing tours of duty in New Guinea and Borneo. After being a barrister and Queens Counsel, he became a judge of the Supreme Court of Victoria and then shortly after the High Court of Australia. You will study much of his work in the Court so, if you are not already, you will become familiar with his distinguished writing. But he didn’t stop there. 10 years later he was appointed Governor General.

Sir Ninian had many passions including as an unwavering champion of multi-culturalism and the environment. During his three year term as Australia’s first Ambassador for the Environment he worked for a ban of mining in Antarctica. In 1991 he undertook a difficult task when he was appointed chairman of the second strand of the Northern Ireland peace talks. From 1993 to 1997 he was a judge on the international tribunals investigating war crimes in Yugoslavia and Rwanda. He has also been chairman of the Citizenship Council since 1998.

Given I am retiring from politics at 46, and Sir Ninian undertook most of these roles after that age, I’m exhausted just thinking about his workload – any one of them would’ve been fascinating and rewarding work.

Someone younger than me, but already achieving acclaim is Matthew Myers, appointed by me last year as Australia’s first Indigenous judge. Mr Myers grew up on Sydney’s Northern Beaches. He did his law degree at the University of NSW and worked as a solicitor at Strain Kernan Cameron Solicitors in Terrigal, undertaking Legal Aid and private family law work in parenting and property matters. In 1999 he commenced in partnership with Malcolm Cameron, continuing with Legal Aid and private family law work in parenting and property matters, up until his appointment to the Federal Magistrates Court.

Along side his paid work, Mr Myers was actively involved in pro bono work including as a legal advisor to clients of the Eleanor Duncan Aboriginal Health Centre on the Central Coast. He has been involved with the Darkinjung Local Aboriginal Land Council, New South Wales Aboriginal Land Council and National Congress of Australia’s First People.

You could look at labor lawyers like Peter Gordon or Peter Redlich who saw a whole group of people in Australia that the law was neglecting and found ways not only to get their rights enforced but to build a successful practice out of it too – from injured workers, those suffering asbestosis or thalidomide or more. Peter Gordon is now the President of the AFL Bulldogs – my team – so there is definitely something to be said of this success story!

Peter and I have had parallel roles in the fight against big tobacco in Australia. Peter conducted the Nixon case class action against the tobacco industry and the landmark case of McCabe v- British American Tobacco, which first exposed the document destruction policies of the tobacco conglomerate. Peter took up that fight in court and I used legislation, but ultimately the aims are the same.

If I could just take a moment to reflect on my fight with big tobacco. When I started out, I was told the legal arguments were new, untested and that the tobacco industry would hire the best lawyers and throw unlimited money at this case. It took years, years of building the evidence, creating the legislation, defending the legislation when big tobacco companies took the Government to the High Court. We defended multiple vexatious freedom of information requests. We refused to just take it on the chin and move on to another issue. We fought for it. And we won.

And I did this because the health and sociological evidence shows us that plain packaging will work. It slows down the number of young people who start smoking. It doesn't necessarily encourage people to quit. But it makes people hesitate before they start. Many people were involved in this fight and I think it shows how the law can be part of immense social change in society.

Or look at another area – my contemporary Dr Helen Durham who has used her law degree to specialise in International Law. Helen is Head of International Law and Principles at Australian Red Cross and a Senior Fellow at Melbourne Law School – she has a PhD in international law, with a focus on international criminal prosecution. Helen's law degree has taken her on short operational missions with the International Committee of the Red Cross in Burma, Aceh and the Philippines and seen her participate in international legal negotiations in New York, Rome and Geneva.

Some of her stories about what she has said to senior military personnel in some of the most fraught regions around the globe has made my hair stand on end. Especially as it doesn't seem to matter how old you get as a woman, when you are still a lot younger than others around you they no doubt have her slotted as a "girl".

As an aside this reminds me of two military experiences I had – one was as the Health Minister at the time of the Fukushima nuclear disaster in Japan. I was down the coast for a rare weekend away and was called back urgently for a phone hook up of the National Security Committee. As the Health Minister I was not a member of this committee, but the nuclear regulator in Australia came within my portfolio so I was co-opted on this occasion for this hastily put together phone call. I needed a secure line so the family packed up quickly and jumped in the car, still in shorts and beach gear, pony tail of sandy hair etc. You get the picture. I wasn't worried by this as I was heading to my office with a secure phone. On the way, however, I got diverted to the City offices where, to my horror, I walked into a video conference. Me at my first NSC meeting in my stripey beach gear and pony tail and everyone else in suits and the military guys in full uniform! You can imagine how uncomfortable I felt – but to their credit no-one said a thing.

The moral of that story is to forget what you've been told as a child, given new technology it is now the reverse, always be prepared to be seen, not just heard!

The second was on a trip to the USA as Attorney General. In the US where all lawyers get called attorneys, they insisted on calling me General Roxon. It had rather a nice military ring to it – I was certainly pleased to not be in my beach gear on those occasions.

But I divert – lets look briefly at some other areas of practice, like the fascinating and variable work done by:

- native title teams across the nation
- designers, marketers and lawyers for google, or Village cinemas or Cadbury – all working in intellectual property or new technology
- social law reform advocates – say for single mothers and their children, or welfare groups or cancer advocates
- Parliamentary researchers – in the library or on groundbreaking committees like for the Forgotten Australians
- unionists arguing in industrial commissions for wage increases or against discrimination or unfair dismissals
- Policy experts working in the Attorney-General's Department or giving legal advice within the Australian Government Solicitor.
- Or a sports lawyer – negotiating contracts or trying to keep a player out of trouble.

All these jobs are often not visible but are often, maybe most often, done by lawyers. And they can be amazingly interesting. Most people come to them not direct from law school but via another interest that got them passionate or involved in it to start with. You need to be technically good – but a bit of extra experience or interest or focus can really make you a cut above the rest.

Great law reformers (like your own former Dean ,Ted Wright) might do their work both publically and more privately in academia or at law reform commissions.

Many of those corporate lawyers, and family law specialists, I mentioned before, devote part of their time to law reform, to academic work, to peak bodies lobbying for change. Instead of only fulfilling their obligation to do best by clients they take some time out to use that expertise to argue for system changes that have broad community impact.

Last month I went to the 20 year reunion of associates who worked with me at the High Court. All of us are mid forties – so it gives you a snapshot of mid career legal life. Admittedly this is a group of high achievers but they have surprisingly varied jobs – including me as a retiring politician, a few barristers who do all sorts of work but especially pro bono refugee work, a senior public servant in indigenous affairs (who was a native title registrar for many years before this), a partner at a big law firm in intellectual property, several professors in constitutional law, and the head of a policy think tank. Not the mix you usually hear about in early days of law school – so it is worth keeping in mind this wider, broad range of options.

There are so many jobs with opportunities to do interesting and fulfilling things that the real challenge is not to lock yourself away from those opportunities.

My career choices were different to those I've mentioned. But I like to think they were always about opening horizons and options, not closing them. At Melbourne University Law School I was not involved in student politics, but I was unwittingly political. I had a big fight with the law school to be allowed to do research in my area of interest – the way industrial relations commission decisions effected, or not, pay equity for women. I won the argument to be allowed to do that research, and came top of my year in law school, so the Uni must've been happy in the end.

(As another aside, I know this is boring, but I really can't tell you often enough how important it is to take your study seriously and do well – it might surprise you but it really continues to matter, even twenty five years later!) The key is practice, it's asking for help and working with your colleagues. It might take some time for the penny to drop – to really start thinking like a lawyer – for some it will happen in your first year, for others your last year of law school. But the more you read, the more you debate the judgements and think about the problems, the stronger the lawyer you'll be.

I had a wide choice for articles but went to a Labor Law firm wanting to work in industrial law – but having to fight my way out of commercial law first (they thought it was better for a girl would you believe!?!). The time at the High Court as Mary Gaudron's associate was wonderful – although when I did the obligatory set of farewells to the judges as I was leaving to go and work for a union I feared of causing a constitutional crisis as almost all of the judges nearly had heart attack when they heard I was going to work for a union, not to the bar or to Harvard!

I loved this time, organising workers on food production lines, in warehouses and cold stores. I was frustrated by seeing clients when they were already in trouble and enjoyed this three years trying to keep them out of trouble and using my skills to try and fix their problems beforehand.

I did return to the law and was preselected not long before our firm took on the waterfront dispute for the ACTU and the public involved in protests.

I want to say here that all the while making these choices I followed jobs I was interested in and passionate about. I really didn't worry that my choices were unconventional ones – perhaps my law degree, a good law degree, gave me confidence I always had a fallback position. And I never believed the hogwash of “falling behind your peers”, an insidious thing to worry about if ever there was one.

I also believe I've always been paid well – but I must let you in on a secret: nearly every career choice I've made, started with me taking a pay cut. Some of the most interesting jobs simply do – the court, the union, even politics in the beginning. But every one of those choices was worth it.

From day one when I was preselected I had wonderful exposure in politics to an enormous variety of work – with passionate local residents, as a committee member on committees as diverse as the Republic Referendum Question to copyright in the digital age or shared parenting. I recall being very pleased I had the experience earlier of being an advocate in the Industrial Commission as well as in minor matters in the

listings courts so that when I gave my first speech with my heart pounding so hard at least I knew the Speaker and other MPs couldn't actually hear it, thought I felt sure they would.

As a Shadow Minister trying to get ideas like the Children's commissioner adopted (just delivered a few months ago – 10 years after first raised!) – no one said change in the law was quick!. And as a Minister and legislator implementing policies and laws that change the nation. Each and everyone one of these jobs was helped by being a lawyer. And in each and everyone one of these jobs there were those with law degrees lurking as researchers, advisers, draughtsmen, speech writers, solicitors, journalists and more.

As I mentioned earlier, one of my big wins in politics was against the tobacco industry in being able to successfully introduce, plain packaging of cigarettes, and withstand a high court challenge. This was a big deal for me personally, for the Government and for the public health community, here and around the world. I don't think it is telling state secrets to let you in on the fact that some of the government lawyers were initially a bit sceptical about me as Health Minister having carriage of defending the legal challenge – not arguing it in court, but signing off on the strategy and approach and arguments to be used.

I will never forget the look on their faces the day we met after I had just become Attorney-General! I was the same person with the same background and same views – but magically I seemed to be more persuasive – I was then rather more directly their boss and their determination to win increased manifold!

So you've got to be tough and determined – and always prepared so if people underestimate you that is their problem. As a woman, in particular, you have to know your inner strength.

Of course in politics you have to be ready give as good as you get. I certainly was never afraid of that. In fact as a new Health Minister, following Tony Abbott as the previous Liberal Minister I managed to uncover some of his more hidden work. He very unhappy when I produced the pathetic golf balls he had commissioned to help doctor recruitment (to this day I'm not sure how that was supposed to work!) – but he didn't like when I raised them in the parliament, lent over table holding two out, saying to him, "I've got some balls if you need some". It's fair to say no one could believe I didn't get thrown out of the Parliament for that, so maybe it sometimes helps to be a woman. Or maybe getting the laugh was its own protection!

So, the long and the short of it is this – a good law degree gives you many different career choices.

The better your law degree, the wider those choices are.

Of course, lawyers, like others, might contribute outside the paid workforce – chairing the kindergarten committees, or running the finances for the football club or providing advice free of charge one evening at the community legal centre. These are different ways of contributing where lawyers often have highly sought after skills.

These are positive for the community in and of themselves, but sometimes, it is these extra-curriculu projects that lead to interesting full time work options as well.

So I think it is worth mentioning the massive value and importance of lawyers with cross disciplinary skills and interests – those on the cutting edge of science and law being able to think about copyright and privacy and property laws in entirely new ways, my own cross over with health and law is a fascinating area not least with the international law trade disputes in the tobacco area , other examples like the work of engineers or IT specialists – I urge you to use your other interests to give you an edge or a difference in your legal work too. Be willing to volunteer and give it a go. Just say yes to some opportunities rather than analysing them too much or hesitating. You might think of these other interests as your interests outside your profession, but they really can lead to great work opportunities as well.

As I've mentioned, all the best jobs I've had so far have been a pay cut from the previous one. So my other bit of advice is to take care not to build your lifestyle around income without thinking about the personal satisfaction or stimulation your job will bring over many years.

If you're like me, the money isn't the satisfaction in itself: it matters, for sure, but it doesn't nourish the soul. At the end of a busy week, it nice to feel you've contributed in some way.

For me, especially as a working mother, I've explored this idea by asking if my work is meeting the "triple bottom line".

I came to this idea as I was constantly asked about the work family tug-of-war for working women. But I don't like to think of my feminist dream as a simple binary equation (work/life) and if we just get the balance right, we will end up 100% relaxed and happy.

Maybe it would be better if we viewed this through a more nuanced lens of a triple bottom line – professional, personal and public?

Are you professionally satisfied? Is the work personally sustainable for you? Is there a public benefit in your work? That is, will the community, or nation, benefit in some way from your work that should be factored in to this more complex equation.

As young women and men setting off on your training for your professional future, I don't think this is a bad way to look at the world – it tries to build in your interests, but also the realities of life and what is sustainable as well as a layer of public service too.

For nearly 15 years for me in politics the answer on all of these questions was yes. In fact, in the last five years in Government – as I worked with Prime Minister Gillard and delivered more and more of our policies – it was a resounding yes. That satisfaction, that purpose, helped me and my family accept some of the personal cost.

## **Conclusion**

So – Whatever you do – you need a good degree. You know you'll have more than waitressing or being a shop assistant to fall back on. This struck home for me after my first election win in 1998.

Of course, running in a strong Labor seat with a 25% margin no-one else took seriously my concerns I might lose the seat. Least of all the Liberal Party who selected a 24 year old who lived locally and was not seen once by me during the whole campaign – at any event.

Anyway, I did win – resoundingly. Yet my mother was horrified and really quite angry with those 8,000 people who didn't vote for her daughter and wanted to go doorknocking to ask them why they didn't. It took all election night to explain this was a great result, and, in fact, we didn't have the names and addresses of how each person voted!

The next day, full of excitement and a little at a loose end while other results were still being counted I wandered down to Office Works on the corner to buy one of those giant calendar/planners – to start planning my new life as an MP. I took it to the counter to pay and who should I see? The Liberal candidate – back at his day job!

This was not the first, nor the last, time I was thankful for a good law degree – so make sure you work hard to get one!

Thank you