

ADDRESS UPON THE CONFERRAL OF THE AWARD OF
COMPANION OF THE UNIVERSITY

VICTORIA UNIVERSITY
ON-LINE GRADUATION CEREMONY

COLLEGE OF LAW AND JUSTICE

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Chancellor, Deputy Chancellor & President of the University, Dean of the College of Law & Justice, Distinguished Professors, Guests and Colleagues, Ladies and Gentlemen, and especially Graduands of the College of Law & Justice 2020.

This is now the second opportunity I have had to address a graduating class from my favourite College; the College of Law & Justice of Victoria University Melbourne. It is also probably the only time you will be receiving advice from a Queen's Counsel for free – so listen attentively!

On this occasion I join each of you in receiving a certificate on becoming a "*Companion of the University*". I am honoured to accept this award and I extend my gratitude to the Chancellor, Vice Chancellor, the University

Council and the Dean of Law for making this relatively rare gift of the University for what has been generously recited as being for my 'outstanding contributions to the law and to the University'. I have lived a full life in the law, legal education through a number of universities, the courts, the legal profession and through it, enduring friendships. To have been able to contribute my knowledge, thoughts and connections to assist Victoria University and its Law School, has been personally very satisfying.

This is indeed a fine Australian University and one of the top 2% of universities world-wide according to the *Times Higher Education World University Rankings 2021*. You should indeed be proud of your University, your Law School and your achievements in attaining your degree. For those of you wishing to practice in the law, you are now only one step away from becoming an Australian Lawyer and entering the finest legal profession in the common law world, bar none.

Since 2004 I have assisted the College of Law & Justice, and the Sir Zelman Cowen Centre and the University as an Adjunct Professor and adviser. I have even taught some of you. What you may not know is that for those of you who have put everything into your degree and done well – you are the equal of students at those older universities. Never doubt your ability. Ever! I can also assure you, not one client of yours will ever ask before they get advice from you –

where did you get your degree. Once you are a lawyer – we are all equal.... although perhaps some (*such as a QC*) are perhaps more exalted.

In my previous address to graduands I developed 3 themes to that speech to which I now add a fourth theme. They are:

1. **Luck plays a part;**
2. **Technology will continue to intrude – so use it;**
3. **At some point you must give back into our community; and,**
4. **Go with your gut!**

First, luck plays a part

As 2020 has shown us all with Covid-19, life has its up's, and it has its downs. However, to a very large extent a bit of luck along the way can break your way and make a significant difference to your life. Your life is not mapped out. As one door closes – it is for you to open another. Do not wait for someone else to do this. Initiative is self-fulfilling and welcome in the legal profession.

Secondly, technology will continue to intrude – so use it

As we have all seen with the impacts of Covid-19, even delivery of your subjects has been delivered on web-based platforms that did not even exist a few years ago. Indeed, court hearings are presently still being held virtually. Changes in technology will continue to have

enormous impacts upon the way in which we, as lawyers, go about our profession. You have grown up with modern technology. You know how it has developed. You know how it works. You know how it can work. You will know how new applications may be developed to provide the assistance that you will need to carry out your tasks. You are very lucky to be in this position. You will do things in our profession by the use of technology that has never been done before.

As you have now experienced, tomorrow is actually here today! Your university education and your position in your generation readily familiar with technological change, has prepared you for tomorrow. Just work in a little luck and see what happens.

Thirdly, at some point you must give back into our community

This University is a public institution. The public has made this facility available to you to obtain your degree. As such, a university education brings with it not simply personal rewards but a debt due back to the whole community.

So, when that time comes and the baton is being passed to you to assist our community in some way, I urge you to take it up, run with

it, achieve for others, then pass it on to the next person. If you can do that even once in your professional life you will have helped discharge that duty that you owe to your community, state and nation, as a graduate of a leading public university.

Finally, go with your gut!

We all have an instinctive sense of what is right and what is wrong. Colloquially, it is called 'that feeling in your gut': or a 'gut-feeling'. In my experience, one's initial reaction to a situation is nearly always right. If something feels bad it probably is bad. However, if in your gut reaction is it feels right, it is likely to be right.

If more of my fellow members of the profession had gone with their initial gut reaction, I am sure life would have been very different for the notorious likes of Nicola Gobbo, Norman O'Bryan S.C., and those solicitors who decided to 'borrow' money from their client's trust accounts and then defalcated on those accounts and now find themselves as guests of Her Majesty.

So those are my 4 rules and importantly whilst being cautious do trust yourself. After all, from now on clients will be trusting you and you cannot afford to let them down. If you are ever in doubt, always approach a more senior member of the profession and seek their view. You will not be the

first young lawyer to be confronted with an issue which raises ethical considerations. Always ask – never guess. Your seniors will be ready to assist. Perhaps, this is one of the great benefits of being in a profession as opposed to a commercial or governmental position. We are there to assist each other.

In conclusion, I wish to express to you my sincerest hopes for your future and all the best in your careers as lawyers, members of your family and members of our Australian community.

You are ready for your next step.

Thank you for your attention.