

Admissions

to the Supreme Court of the Northern Territory

Practitioner welcome by Hon Chief Justice Brian Martin

Tuesday 27 October 2009

Well, ladies and gentlemen, to the new admittees and family and friends. This is a day to be enjoyed by all of you. This is not the occasion for a long speech, but I do wish to address a few remarks to you, the new admittees, and to your family and friends. To the new admittees, some of the things that



Nestor Sanchez Jr



John Elferink



Robert Pocock

I will mention will be very familiar to you, but they may not be as familiar to family and friends who should also understand the special features that are attached to the practice of the law.

At the outset, let me welcome you individually. You are all individually welcomed to the profession and I sit here together with Mildren, Southwood and Kelly JJ to congratulate you and welcome you on behalf of the Court and the profession.

And a special welcome to all the family and friends of the new admittees. As I look around today, and the same on previous occasions, the pride and pleasure emanating from all of you is very obvious. Indeed you are entitled to be proud and pleased.

Today provides an opportunity for the new admittees with family and friends to reflect upon what each of you have achieved and to enjoy that reflection and the success that you have earned. So our congratulations are extended not only to you, but also to your family and friends who have supported you throughout a long and obviously, at times, difficult period of study. To reach this point plainly involves sacrifices by each of you, but it also involves sacrifices by those who have supported you. So well done to everybody involved.

And in congratulating the new practitioners, permit me to emphasise the pleasure that I and other Judges

derive from these occasions. It is a pleasure to welcome young faces, and sometimes not so young faces, but not on this occasion, to the profession. You bring with you, as do other groups who are newly admitted, a vast array of experiences and talents and it never ceases to amaze us just how vast that array is.

Let me just remind you from today. We have a young man who was born in the Philippines who, at the age of 17, had a handicap of two. Mr Sanchez, I am not sure what you are doing in the legal profession and may I say to you that all of the Judges are very, very jealous, particularly Mildren J. But you come from a background of various experiences.

Mr Elferink, we all know of your vast experiences. Perhaps many did not know quite the extent of your experience as a police officer and now as a parliamentarian. Perhaps you will be kinder to us now. I doubt it.

Mr Pocock, you come from a background which involves all sorts of, if you like, traumas that very few of us can understand to the depth that you have experienced and that you now understand. It is a credit to you that you are here today.

Mr Burke, you also have been exposed to politics, I guess in a different form. But nevertheless, you have been exposed to political life and you bring with you an experience that not many can claim



Samuel Burke

to have.

Mr O'Connor, you left school at the age of 15 and you have worked constantly since to support yourself, including working on oil rigs. You have come into contact with a part of life that not many have experienced and you bring that with you into the profession.



Carl O'Connor

Ms Taylor, you have worked in boarding schools. You have visited 22 countries. I did hear mention of shark diving and sky diving. I am not sure whether they will help you, but perhaps they will. The fear initially of appearing in front of Supreme Court Judges will be nothing to what you have already experienced. But you also bring with you community service.



Imogen Taylor

As does Ms Harland. It is very apparent that you have an interest in other cultures and in helping people from different cultures with your experience in Papua New Guinea and in the remote Kimberley communities. So you bring with you, as well, significant experience to the practice of the law.



Lindy Harland

Ms Dean, you have spent time in Italy, again exposed to different ways of life. You have also spent time as an intelligence analyst for Customs. I am not quite sure what that will bring to the profession, but no doubt we will find out in due course. You have worked with charities. All of these things contribute to your personality and to the service you can bring to the law.

Mr Wurst, we have heard at significant length about your experience as a police officer and that side of life into which you have come into contact which would not be experienced by many who are practising the law. You will find that experience invaluable, particularly in handling your retiring wife, but I must say, Ms Mather, we are delighted that you are still seated in the chair and not grimacing. The very best of luck within the new three or four weeks.

Ms Basham, you come also with very wide experience; Melaleuca Refugee Centre, an Aboriginal corporation and you bring with you a degree in international relations, all of which you will find very valuable.

And finally, Mrs Lean. Your background as a nurse has obviously brought you into contact with an extraordinarily wide range of people from within our community and we all learn every time we come into contact with these people. I hope that your services will not be required while you are in Court. I trust that the Judges will survive.

So to all of you, congratulations and welcome and it is truly a pleasure to see young people entering the profession with such an array of experience and talent. We can confidently say that as the years go by, the profession will be in good hands.

Now, just a few words about the profession and about the history



Erin Dean



Travis Wurst



Jennifer Basham



Sally Lean

of this occasion. I hope that you understand and appreciate that the ceremony in which you have participated this morning is a significant ceremony and it is one with a considerable history. The first probably occurred in May 1824 in Sydney, so you can understand that this has been happening for a long time. For over 180 years, admissions as today have been conducted in open court and this ceremony amounts to a public recognition that you have earned the right to join the profession and to practise the law. I am sure that you have recognised that although today you are justifiably celebrating your achievements, necessarily it is only just the starting point of a practice in the law should you choose to follow this profession.

You will appreciate that your right to practise law comes with significant responsibilities. Notwithstanding the endeavours of a few persons in public life who should know better to portray lawyers in an unflattering light, in fact the practice of the

law is an honourable profession in which integrity is all important. Legal practitioners owe professional obligations to their clients and to the Court which they are required to observe. No doubt integrity and the performance of obligations is important in all walks of life, but the obligations that you now owe to your clients and to the Court are very onerous and must be observed notwithstanding your personal wishes and, at times, the wishes of your clients.

Permit me to emphasise that the observance and performance of these duties and obligations is of primary importance. Even more so at a time in Australian and world affairs when some influential members of our communities apparently believe that the end justifies the means and the political, economic and other considerations must always prevail. In the practice of the law, they do not. What prevails is integrity and the performance of the obligations that you owe to your clients and to the Court.

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It may be that not all of you will practise the law. However I urge that whatever path you choose, you take into it the values which underpin our profession. You will find them a valuable guide throughout your life.

If you practise the law, and no doubt in other professions as well, you will find at times that a degree of courage is required. It is not always easy to honour the primary duty you owe to the Court when that duty is in conflict with your client’s interests or your client’s wishes.

Courage may also be required when you are called upon to act for the unpopular cause or the unpopular client. Unfortunately, there is a lack of understanding among some political leaders, commentators and the wider community about the role of legal practitioners and their duties. As a consequence, when practitioners represent the unpopular and dare to speak for them, there is a tendency to denigrate the practitioner personally. It is indeed unfortunate that some political leaders within our community, who are too often concerned with self-serving interests, are not prepared to stand up for the rights of the unpopular or to acknowledge the important role of practitioners in upholding the rights of all persons, regardless of popularity. History

is littered with wonderful examples of fearless practitioners defending the rights of unpopular people and causes and today, as much as ever, individuals and the community at large need help in protecting and upholding those rights that are so fundamental to the proper workings of our democratic society. Never be reluctant or afraid to represent and fight for the unpopular.

Let me also encourage you to take into your practice of the profession an attitude that it is a profession to be enjoyed and a profession from which you can derive considerable satisfaction. This applies regardless of the area in which you practise. It matters not whether you negotiate a difficult contract for a large commercial client or whether you help an impoverished individual who is battling a bureaucracy, or whether you come to the aid of a person who is traumatised by a dispute with a neighbour over a fence or a dog. In all of those situations, even if they seem trivial to an outsider, the cause is important to the client and, therefore, to you.

I can say without any hesitation that you will derive great satisfaction from helping people in all walks of life. This is perhaps a side of the legal profession that is overlooked in public commentary. In reality, you are helping people from all

walks of life.

Remember too that you may be your client’s only contact with the law and the justice system. How you respond will play a significant role in influencing your client’s perception of the system and of legal practitioners.

May I, in closing, urge that notwithstanding the wide array of experience that you have already gathered, you continue to learn from your practice of the law or whatever path you happen to choose. Continue to broaden your experiences and continue to think laterally. May I emphasise that you should always keep an open mind in whatever walk you choose in this life and an open mind that is receptive to the views of others, particularly those who enrich our community so much with their diverse cultures and experiences from around the world.

I said at the outset that this is not an occasion for a long lecture. With those few remarks, on behalf of the Judges sitting here today and the entire Court I congratulate you, your family and your friends and welcome you to the legal profession. Please enjoy today. I can assure you that as old as we might get sitting on this Bench, all of us well remember this special day in our lives and you should remember it as the years go by.

Whether it be in the practice of the law, or in some other field of endeavour, we wish you well. }