

ADMISSIONS CEREMONY CAIRNS – 14 MARCH 2005

On behalf of Justice Jerrard, Justice Jones and all the judges of the Supreme Court, congratulations Ms O'Brien, Ms Brewster and Mr Cullen, on your admission and a warm welcome to the legal profession!

This is the Court of Appeal's third visit to Cairns and its sixth to North Queensland in the last six years. It seems that a North Queensland sittings in either Townsville or Cairns has become, at least for the time being, a regular feature of the Court of Appeal's annual calendar. It is always a pleasure to join Justice Jones and Justice Cullinane from Townsville in these sittings. I am particularly delighted that this sittings has, for the first time, coincided with the admission of three new North Queensland practitioners.

In congratulating them, it is also fitting that I mention the contribution to their present success made by families and friends, many of whom are present this morning.

Ms O'Brien, Ms Brewster, Mr Cullen, whether you practise as advocates or in the more traditional solicitor's role in a legal firm, whether you become sole practitioners or members of a national or international mega firm, whether you join the corporate worlds, the public service or academia, importantly your admission to practice today makes you members of an independent legal profession. I stress "independent" because Queensland legal practitioners through their independence play a role in ensuring Queensland remains an effective democracy. As legal practitioners, you will sometimes have to undertake the difficult task of ensuring that everyone, even the most unpopular members of our society, has access to the rule of law, that noble concept which provides equal justice for all, regardless of gender, race, colour, religion, power or wealth. In doing so, it may sometimes be necessary to stand up to government, to the rich and powerful or to populist views.

The profession which you have joined has a proud tradition dating back to the 13th century when lawyers first emerged as a professional class in England. The specialist practitioners known as solicitors evolved in the late 16th and early 17th centuries.

There have been many changes to the legal profession since Justice Jerrard, Justice Jones and I were admitted as practitioners last century. I

suspect one of the things that has not changed is the happy expectation of newly admitted practitioners of greater financial reward. Attaining financial success is an entirely appropriate aspiration, but it must always be secondary to your obligations as a legal practitioner, obligations which must never be clouded by commercial considerations. It is essential that you remember you are first and foremost officers of the Court and are therefore ethically obliged to place your duty to the Court before your own personal interests or those of your clients.

Justice Sandra Day O'Connor, the first woman appointed to the US Supreme Court, in her book "The Majesty of the Law" observes that sadly many US lawyers today are dissatisfied with their professional lives, despite their high incomes. In Australia, too, the ever-increasing pressures of the legal commercial marketplace can take its toll in terms of job satisfaction. Access to the rule of law sometimes remains difficult for the poor, the disempowered and for many worthy community groups. Justice O'Connor reminds us in her book that there is no greater duty or pleasure for a lawyer than to ensure that there is indeed equal justice under the law for the poor, the disadvantaged and the disenfranchised. It is not as widely known as it should be in the community that many lawyers do donate scores of hours of service in their busy lives to achieve this. Lawyers providing access to the law for these groups not only help others but bring meaning and joy to their own professional life and raise community confidence in the profession. I know many North Queensland lawyers work hard for their community in this way.

You have already demonstrated your intellectual abilities and your tenacity in obtaining your qualifications for admission as legal practitioners. You will ensure the legal profession with its fine history and traditions remains relevant in 21st century Australia by maintaining your profession's high ethical standards, including your over-riding duty to the Court as its officers; by offering your services to those who might not otherwise have access to justice, including the least popular members of our society, and, if called upon, to defend the most forgotten and neglected, but still essential third arm of democratic government, an independent judiciary. Without an independent judiciary, an independent legal profession can never ensure access for clients to the rule of law.

You enter the profession with the Court's congratulations and warmest wishes. May you have many years of personal contentment, community service and professional satisfaction.

The Court will now adjourn to reconstitute.