



QUT Faculty of Law Graduation
QPAC Concert Hall
Thursday 24 July 2014, 10:30am

**The Hon Tim Carmody
Chief Justice**

Introduction

- Chancellor
- Acting Vice-Chancellor
- Professors Humphrey and Mason
- Other distinguished members of the official party
- Graduates
- Special guests
- Ladies and gentlemen

I am very pleased and honoured to be joining you all here today to witness and celebrate this graduation as one of my first public duties.

It allows me the chance to not only warmly and sincerely congratulate you all on behalf of the Court but also to renew my close and longstanding association with the University as a dual alumnus and adjunct professor.

Transition

Graduation ceremonies are an important public acknowledgement of significant past academic achievement. They are also rites of passage marking the transition from the learning to the vocational stage of your future professional life.

You have met and proven equal to the exacting demands that the study of the law imposes.

Well done. You are entitled to be proud of yourselves. So are your family and friends, without whose help and support your success is unlikely to have been possible.



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Take the time to share and savour the moment. You will – soon enough – have to decide how you will put your legal education and formal qualifications to practical use.

From then on the ongoing challenge for you will be to work out the law's place in your own life beyond the safety of the halls and walls of the university.

How well you manage this is a matter of concern, not only for you and those close to you, but the wider community which, in various different capacities, you will serve through the years. (Chief Justice Robert S French AC in The Forward to J Giddings, *Promoting Justice through Clinical Legal Education*, Justice Press, 2013)

Tradition

Alice Tay describes the law as "...one of the great achievements of the human spirit" transcending the legislators, State and judges that make and enforce it at any one time. (*The Role of the Law in the Twentieth Century*) (1991) 13 Syd LR 247, 247). She believes that ideals and traditions, forms and procedures are more than "fossils representing the dead weight of the past" (ibid, 247).

The law is also, as Bozeman reminds us, "...the main carrier of shared values, the most effective agent of social control and the only reliable principle capable of moderating and reducing the reign of passion, arbitrariness and caprice in human life" (A Bozeman, *The Future of Law in a Multicultural World*, Princeton UP, Princeton, 1971, 38).

However, as well as being the means of preserving and transmitting enduring social values and core moral beliefs from one generation to the other, the law is a catalyst for change.

As the great American legal educator of the last century, Dean Roscoe Pound, said, "Law must be stable and yet it cannot stand still" (Roscoe Pound, *Interpretations of Legal History* 1 (1923)).



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In other words, without surrendering its defining character and universal virtues, the law adapts to ensure it maintains its social relevance, centrality and authority.

Change

As the law itself changes to meet new challenges and conditions so too does legal education and practice.

Technology, globalism, fiscal constraint, and the falling consumer demand for traditional legal services all mean that the current job market for legal graduates is highly sensitive and competitive.

We are also currently witnessing the rise of alternative providers of legal services using more flexible and cost efficient business models and innovative pricing. These include outcome- rather than time-based billing and fixed fee options.

The Chief Executive of the Queensland Law Society, Noela L'Estrange, recently complained that: "...many top graduates are now pursuing careers out of the law, more likely using their other degree. Their destinations including regulators, large accounting firms and international corporations that allow them to take their careers overseas and for which admission as a solicitor is not a requirement". (Legal Affairs, The Australian, Friday July 18, 2014, pp 27-28)

In fact the number of graduates in full-time employment fell 10% nationally in the eight years from 2005 to 2013.

The rise of these new ways of conducting the business of law means that, to survive, the legal profession can no longer provide traditional services at the same level, in the same way, for the same unit cost to increasingly sophisticated consumers demanding more for less.



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Otherwise, as Ms L'Estrange warns, our best and brightest graduates will be lost, not just to the law, but to Queensland as well, even before they begin. And worse still we are unlikely to ever lure them back again.

Thus, you will have to try and predict what practising the law is likely to look like in five, ten or twenty years' time, and do what it takes to adapt to a dramatically changing career environment and altered market conditions.

Though a little daunting this is not something to be feared or avoided. Change is a gift. It moves us forward – always. (Nikki Gemmell, *Weekend Australian Magazine*, July 12-13, 2014).

George Bernard Shaw said that the people who get on in this world are those who avoid blaming their circumstances for what they are, and instead get up every day, looking for the circumstances they want, and if they can't find those circumstances, making them.

You are the masters of your own destinies: choose to take control of them. Do not be paralysed by self doubt.

Conclusion

A final word of advice taken from Rudyard Kipling's inspirational poem "If" (1909):

As you meet with Triumph and Disaster learn to treat these two
imposters just the same...

And a beautiful piece of prose The Desiderata (Latin for Things to be Desired):

Do not compare yourself with others because you may become
vain or bitter for there will always be greater and lesser lawyers
than yourselves.

Best wishes and good luck – but remember: the harder you work, the luckier you get.