

Woe Unto You Also, Ye Lawyers!



THAT DISREPUTABLE FIRM: THE INSIDE STORY OF SLATER & GORDON

By Michael Cannon

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MICHAEL CANNON's book *That Disreputable Firm: The Inside Story of Slater & Gordon* is a corporate history of a law firm with which most people, lawyers and non-lawyers alike, are familiar. The firm's fame, some would say notoriety, outside the strict confines of the legal profession is largely due to its involvement in a range of high profile civil actions, most notably against Australian tobacco manufacturers and a number of multinational corporations.

The book begins by tracing the early life of Slater & Gordon's founder, Bill Slater, outlining his experiences in World War I and his subsequent career as both lawyer and politician. The author had access to Slater's diaries, and, as a result, the account of his life is detailed and compelling. The book also documents the beginning of the on-going involvement of Slater & Gordon with the union movement as well as the firm's connection with the Communist Party, an association which arose mainly through the activities of partners Ted and Jim Hill. The first half of the book also examines the major areas of law that the firm was involved with from the 1940s until the 1970s, specifically industrial relations and workers' compensation law.

In the second half of the book, the author looks at the severe financial difficulties that Slater & Gordon experienced in the 1980s as a result of declining market share and an over-reliance on some of the less lucrative areas of private practice. The firm may well have ceased to exist altogether had it not reinvented itself as a 'mass tort firm'. The author goes on to examine some of the most famous class actions and test cases in which the firm has been involved, including the recent Ok Tedi environmental disaster, the Christian Brothers saga, the silicone breast implants debacle, and the accidental transmission of AIDS by HIV-infected blood during transfusions administered in Australian hospitals in the 1980s.

The author uses many case histories from work carried out by Slater & Gordon.

These are generally well chosen and documented, and Cannon includes a lot of interesting background information. However, whilst the author makes no secret of his lack of legal training, lawyers reading this book may find it frustrating that there is little legal analysis of the cases.

The title *That Disreputable Firm* is ironic — the book is unashamedly partisan and the author does not attempt to conceal his admiration for his subject. Indeed, in the Preface, he states that he would like to be a ‘Slater & Gordon lawyer of the rampaging kind’, if he could live his life over again. Although this enthusiasm for his subject is appealing it also perhaps leads to the greatest drawback of the book, which is its lack of objectivity. The lawyers of Slater & Gordon are portrayed by the author in a somewhat simplistic fashion as guardians of the common man and crusaders for the underdog. As a result, the author misses the opportunity to examine some of the more fundamental conflicts inherent in the practice of ‘left-wing law’.

It is often in firms like Slater & Gordon that the financial pressure on fee-earners and partners is most keenly felt — in contrast to the larger commercial law firms which have well-resourced clients who generally pay their bills on time. It would have been interesting if the author had canvassed this issue and looked into one of the most obvious problems of working in a firm with a strong social conscience, namely the very real dilemma between trying to ‘do good’ and the constant pressure of time sheets and monthly billing targets.

As for the employees of Slater & Gordon, there must have been at least some who have worked there and disliked it, perhaps finding that the public image did not live up to the reality; but, if this is the case, they have not been interviewed for the book. This is unfortunate as some reference to such employees, or former employees, might have created a more balanced picture of life in the firm.

Similarly, another important issue that is raised in a brief aside, only to be dismissed, concerns the difficulties that may be encountered by women who have worked in the firm. The revelation that one female partner left Slater & Gordon partly because she won pre-selection for a seat in the Victorian Parliament, but partly also because she found the corporate culture of the firm to be ‘pretty boysey [ie, masculine]’ (p 108), is mentioned by the author but is not expanded upon. This is regrettable because it seems to hint at a less wholesome side to the firm. The revelation could have been used as an opportunity to look at some of the less well publicised aspects of a firm that is clearly fighting for the rights of the disadvantaged — a category which presumably includes women.

Michael Cannon’s credentials as a historian are apparent throughout this book. *That Disreputable Firm* has been thoroughly researched and the main players in the firm, and their work, have been placed in a clear historical context. As mentioned, Cannon does not profess to have written a book specifically for lawyers and indeed the book does seem suited to a more general audience. Those looking for a comprehensive legal analysis of the cases which Slater & Gordon have been

involved in may be a little disappointed. In addition, the author's romantic portrayal of these 'socially conscious' lawyers may be a little hard to take for cynics who do not share his view. Nevertheless, *That Disreputable Firm* is a well-researched and extremely interesting political, social and legal history — and a fascinating, if slightly unbalanced, insight into this important and much talked about firm.

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