



THE 2017 HAL WOOTTEN LECTURE

Response to the Lecture delivered by Elizabeth Broderick AO

by Hal Wootten AC QC

Tonight is the first occasion I have met our guest speaker, but reading or listening to conversations with her or about her on the Internet, I discovered something we have in common: we have both persuaded the world to address us and refer to us by a three letter diminutive rather than a more cumbersome full name or title. The only difference between us in this respect is that everyone knows what Liz is short for.

I rise to thank Liz for delivering the eleventh Hal Wootten Lecture with more than my usual annual pleasure. For me there is the usual personal pleasure that my eponymous Lecture has survived into a second decade without becoming the memorial Lecture the first lecturer assumed it to be. For all of us associated with the Law School there is pleasure that the Lecture has been delivered by one of its graduates and that in reviewing her own life story Liz has provided a rich store of evidence to endorse Justice Holmes' assertion that a person may "*live greatly in the law as elsewhere*".

In a rich life, her primary focus has been the removal of obstacles to equal opportunities for women in the workplace. In the profession of Law the battle against gender discrimination is of relatively recent origin, and still far from complete. Back in 1970-71, when we were preparing to open this Law School, the best consolation I could offer to a mother who expressed concern that her daughter might suffer discrimination as a lawyer was to say: "Of course she will, but she's not going to let that stop her, is she?"

Cold comfort, but there were women ready for the challenge. I vividly recall that only a few years later, I was to find myself, over little more than a decade, married successively to the first woman Crown Prosecutor, the first woman District Court Judge, and the first woman Supreme Court judge in New South Wales. I hasten to add that this unique experience was not a matter of trophy hunting or multiple marriage on my part, but simply the speed with which my then wife, Jane Mathews, was breaking through glass ceilings that had limited the progress of women at the Bar.

In the Law, the relative position of women has continued to improve, but often at a glacial pace, glacial that is in the sense we understood before climate change took a hand. Ironically women have fared better in the High Court than in most other courts, currently holding three of seven appointments, including the important role of Chief Justice. Perhaps our politicians are conscious of the greater news value of High Court appointments.

“We share the belief, too, that law is not an end in itself. It is to be judged by the extent to which it promotes the well-being of the people living in society. We believe that the study of the law should never lose sight of the social problems that law exists to deal with, and that lawyers should always be ready to criticise and reform the law...”

The worlds of the profession and of the wider university are important in a Law School but there are other worlds with which it should have contact. Some of these worlds – business, industry, trade unions, governments – provide much of the work and income of the legal profession and are not likely to be overlooked.”

The Letter then went on to use words that have so appealed to subsequent generations of staff that they have been repeated and displayed so frequently that some have assumed they were the founding vision, not just part of it. I resume quotation:

“But we believe that a Law School should have and communicate to its students a keen concern for those on whom the law may bear harshly, whether because they cannot afford it services, or because it does not sufficiently recognise their needs, or because they are, in some way, alienated from the rest of society. The poor, the Aborigines, the handicapped, the deviants, all need their champions in the law as elsewhere.”

The Law School was about to open at the end of the benevolent Sixties. Richard Nixon was in the White House. The age of Aquarius lay behind our students; ahead of them lay the possibility of conscription by lottery to service in the still-controversial Vietnam War. We concluded by saying to them:

“We admire the social concern that so many of today's students bring to the University. We hope that when these students emerge from the Law School these qualities will have been sharpened, not blunted. We hope that they will feel not frustrated, but better equipped, through soundly developed professional knowledge and skills, to express their concern in constructive contributions and lead satisfying lives.”
