



VICTORIAN BAR

SIGNING OF THE BAR ROLL BY THE MARCH 2018 READERS ON THURSDAY 10 MAY 2018 IN THE BANCO COURT OF THE SUPREME COURT OF VICTORIA

Your Honours – Members of the Bar – Members of the March 2018 Readers Course and your families and friends – Good evening – and Welcome!

I acknowledge the traditional owners of the land on which we meet, the Wurundjeri people of the Kulin nation, and pay my respects to their elders past and present.

My name is Matthew Collins. As President of the Victorian Bar, I welcome you all to this Ceremony of the Signing of the Bar Roll.

I congratulate each of our Readers on their successful completion of the course. I especially welcome the family and friends of each Reader.

This is a significant and joyful ceremonial occasion, and I thank you all for joining us.

There is one small “housekeeping” matter I need to raise. Please do not take photographs. The Rules of Court forbid private photographs anywhere within the Court.

The Bar has permission for our official photographer, Neil Prieto. Neil will take photos of each Reader as they sign the Roll – and will take a group shot of all the Readers at the conclusion of the ceremony.

He will also be happy, after the group shot, to take a photo of your family group, if you’d like him to – and those photos will then be made available.

The institution of the Victorian Bar was established 134 years ago, on the 10th of July 1884.

Sixteen years later, on the 21st of September 1900, the Bar Roll was established. In the more than a century since then, every member of our Bar has signed the Roll – as the March 2018 Readers are about to do now.

Each Reader has been approved to sign the Bar Roll by resolution of the Bar Council – and members of the Bar Council are here to witness the signing.

The Bar thanks Chief Justice Ferguson and the Council of Supreme Court Judges for making the magnificent and historic *Banco* Court available for this ceremony. We thank the Court Events Co-ordinator, Jennifer Fletcher; and the Court staff.

The Supreme Court building dates back to 1884. It was built on gold rush money, with no expense spared.

Eleven years ago, on the 15th of May 2007, the *Banco* Court was re-opened after extensive refurbishment that had restored it to its original magnificence – with also the addition of the chandelier, which is a replica of the one in the Queens Hall of the Parliament.

The first sitting of the High Court of Australia was in this Court on the 6th of October 1903. Canberra did not, as the national capital, yet exist; and Melbourne was the legislative and administrative capital of the Commonwealth.

All of us who’ve been admitted to practice in Victoria – and that’s almost all of us at the Victorian Bar – were admitted to practice at a sitting of the Full Court in this *Banco* Court – a matter of personal significance



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I now call on the Honorary Secretary, Nicole Papaleo, to read the names of those who are to sign the Bar Roll.

We have, this evening, 45 Readers signing the Victorian Bar Roll.

Would you please hold your applause until the last Reader has signed the Roll.

On behalf of the Bar Council and the Bar, I congratulate each of you on becoming a member of our Bar. We wish you a long and satisfying career as a barrister.

Our Readers Course was the first in Australia – 38 years ago in March 1980.

I can say, with no fear of contradiction, that it was then, and still is, the best in Australia.

There is a rich diversity of experience in the March 2018 class.

You range from admission to practice in November 1985 – 32 ½ years ago; to one of you who was admitted just 5 months ago – in December last year.

Your statistics are impressive:-

- (a) More than a third of you have Bachelor of Laws Honours Degrees – including a number of First Class Honours Law Degrees.
- (b) Nearly a third of you have graduate degrees from, variously: Oxford, Cambridge, University College London, Alabama, and, of course, locally, Melbourne, Monash and the Australian National University.
- (c) Five of you have the Juris Doctor – the professional qualifying Law degree for graduate entry students.
- (d) More than a third of you have served as a Judicial Associate on a State or Commonwealth Court including:
 - The High Court of Australia;
 - The Victorian Supreme Court – both the Court of Appeal and the Trial Division;
 - The Supreme Court of New South Wales;
 - The Federal Court;
 - The County Court; and
 - The Federal Circuit Court.

For your qualifying Law Degree:

- Two-thirds of you are Melbourne or Monash graduates – half and half Melbourne and Monash;
- There are graduates of Latrobe, Deakin and Victoria Universities;
- From interstate, there are graduates of the Universities of Sydney, Adelaide, Queensland, Tasmania, Wollongong, and the Queensland Institute of Technology;
- From overseas, there are graduates of the University of Otago, and of Victoria University Wellington - both New Zealand.

You've been admitted to practice:

- Interstate, in New South Wales, Queensland, South Australia, Tasmania, the Australian Capital Territory, and in the Northern Territory; and
- Overseas, in New Zealand, and in Hong Kong.
- A number of you are fluent in other languages – in Chinese Mandarin, Hakka and Cantonese; in Italian, in Greek;; others have either conversational or basic skills in Russian, Thai; Spanish and French.

You came to the Law from different backgrounds and motivations:

- You came with degrees in Civil Engineering and in Music composition;
- You studied Classics and Archeology; one of you took a year off to study Ancient Philosophy; others studied Fine Arts at the Victorian College of the Arts; and Drama;



- One of you trained as a Visual Artist – and had a show in Paris;
- You've been inspired and drawn to the Law by *Perry Mason*; by *The West Wing*; by *The Castle*; by *LA Law*; and by the example of your Family Solicitor, when you were young;
- One of you was, aged 22, the youngest Mayor in Victoria and came to the Law from an interest in politics and in community work;
- A number of you had lawyers in your family: in one case, both parents were lawyers; in others, your father was a lawyer; your sister was a criminal lawyer; or your great-uncle was a lawyer.

Before coming to the Bar, you had a variety of experience in legal practice:

- Many of you came from serving as a Judge's Associate;
- Many of you came from practice as a solicitor – from large law firms of 50 or more partners; from medium to small law firms of less than 50 partners; or from being Corporate or In-House Counsel;
- One of you came from a Community Legal Centre; and one from Victoria Legal Aid;
- A number of you came from being Government Lawyers: from the Office of Public Prosecutions; the Victorian Government Solicitor's Office; IBAC (the Victorian Independent Broad-based Anti-Corruption Commission); WorkSafe; the Victorian Department of Justice; Municipal Government; and two of you came from the Commonwealth Department of Treasury, one of you from being Legal Adviser to the Commonwealth Treasurer;
- One of you had been a Police Prosecutor for 10 years and Department of Transport Prosecutor for 4 years; another had been a Prosecutor in the Office of the Commonwealth DPP;
- A number of you have worked for Aboriginal Legal Services, one of you in Darwin, another in Darwin and in Alice Springs;
- One of you has worked at the refugee legal service on Christmas Island; and in a Refugee Camp in Ethiopia.

You are an active lot:

- One member of the class is an Abalone Diver;
- One boasts of 10 somersaults backwards in water;
- Another does hand-stands underwater; - perhaps there is scope for the two of you to synchronise;
- One competes in the modern Pentathlon;
- One is a boxer – with, he says, moderate success;
- One is a skater;
- One competed nationally as a swimmer;
- One of you was in the University of Melbourne Cycling Team, the Oxford Cycling Team and the Exeter Rowing Club;
- Others played soccer; netball; basketball and rowed;
- Two of the women in the class ride motorcycles;

A number of you are musical:

- One is a bassoonist;
- One did an undergraduate degree in music composition and performs publicly as a musician; another composes classical music;
- One managed a band for a while.

I welcome each one of you to practice at the Independent Bar.

Now, just a few observations about our profession at the greatest Independent Bar anywhere in the world.

The three qualities that distinguish practice as a barrister are:

- independence;



- our duty to the Court and to the rule of law; and
- the cab-rank-rule – the obligation to accept a brief offered in one’s area of practice and at one’s usual fees.

Lord Bingham, a former Lord Chief Justice of England, said this of independence and the cab-rank rule:

Scarcely less important than an independent judiciary is an independent legal profession, fearless in its representation of those who cannot represent themselves, however unpopular or distasteful their case may be.

Sir Owen Dixon also spoke about the independence and self-reliance required of each individual barrister:

Related to the cab-rank rule and access to justice is *pro bono* service – doing legal work without fee in appropriate cases.

This is done systematically through the Bar’s *Pro Bono* and Duty Barrister Schemes. It is also done informally by most of us in our individual everyday practices.

I encourage you all to sign up for the *Pro Bono* and Duty Barrister Schemes. You’ll get experience – and you’ll be part of the public contribution by the Bar to the Courts, the Community and to our vital, shared concerns for Access to Justice and the smooth running of the Courts.

As barristers, we owe a duty to be fearless; to represent our clients’ interests; not to mislead the Court; and to deal fairly with fellow and opposing counsel. That last duty is not to be forgotten. Defining characteristics of the Victorian Bar have always been its collegiality, its sense of common purpose, and civility in our dealings with one another.

I signed the Bar Roll on the 27th of May 1999, as Number 3312. This evening, Timothy Smurthwaite signed as Number 5000. The last of you this evening, Nicholas Modrzewski signed as Number 5043

The Victorian Practising List when I signed the Bar Roll in May 1999 numbered 1067

Your March 2018 Readers Class brings the Victorian Practising List to 2091.

I came to the Bar five years after admission. Many of you have had much more experience as solicitors and have much more extensive connections than I had in the law.

You’ll all work hard to establish a practice at the Bar. You’ll have the support of your Mentor and Senior Mentor – and of your Clerk.

And you’ll have the support of the community of the Bar.

Although the Victorian Practising List has, roughly speaking, almost doubled since I signed the Roll, the Bar is still a close community.

You have the close connections and friendships from your Readers Course.

You are, I understand, a close-knit group – and I’m delighted that 40 of you are coming to the Bar Dinner in just over two-weeks’ time: 4 tables of 10. That’s just wonderful!

You will get to know people. And the Bar open-door policy is a reality. You really can knock on any door and, if we’re free, any of us will discuss a case or an issue with you.

Join the Bar Association in your area of interest. Express an interest in joining a specialist committee when nominations are next called for.



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Consider, in due course, the Bar's governing body, the Bar Council. There are four places on the Council for barristers of less than 6 years standing.

Immerse yourself in the life of the Bar, and resolve to make a contribution – to make the Victorian Bar even better!

I congratulate you on your decision to join the Victorian Bar. I welcome you as a fellow member of Counsel. I look forward to seeing you at the Bar table. And I wish you every success in your new careers.

Before I close, I wish to thank everyone who has made our Readers' Course a success: the Readers Course Committee, and its Chair, Bar Junior Vice-President Simon Marks QC; Rachel Chrapot, the Bar's General Manager, Member Services; and Wendy Pollock, our Readers' Course Co-Ordinator.

I also thank everyone who teaches in the course.

The members of our Bar, and the Judges, Magistrates and Retired Judges who teach in the Readers Course are the foundation and cornerstones of the course. Their generosity and commitment – many of them over a great many years – make our Readers Course the great course it is.

Finally, I thank again the family and friends of our new barristers for joining us this evening. I am sure our newest members thank you for your forbearance and support while they have been undertaking the course. We hope you have enjoyed being part of this ceremony for the signing of the Bar Roll.

Although private photography is not permitted, once he's taken the group shot of the new barristers, Neil Prieto **[pro]**, will be happy to take a photograph of your family group, if you'd like – and those photos will then be available through the Bar. Thank you.