

Griffith law School 25th Anniversary Gala Address

The Honourable Margaret McMurdo AC

Chancellor, Vice-Chancellor, Your Honours, Ms Leneen Forde AC, respected Indigenous elders, members of the academy, alumni, students and friends of Griffith Law School, distinguished guests, (that, I think, covers everyone and some are in more than one category).

I am delighted to be the guest speaker this evening as we celebrate a quarter of a century of Griffith Law School. I have long been a fan. For ten years when I was a member of Griffith University Council, the Vice- Chancellor had to put up with me referring to the School as the jewel in the crown of the University. In the presence of the heads of so many other faculties, he was never able to publicly agree. But tonight, Vice- Chancellor, they are not here. It is the occasion to acknowledge this University jewel.

My fondness for Griffith Law School is in part because it and the university are named after Sir Samuel Griffith who was a Queensland, indeed an Australian, legend. Although the Society which has taken his name has become, in recent times, extremely conservative, Samuel Griffith was an enlightened liberal reformer in the fledgling and rather wild and woolly colony of Queensland where he was Premier from 1883-1888. As a legislator, he was a great supporter of education and encouraged the formation of the State's first secular high schools, the Grammar schools, which provided for the public secondary education of girls as well as boys, then a novel concept. When I attended Brisbane Girls Grammar in the late 60's and early 70s, I was proud to be in Griffith House. The house colour, like that of this university was, would you believe, red. I think I still have my red 'G' house badge somewhere! You can see my association with Griffith goes back a long way.

Griffith the legislator introduced a probation act for minor offenders, a radical move at that time. Although he failed in his promise to stop the importation of Kanaka labour, he did halt the worst abuses of that system. He introduced a bill to legalise trade unions and was concerned in his words, "not how to accumulate wealth but how to secure its more equitable distribution". However, he was a politician and therefore unlike you and me, not perfect! When some of his political decisions and statements are examined against modern sensitivities, they are found wanting. But we should not judge him harshly for he was a force for good, especially when viewed in the time in which he lived. I suspect that, before long, the actions of recent Australian politicians on issues such as our treatment of Indigenous Australians and refugees will be seen as much more morally culpable than any of Griffith's failings.

Fittingly for tonight, Griffith saw himself as a lawyer rather than a politician. He was Chief Justice of Queensland from 1893 until 1903. During that time, he drafted the Qld Criminal Code much of which is still in force today. The Griffith Code has been

adopted not only in Western Australia, Tasmania and the Northern Territory but also internationally, including in Nigeria.

Little wonder he was chosen to become Australia's first Chief Justice when the High Court was established, two years after federation in 1903. I am sure he would be pleased that the current Chief Justice of the High Court of Australia, the Honourable Susan Kiefel AC, has been a loyal Queensland friend and supporter of the law school and the university which bears his name.

Griffith School of Law is one of six Schools within the Arts, Education and Law (AEL) Group at Griffith University. The School is located across two of the University's five campuses: Nathan and Gold Coast. It is consistently ranked in the top 100 law schools world-wide by the QS university rankings. In the most recent ARWU Ranking by subject, Griffith University was ranked number 1 for law in Queensland.

The School was established, of course, 25 years ago (the *raison d'être* for tonight) in response to the Pearce Report's¹ wide-ranging critique of the state of Australian legal education. The School's founding vision for its direction, programs, research and community engagement was to offer a unique and 'different' experience to the study of law. It was distinctive in its small class sizes, its strong commitment to social justice and equity, and its situating 'law in context' by only offering law with the study of other disciplines. Opening in 1992 as a small 'bespoke' law school based at the Nathan campus, the School had but five academic staff and an entering student cohort of approximately 75 students. Its visionary Foundation Dean was Professor Charles Sampford who I am delighted is with us tonight. Charles is presently the director of Griffith's Institute for Ethics, Governance & Law. A bit like me, Charles and Griffith have had a long and mutually symbiotic relationship and, fortunately all round, Charles and I have never managed to escape Griffith's magical web. I am sure we are not the only ones here tonight who have succumbed to the Griffith spell.

In 1994 the School expanded to the Gold Coast campus with four foundation staff members and approximately 15 students. In 1995 the School introduced its first clinical legal education course in partnership with the Caxton Legal Centre and graduated its first PhD student, Dr Helen Stacy. The following year, 30 LL.B. students graduated. In 2001 the Innocence Project commenced at the Gold Coast, in partnership with Nyst Lawyers. It was successfully launched by a victim of a great travesty of justice, wrongfully convicted US boxer, the late Rubin 'Hurricane' Carter, who was immortalised, not only in his involvement with the Griffith law school but also in nobel prize winner Bob Dylan's song, "Hurricane":

'Here comes the story of the Hurricane,

The man the authorities came to blame

¹ Dennis Pearce, Enid Campbell and Don Harding, *Australian Law Schools: A Discipline Assessment for the Commonwealth Tertiary Education Commission* (1987) vol 1, 1.

For somethin' that he never done.

Put in a prison cell, but one time he could a been

The champion of the world.'

Griffith law school academics have won many teaching awards within the university and at the national level with resulting excellence in student achievements. In 2006, GLS graduated its first deaf student, Ms Kathryn O'Brien, who is one of only a handful of such students to have graduated in Australia. In 2008 the School's students won first place at the Willem C Vis East International Commercial Arbitration Moot in Hong Kong. In 2016, the School entered the prestigious Philip C. Jessup International Law Moot Court Competition. The team was awarded prizes for the best new team and for best and fairest team at the national rounds in Canberra.

Distinguished alumni include 2014 Australian Young Lawyer of the Year, Kara Cook; Indigenous barrister, Josh Creamer; Australia's 2016 Youth Representative to the United Nations, Chris Eigeland; and Gilbert + Tobin partner, Chris Flynn, whose team secured the release of journalist Peter Greste from Egypt.

I can attest from my own experience to the quality of the law school's graduates and I am pleased to see so many alumni here tonight. As President of the Court of Appeal I have had a number of fine associates from Griffith, including the School's first Indigenous honours graduate, Lorraine Blanco. I should also mention my 2009 associate, Jodi Gardner, who graduated from Griffith with straight 7s and the University Medal, obtained an LLM from ANU, won a John Monash scholarship to study at Oxford where she obtained a BCL and has almost completed her DPhil and lectured at Corpus Christi College. Jodi is presently lecturer in private law and fellow of law at St John's College Cambridge and an adjunct senior research fellow at the National University of Singapore. All this and three babies. She is immensely proud of her Griffith roots and has a strong social conscience, with her research interest in consumer credit protection.

In addition to the law school's many successes in teaching, it has had significant achievements in research. The School's research quality has been recognised in the 2010, 2012 and 2015 Excellence in Research Australia exercises, which ranked the quality of the research outputs in Law each round at 4, that is, at 'world standard or better'.

Several law-related research centres have been established at Griffith over the years. The National Institute for Law Ethics and Public Affairs (NILEPA) was instituted in May 1991 within two months of the formation of the Law School. The Socio-Legal Research Centre (SLRC) was established in 1998. It was replaced by the Law Futures Centre (LFC) in 2015. Two other virtual centres, the Australian Centre for Intellectual Property in Agriculture (ACIPA) and the Institute for Ethics, Governance and Law (IEGL), are nested within the LFC.

The research environment has also been enriched through the School's production of, or involvement in several high-quality law journals. The Griffith Law Review (1992 – present) is recognised as one of the leading law journals in the country. The Australian Feminist Law Journal also has its home at Griffith Law School and one of the managing editors of this journal is a Griffith Law School staff member. In 2013, the student-run journal, the Griffith Journal of Law and Human Dignity commenced publication with Mr Geoffrey Robertson QC, Mr Julian Burnside AO QC, Dr Anne Summers AO and the Hon. Michael Kirby AC CMG amongst its first contributors.

The School has been supported throughout by its Visiting Committee, chaired in turn by Sir Zelman Cowen AK, GCMG, GCVO, QC; Father Frank Brennan SJ AO; Ms Marg O'Donnell AO; and Justice Debra Mullins. It has been the beneficiary of the ongoing generosity of the Kearney Family and other donors. In particular, the School is grateful to the family of the late Professor Michael Whincop, represented tonight by his sister, Ms Shelley Whincop.

The school has benefited from fine academic leadership. I acknowledge its deans in chronological order: Charles Sampford; Stephen Parker; Sandra Berns, the first female dean of a Queensland law school; John Dewar; Rosemary Hunter; Justin Malbon; Rob McQueen; Paula Baron; Bill MacNeill and the current dean, Penelope Mathew. It is fitting that the first and the current deans are present this evening. Pene and all those she leads have put much effort into making tonight a success, in keeping with their determination to see their law school succeed.

Last year I had the privilege of chairing the most recent academic review into Griffith Law School for the university. We were impressed with the School's strong academic performance in attaining top 100 status in the QS rankings; its commitment to providing the region with a law course offering local and global excellence – with a conscience; its positive academic leadership, supported by the University; its high quality teaching evidenced by CEQ, SET, and SEC results; its commitment to clinical legal education; its commitment to high quality research through the Law Futures Centre; and its support for and encouragement of Indigenous students.

But the future holds many challenges and no law school can rest on past reputations, no matter how well deserved. Technology, including artificial intelligence, means that the practice of the law and how it is taught is changing faster than ever. The future of legal academia will be dominated by e-learning, something this university has already embraced. As technology replaces some employment opportunities in the law such as document retrieval and discovery, innovative lawyers are finding new entrepreneurial ways to harness technology to enable access to justice for many who could otherwise never afford it. Law schools like Griffith must prepare students to ethically understand the law and its relationship with

technology- with a conscience; to be resilient so as to cope with constant change; to think critically and understand rights-based jurisprudence; to embrace positive legal innovation; and to use the law to work for a socially cohesive and fair society.

Law schools will also have a future role in continuing legal education for a legal profession struggling to cope with technological change and all that flows from it.

These are big asks. But this law school, in light of its first 25 years, is well placed to succeed. Griffith Law School and all who have contributed, congratulations on the first 25 years. Everyone here tonight, and many more who were unable to attend, wish you well as you enter your second quarter century. Our hopes and hearts will be with you on the journey.