

**QUEENSLAND UNIVERSITY OF TECHNOLOGY
FACULTY OF LAW**

**THIRTY YEARS OF LAW AND JUSTICE 1977-2008
CONGRATULATIONS TO QUT LAW**

The Hon Justice Michael Kirby AC CMG
Justice of the High Court of Australia
Public Lecture, Tuesday, 17 June 2008



It is amazing, when one thinks of it, that the teaching of law as a separate discipline in universities only began in England in 1755 when Oxford University embarked on that endeavour. Before that time, and indeed afterwards and to the present, the teaching of law was entrusted to the Inns of Court in London. In this way, the practising profession kept a close and sometimes severe control over the training of each new generation of English lawyers.

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In Australia, universities became involved in teaching law from early colonial times. The first law course was offered at the University of Melbourne Law School from 1856. Not long after, the University of Sydney Law School was established. Many later-to-be-famous Queenslanders travelled south to Sydney to receive their training in the discipline, including Sir Samuel Griffith, later Chief Justice of Queensland and subsequently the first Chief Justice of the High Court of Australia.

The first Law School in Queensland itself was not established until 1936 at the University of Queensland. The first courses at the Queensland Institute of Technology (QIT) began in 1977. At that time there were eleven Law Schools in Australia. Now there are thirty-three.

QIT attained university status in 1989 as QUT. The first graduation from QUT Law Faculty was in 1980.

Recently, I received a letter from a high achieving law graduate of QUT who now serves our country in the Australian Defence Forces. He wrote to me:

"I remember fondly hearing [you] addressing us as young law students at QUT in 1980 where [you] made an indelible impression. I have fortunately pursued International Human Rights Law in my career by studying it at Oxford in 1977 and have been able to practise it as a military lawyer in East Timor, Iraq and Afghanistan over the past ten years".

3.

Receiving a letter such as this is at once a reminder of my antiquity. But it is also a reminder of links with QUT Law going back to the early days of the teaching of law at this fine University.

I have watched QUT Law School grow in strength from the introduction of the Legal Practice Programme in 1978; the establishment of the School of Justice in 1991; the launch of the Law and Justice Research Centre in 2007; and the initiation of public lectures, including one by the Hon Sandra Day O'Connor, past Justice of the Supreme Court of the United States in 2006. I am proud to be a successor in the public lecture series. I applaud this outreach to the profession and to the community. Law does not belong only to the lawyers.

I congratulate the past successive Heads of the School of Law at this University, Professors Tom Cain, David Gardiner (now Pro Vice Chancellor) and Malcolm Cope. They were great leaders and they gathered together a fine group of scholars and teachers.

I am specially glad to be associated in this lecture with the present Executive Dean, Professor the Hon Michael Lavarch. He was appointed in 2003. But before taking up the reigns of leadership at QUT Law School, he served as Attorney-General for the Commonwealth. I always feel a close association with Professor Lavarch. Candour requires me to say that this is because he had the wisdom and good sense to be the federal Attorney-General at the time of my appointment to the High Court in February 1996. It was he who telephoned me on 12 December

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1995 to offer me a seat on the High Court. When the offer came, I paused and thought about it before accepting; but not for more than a few seconds. As we both look back on more than twelve years of my service in the Court, I hope that he feels that he did the right thing. Cabinet solidarity and secrecy prevents exploration of his real feelings on the appointment at the time. But it does not prevent my expressing appreciation for that life-changing telephone call.

I have always felt at home at QUT Law School. It combines in happy mixture of excellent black letter training in the law such as is desired by the legal profession and is essential for successful performance in legal practice. But it is also a law school that has always been willing to tackle important questions of justice in our society. Now, it is increasingly involved with legal education in countries in our region, establishing links that will strengthen the School in the decades to come. Thus, links have been created with institutions in Singapore, India, Malaysia and in the East China Law School in Shanghai.

Many of the scholars on the Faculty at this School are foremost in teaching and research in aspects of the law that concern law's interface with technology. Professor Brian Fitzgerald, an Australian leader in the field of intellectual property law, immediately springs to mind. But so do many other members of the QUT Law Faculty.

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I congratulate the QUT Law School and its Faculty, graduates and students on thirty years of teaching law. I feel confident that the best years still lie ahead.

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