

University of Western Sydney

School of Law

Annual First Year Camp 2013

Collaroy Convention Centre

Lessons of a UWS Graduate

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20 February 2013

Introduction

Ladies and gentlemen, colleagues, friends and students, good evening. Recently, when the always very charming Mr Simon Kozlina requested I speak at tonight's event, I was reluctant. Truth be told, I honestly thought I would have nothing valuable to add. I am still not entirely persuaded that view is incorrect.

Nonetheless, it is a great privilege and pleasure to be with you all this evening. The topic of a transition from law school to a fully-fledged professional career raises a number of important considerations. I hope the following observations provide some assistance to your aspiring careers.

Lesson 1 – Crystallisation of your career ambitions

It seems to me that from the outset of your time at university as a law student, you should give serious consideration to what you might like to do when you finish your studies. A Bachelor of Laws degree provides various professional work opportunities. That is the good news. However, choosing what you might like to do with your future professional careers can often be both challenging and confusing.

You may, for example, seek to embark upon professional practice as a solicitor or barrister in the private market. Otherwise, you may seek a legal career in one of the many State or Federal government departments which offer opportunities in particular roles for lawyers.

You may choose to go international, perhaps working for a Non-Government Organisation or in international foreign affairs. On the other hand, you may choose to pursue an academic career, investing in future study and education. You may decide

to work in policy, assisting in the development of future laws and clarifying the present application of the law. You may consider a professional career in politics. As you can see, a law degree can take you on many different exciting and stimulating paths in life.

Putting it simply, whatever you think you might like to do in a professional capacity upon leaving your life as a student and transcending into the working world, you should seek to gain a greater understanding of your future occupation. In that respect, if you think you would like to practise the law as a solicitor, you should seek some form of employment as a law clerk or paralegal in a solicitor's law firm. That way, very early in the piece, whilst still a student, you can get some better insight into whether practising as a solicitor is something you might like to do in the near future.

If a professional calling to the bar is in your heart, I suggest you get some kind of research or secretary role with a practising barrister. That way, you can find out for yourself what a barrister actually does. It is not all quite as appears on television. If politics interests you, you should consider joining a political party and taking an active role in the life of that party. You may consider a casual or part-time role as an assistant to a current Member of Parliament.

For those who might like to continue study and further education after successful completion of their undergraduate degrees, you should consider getting a research position with an academic. That way, you can see whether future research is something you might like to do upon finishing your law degree; such as undertaking a Ph.D. in an area that particularly interests you.

As you can see, when you have materialised in your mind what it is you might actually like to do when you finish your studies, you can begin preparing for your future life. Unfortunately, I have a number of personal colleagues and friends who never really gave serious thought to their future careers when they were law students. The result at times has been quite damning.

I remember one friend in particular who wanted to be a solicitor. He reached his destination only to be bewildered at the nature of professional practice as a solicitor. He has said to me on many occasions: "I had no idea this is actually what a solicitor does". That friend has since left the legal world entirely. He is not alone in that respect.

The benefit of getting practical experience in a position that allows you to be exposed to your future profession is quite significant. The experience you will gain in that position is likely to teach you whether your original career ambitions are what you thought they may be.

A common characteristic of many if not all successful people in this world is the ability to dream, the courage to pursue and the endurance to deal with many of the great challenges which professional life undoubtedly brings. It all begins, ladies and gentlemen, with crystallising in your mind practical goals for your future.

Lesson 2 – Doing the simple things right

Given that for many of you this will be your first time at university, please let me say a few words about university life and law school. Undoubtedly, studying law *successfully* is no easy feat. With that proposition in mind, I hope the following tips provide you with some assistance along the way.

First, be determined and focused. Set short-term goals in relation to the various courses that you undertake. In that respect, aim to get through the respective readings which you set yourself. Aim to have completed an advanced draft of your assessment long before it is due; that way, you can give yourself plenty of time to put the final touches to the assessment and take the pressure off.

Secondly, take your studies seriously. You have chosen to undertake a law degree, and with that choice, you should readily appreciate the great demands of your time that will be taken by such a pursuit. In this respect, if you do not think you can commit much time to your studies, I suggest you consider a different path. A law degree is hard work.

Thirdly, read ahead. Upon the completion of a semester, have a break. However, you should find out early before the next semester starts what units you will undertake and what material is involved. In that respect, borrow books from the library and purchase textbooks in those subjects and commence reading at once.

By the time the semester begins, you will already be on top of your readings and have more time to focus on assessable components in the units in which you are enrolled. Your time in class will also be more useful, as you can further develop your understanding of the respective area of law having already read ahead and not learning content "on the run" for the first time in class.

Fourthly, strike a balance with other areas of your life. Although university life can be quite demanding, you should not allow your studies to overwhelm you. Play sports. Go to the gym. Go out with your friends. Travel when you can. Eat healthy and take

care of your body. After all, particularly with the latter proposition in mind, you will not be able to study properly if you are continuously in bad health.

Finally, undertake pro bono and volunteer work when you can. Join student associations and professional bodies and assist with the requisite skills you already have. In my view, there is no greater heart than that of a volunteer. Your assistance to others will of course not only help them, but such work can be both fulfilling and bring happiness into your life. Otherwise, prospective employers are always very interested in very active students who have taken his or her time to help others, particularly when it is for free.

Lesson 3 – Future lawyers and working life

I come to my third and final lesson for this evening. With respect, if you have chosen a career in the law to make plenty of money, you have probably made the wrong decision. It seems to me that there is a lot more money to be made in other professions and vocations; investment banking, medicine and business.

The life of a practising solicitor or barrister is quite demanding and difficult. That is the reality. Time is something which is limited for all of us in this life. Time is very precious. You can rest assured that as a practising solicitor or barrister, a great many hours will be spent working on various legal matters at the expense of your time. You must appreciate this simple fact from the outset.

When I was a university student, I often thought that all lawyers were honourable and ethical individuals. Now, as a practising barrister, I am not entirely persuaded that original view I had about lawyers is actually true. You have to be thick-skinned, patient, brave and determined. Practising the law can at times also be very stressful

in an emotional sense. However, do not lose sight of the bigger picture. Remain ethical always. Do not be influenced by the prospects of financial benefit at the expense of your reputation.

When you first commence practising, perhaps as a junior solicitor, do not expect to be working in the main on the most exciting and colourful cases. Chances are you will be photocopying an endless array of documents, summarising material and preparing pretty briefs for Counsel.

However, with determination, patience and the benefit of time, you can slowly move up the ranks to work on more exciting and challenging areas of the law. Many of the great leaders of this country commenced their career in a similar way.

If you want to stand out in your employment, assume pursuits which your respective colleagues have not undertaken. If that means working harder, then work harder. Undertake further studies. Actively participate in events held by the New South Wales Law Society or New South Wales Bar Association. Join committees. Write professionally for publications. Read widely. Learn from your mistakes. Embrace criticism.

A word about the main differences between litigation solicitors and barristers.

Litigation solicitors, as you should know, spend a great part of their day conferring with clients, preparing evidence and instructing barristers in a range of legal matters. They spend a lot of time writing letters and undertaking important administrative tasks to keep a respective matter in working order. Barristers, on the other hand, spend far more time preparing complex legal opinions and appearing in court to argue cases.

As a general observation, barristers tend to spend more time in the higher jurisdictions, whereas solicitors spend more time in the lower jurisdictions such as the Local Court of New South Wales. I do not mean to suggest for a moment that the role of a solicitor is not as important as a barrister. Not at all. The roles are simply different in the main.

Speaking from personal experience, life for a junior barrister is very difficult. Make no mistake about it. One is faced with, on the one hand, the certainty of monthly chamber fees that are very much analogous to expensive rent, and, on the other hand, there is no certainty where your next brief will come from, let alone when.

Often at times I have felt as though I am a professional "debt collector" chasing my professional fees from solicitors and direct access clients. The good news is, may I say, that the longer you can survive at the bar, the more educated you become on which people ultimately will and which will not pay your professional fees.

You should expect at times to appear in cases where your client has little prospects of success, especially in criminal cases. Nonetheless, the client is entitled to defend the charges and have a trial. With little valuable material to run with, you have to bite the bullet and deal with the cards you have been given. Good character building!

At times you will appear in matters where the court may make your appearance very uncomfortable. Your opponent may be difficult and problematic. Despite the many shortcomings of professional practise as a barrister, the job is on balance very rewarding and immensely stimulating in an intellectual sense. Each brief brings its own challenges and surprises, much like the circle of life.

I do not think for one moment that my current job is to be reconciled with eminence or associated with the “glitz and glamour” that should be better left for television series such as *Law and Order* and *Perry Mason*. At the end of the day, it is just a job like any other.

Whether you are practising as a solicitor or a barrister, you play an important part in pursuing the proper administration of justice. Despite all the drawbacks of professional practise as a lawyer, the job has many fulfilling and rewarding facets: the ability to truly make a difference in the life of a person; the capacity to actively participate in upholding the rule of law; the chance to meet people from all walks of life; and, of course, the prospect of making good a dream you had set in motion in the not too distant past.

Congratulations on your admission into the Bachelor of Laws program at UWS. I hope you all enjoy your time with the university and gain some very valuable life experiences in your studies. Thank you for having me here this evening.