

Occasional Address by the Honourable Robert Austin

Graduation Ceremony, University of Sydney, 11 December 2019

Your Excellency, Chancellor, Pro-Chancellor, Professor Bronitt, University staff and distinguished guests, graduates, families, and friends.

It is an honour for me to speak at a graduating ceremony at this great University, a place with which I have been associated, first as a student and then as a teacher, over each of the last 57 years. And I am particularly grateful that this occasion has enabled me to bring together my family and friends, ranging from my 99 year old mother to my beautiful granddaughters.

For the graduates, today marks an important transition in your intellectual life. I hope it will be a very happy day, and memorable for that reason. Every one of you is entitled to be pleased at the achievement reflected in the testamur that you now hold. I hope the pride and enjoyment of the occasion will be shared by your loved ones, family and friends. Your family is entitled to be very proud of you today, whether they are here in the Great Hall or in some other part of the world, anxiously waiting for news and pictures. I congratulate parents or guardians who have supported your studies, wherever they are, for their important role in bringing you to this day.

It is usual for the speaker at a graduation ceremony to wish the graduates good luck and success in their future careers. But in a speech last year, Chief Justice John Roberts of the United States Supreme Court broke the mould. He said this:

“[S]peakers typically wish you good luck and extend good wishes to you. I will not do that and I’ll tell you why. From time to time in the years to come, I hope you will be treated unfairly, so that you will come to know the value of justice. I hope that you will suffer betrayal because that will teach you the importance of loyalty. Sorry to say, but I hope you will be lonely from time to time so that you don’t take friends for granted. I wish you bad luck, again, from time to time so that you will be conscious of the role of chance in life and understand that your success is not completely deserved and that the failure of others is not completely deserved either. ... I hope you’ll be ignored so that you will know the importance of listening to others, and I hope you will have enough pain to learn compassion.”

I endorse his Honour’s underlying sentiments with all my heart. But to balance his remarks, I also wish you a sizeable portion of fair treatment, loyalty, good friendships, good health and good luck.

For the rest of your lives you will be representatives of this University. The University’s vision is to promote a culture of leadership amongst its graduates. That is, a culture based on the conviction that their tertiary education will help Sydney graduates to take leadership roles that will make life better for others.

Just how you go about implementing the University's vision will be a matter for each of you individually. But please remember, you have choices to be made in the immediate future, expressly or by default, that will be binding on you for the rest of your lives.

And when you make those choices, bring to bear the University's aspiration that you will choose a path that includes a leadership contribution to our Australian community. That can be by helping people achieve justice through law in the private legal profession, or by using the analytical skills you have learned to promote the interests of all corporate stakeholders in a business context, or by using those skills in public service or even law reform.

Over many years it has been my privilege to talk to law students and graduates as they plan their future careers and their future contributions to our society. Today I have time to offer only one piece of practical advice on the basis of that experience. It is this: when you make life's choices, keep your mind open to all the possibilities; use the skills given to you by the University, and don't exclude options until you have properly investigated them.

Again and again, I have been struck by the way highly intelligent people frequently rule out career choices on a whim. Let me give you one example. While I was working full-time at the University in the 1970s and 1980s, time and again some of our best students would say to me: *"Professor, I really enjoyed company law and I*

want to do some postgraduate study in that area overseas. But I am in a great quandary: should I choose Oxford or Cambridge?”

My immediate impulse was to throttle them. These students had already excluded most of the great universities in the English-speaking world, and at that time a substantial number of those universities were ranked above Oxford and Cambridge in the field of corporate and commercial law. (Happily, both Oxford and Cambridge are now in the first rank in corporate law!) I'm proud that some of those students took my advice and studied at Harvard or Stanford or Columbia or Toronto or Hamburg or the European University Institute in Florence or even, in one case, the University of Tokyo. Some of them moved on to graduate employment in the big law firms of New York and elsewhere, eventually bringing their expertise home to Australia for the benefit of their Australian clients and indirectly, our community.

I would expand that example by saying: at every turning point in your career, keep your options open, carefully consider possibilities before turning your back on them, and most importantly, don't devalue your own abilities. There will be some choices that are not right for you, but you should regard that proposition as a conclusion rather than a premise.

A career of 53 years in the law has given me plenty of opportunities to make mistakes. But looking back over my own experience, one of my career choices was just right, and reflects the message that I

give to you today. I want to share it with you, briefly, in the presence of my family.

In the early 1970s, my wife and our two daughters, one of them aged four and the other six weeks, set out on what was, for us, a great adventure. We moved to Oxford for two years, so that I could read for the Doctor of Philosophy degree in the law of trusts, for which Oxford had (and has) a leading reputation.

That experience not only helped me to develop my legal skills and understanding. It also provided a memory bank for each of the Austin family to hold for the rest of our lives, and forever widened our perspective on life's opportunities. The lesson is that exploring options can deliver rich and enduring personal benefits.

I wish you an enjoyable graduation day, and notwithstanding the wisdom of Chief Justice Roberts, your share of good luck and happiness in your future careers.