

HAL WOOTTEN LECTURE 2015

Response to Lecture delivered by Julian Burnside AO QC

by

Hal Wootten AC QC

For the eighth year I thank the Faculty for honouring me with this Lecture and express my pleasure that it has not become the Hal Wootten Memorial Lecture. I know this can't last forever, but it is nice while it does much preferable to the alternative. I can still endorse the view of George Bernard Shaw and Malcolm Fraser that life, while not meant to be easy, can be delightful. To live is to share both its sorrows and its moments of delight, of which tonight is one for me.

As always I stress that my name is not only an eponym but a metonym. In contrast to a static creed, a vision is organic, and my name stands in for all those staff, students, administrators and benefactors who as time goes by contribute to developing, shaping and nurturing the vision cherished in this Law School.

We took our first students in 1971. Young Julian Burnside had turned 21, so even if he had not had the misfortune to be born in Melbourne, it would have been too late for a most desirable conjuncture. That had to wait four decades until he joined the board of our International Refugee Law Centre, generously endowed by 107 years and UNSW Andrew and Renata Kaldor. the Monash Law

Julian had gone to Monash, opened seven years earlier. b a board years

School website a five minute video celebrates its 50th anniversary last year. An early student, Julian Burnside, recalls something strongly impressed on him:

Law is deeply embedded are

g and worthwhile lives in the law, or, to use the eloquent greatly in the law, as elsewhere. We

like the Hal

Wootten Lecture to illustrate this, as it has done tonight.

Julian was a leading commercial and taxation barrister until he appeared for the asylum seekers rescued by the Tampa in 2001. Three years later he wrote:

I learned, through the Tampa case, something I should have recognised earlier: that asylum seekers are confronted by unjust laws being implemented by a government which has lost touch with ordinary standards of decency. It had a profound effect on me. I knew that it was not possible to stay in Australia and do nothing about these outrages.

Julian's pro bono legal work alone meets that challenge, but there is much more. He has given tremendous personal respect, support, comfort, indeed love to individual asylum seekers and families. Most remarkable has been his effort to tell the Australian public of the terrible things done in its name. This has required courage and disregard of his personal interest. The quantity and quality of his public speaking and writing have been staggering. He has even confronted hostile shock jocks.

In his Tim Costello Lecture Julian has told how, whenever he was quoted in the media saying something outrageous like "it is wrong to imprison innocent children and drive them to suicide", he received a torrent of hate mail. He decided to answer it all. Sitting up late at night he answered thousands of emails, mostly abusive. The rudeness and vehemence of most was surprising, but what followed was even more astonishing. Nearly all responded and every response was polite.

Where appropriate Julian replied with more facts to answer objections. About 50% ended up saying, in substance: "Thank you for discussing this issue with me. I agree with you now"; and about 25% ended up

saying, in substance: "Thank you for discussing this issue with me. I don't agree with you,

That didn't look good, but in any event it wasn't achieving Australia's overriding objective: to see that asylum seekers didn't