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# Q&A WITH MICHAEL KIRBY

*Res Ipsa*

University of Queensland Law Society  
September 2010

The Hon. Michael Kirby AC CMG

# UNIVERSITY OF QUEENSLAND LAW SOCIETY

## RES IPSA INTERVIEW

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1. What motivated you to pursue a career in the law?

At school, I was pretty brainy. Choosing law was a no-brainer. At first, my maths and science were not so strong. I was not holy enough to be a priest. Nor patient enough to be a teacher. My grades in English and History were tops. I was a good debater. So the rest, as they say, was history.

2. What future direction do you envisage Australian human rights law and *pro bono* work will take?

I hope that Australia will join the rest of the world and adopt a national human rights law, as the Brennan Committee recommended. Above all, this would help in teaching universal rights at schools. It would also encourage respect for human rights standards in the bureaucracy and the legal profession. *Pro bono* activities will expand, in part because of inadequate public legal aid. And in part, because the work is interesting and there are limits to the tolerance of young lawyers towards boring but remunerative work in the back windowless rooms of palaces of marble and glass where top tier law firms now reside.

3. Did you foresee the impact that you would have on Anglo-Australian Jurisprudence when you were appointed?

I wish I had had more impact! Law is a profession of ideas. I did not express my ideas so as to have an impact. They represented my understanding of the law and the justice of thousands of cases. I am curious about this "impact" business. It must have something to do with the way I write. Basically, I write in the same way as I speak. Logically, that is (in my opinion, at least).

4. After the *Law Revue*, has a career in entertainment ever crossed your mind?

If you had to give as many speeches as I have to law student functions, honing your skills in humour becomes imperative. When I was a law student, Lord Denning came to Australia from England. He declared that, as Master of the Rolls, he could repel any rolls that law students threw at him. A few tested his theory. But he met their attempts with good humour. He was greatly loved by the law students in those days. He was an antidote to the Dixonian unbending legal formalism. He made a mark on our minds. He showed that law must adapt with society. Humour is a magic formula in human communication. This is an alchemy about it.

5. What are your thoughts on being one of the more “popular” Justices in recent years?

Puzzlement. Astonishment. Delight. When I go home, my partner, Johan, always pulls me down a peg or two. So I have to get my popularity fix somewhere.

6. The most rewarding experience throughout your career?

Apart from appearing in the UQ Law Revue, I would say getting on my feet in court and trying to persuade a judge to the merits of my case. I was a good advocate. The oral tradition and public trial of the common law is a great strength. Stressful, but enormously fulfilling. On a good day, there are few jobs so uplifting and fulfilling.

7. Was there any subject at university that you dreaded or found hard to stay awake for?

Boringly enough, I loved them all. Talk about a swot! I even looked forward to income tax. If I did not like the look of a subject, I persuaded Murray Gleeson to take the notes on that topic. This way, he took most of the boring bits. I excelled in constitutional law and jurisprudence. It shows, doesn't it?

8. What advice would you give to a graduate about to embark on a career?

Be a joiner. Join civil society organisations. Get into the Council for Civil Liberties. Join Young Lawyers. Expand your mind about unfamiliar things. Do some *pro bono* refugee cases. These activities help refine your skills. They also remind you about the potential of law to be a truly noble occupation.

9. If you could change one thing in the world, what would it be?

I would get today's generation to see that endemic poverty, affecting a third of humanity, is the modern equivalent of slavery. Poverty is a human rights issue. Most people think that there is nothing that can be done. But that used to be the response to slavery. Similarly, I would try to persuade law students to give up red meat and embrace a less carnivorous diet.

10. How would you describe yourself at university?

Rather nerdish. A bit shy (because of my sexuality). Frustrated, kind, but ambitious (if you can believe that all of these qualities can go together in the one person).

11. What are your plans for the future?

More law revues. Adulation. Increasing international activity. All roads lead to Hollywood.

12. How can we entice you to come and teach at UQ?

You have only to ask. But would Jim Allan veto me?

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