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ONLINE LEGAL EDUCATION: THE NEW CQU LAW DEGREE

Central Queensland University
Rockhampton, Australia

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Prof. S. Bowman, Vice Chancellor; Hon. M.D. Kirby AC CMG; Mr. C. Ware, Acting Chancellor; A/Prof. R. Fisher, Law School Dean

PRESENT AT THE CREATION

It is a privilege to be present at the formal launch of a new and innovative Australian law course containing novel and distinctive features.

* Justice of the High Court of Australia 1996-2009; President of the New South Wales Court of Appeal 1984-96; Judge of the Federal Court of Australia 1983-4; Chairman of the Australian Law Reform Commission 1975-84; Deputy President of the Australian Conciliation & Arbitration Commission 1975-83.

There is a natural tendency in human affairs to think that the familiar is good; that the well-established is better; and that the training that produced a person as estimable as oneself, is best of all. It is important that we, in the law, should be on our guard against such self-satisfied thinking.

We should be prepared to welcome new approaches to legal education. In this country, law courses do not get the accreditation is essential to their entitlement to prepare lawyers for admission to the privileges of legal practice, unless they conform to certain fundamentals. Unless they contain instruction in the prescribed subjects. Unless they secure the approval of statutory accreditation bodies. Within the parameters set by these obligatory conditions, there is room for experimentation and innovation. Indeed, these qualities are essential if the tertiary sector of education in Australia is to meet the requirements of education and skills training for the Australian lawyers of the future.

My own legal education took place at the Law School of the University of Sydney in 1959-61. So this is 50 years ago this year. It followed two years full-time instruction in the Faculty of Arts and included a year of full-time instruction in the first year of the law course. Thereafter, there were three years of part-time instruction, shared equally between full-time academics and part-time legal practitioners. The latter hurried to our classes, before and after court, to impart knowledge and to prepare an audience mostly of articled clerks, for a lifetime service in the legal profession.

I honour my law teachers. Several of the academic teachers were truly outstanding, including Professors Julius Stone, David Benjafield, William Morison, Patrick Lane, Ross Parsons, Gordon Hawkins, Ilmar Tamello, Tony Blackshield and Harry Whitmore. The impact of law teachers on those in their charge is generally only fully appreciated years or decades after the classes have closed. Some analysts, seeking to explore the innovative characteristics of the High Court of Australia under Sir Anthony Mason and afterwards have (correctly in my view) ascribed part of the credit to the innovative instruction of Professor Julius Stone. He was one of those great scholars and teachers. Truly, he was an agent of academic influence¹. He opened our minds to new and more realistic views of the law and legal practice.

One of the articled clerks sitting in the classroom with me in the years 1958-61 at the Sydney Law School was John R. Peden. He was a grandson of Sir John Peden KC, Professor of Law and Dean of the Sydney Law School two decades earlier. Like his grandfather, John Peden was to pursue a life as a teacher of law. He became the first Dean of a new Law School at Macquarie University in Sydney, where I was later to serve as Chancellor.

Writing in 1972 on professional legal education, John Peden (who tragically was to die too young) asked the following questions²:

“What should be the goals of legal education? For what type of end product should we aim? The predominant and continuing aim of most systems of legal education has been the preparation of the lawyers for practice. In recent years, however, it has been more

¹ See Helen Irving, Jacqueline Mowbray and Kevin Walton (Eds), *Julius Stone: A Study in Influence* (Federation, 2010).

² J. Peden “Professional Legal Education and Skills Training for Australian Lawyers”(1972) 42 *Australian Law Journal* (ALJ) 157 at 169.

generally recognised that legal education should also be concerned with public policy and law reform. Furthermore, lawyers' roles have also expanded, and the education of tomorrow's lawyers must keep pace with those wider roles.

These include the traditional roles of advocate and adviser where the lawyer's attitude to social and moral questions obviously influences his responses to problem situations. As a draftsman, the lawyer influences legal processes and social consequences. ... Lawyers in judicial and quasi-judicial tribunals, in common law countries, chosen largely from the Bar, directly influence the interpretation and implementation of the law. A higher percentage of legislators, administrators and other persons responsible for the formulation of government policy have degrees in law than in other professional schools. ... Law teachers are contributing more to legal development through their writings and participation on Law Reform Committees."

It was the recognition of the growth in the variety of opportunities in law – not only working in Australia but nowadays increasingly overseas – that has led to moves away from inflexible obligatory law courses, such as I undertook. It has encouraged the development of law courses that permit variety, stimulation, individual specialisation and a degree of flexibility. Professors Lasswell and McDougal of the Yale Law School, at about the time of my own training, urged that the functions of legal education were to awaken every student to the need to view law in a social context and to acquire skills to deal with legal problems. Law is a problem-solving profession. That feature requires a distinctive component of ethical appreciation, given that virtually every problem in society has a number of potential solutions.

At about the time that John Peden was writing his critique and prediction for Australia, a committee on legal education in the United Kingdom, chaired by Lord Justice Ormrod, reported in similar terms³:

“... [T]he most striking feature of the legal profession is the enormous width of its spectrum, both in function and subject matter, combined with the relatively narrow limits within which many individual practitioners actually operate. ... In spite of [the] great range ... the elucidation of difficult “points of law” will be an exceptional task for all but the experts, be they judges, counsel or solicitors. The work of most lawyers, in fact, consists in a multitude of factual variations on a relatively small number of legal themes. ... [The profession] has to meet ... roles ... which are so varied and require such different qualities, that the profession will always need to recruit men and women of widely different character, temperament and intellectual attainment.

... [N]o system of education and training before qualification could possibly cover the whole of it, except in an utterly superficial and useless manner. The process of acquiring professional knowledge and skills is continuous throughout the lawyer’s working life. ... The professional lawyer requires a sufficiently general and broad-based education to enable him to adapt himself successfully to new and different situations as his career develops; an adequate knowledge of the more important branches of the law and its principles; the ability to handle facts, both analytically and synthetically, and to apply the law to situations of fact; and the capacity to work, not only with clients, but also with experts in different disciplines.”

At the time of my legal training, in most parts of Australia, including Queensland and New South Wales, a large proportion of future lawyers were not prepared for practice in universities at all. They received instruction in professional courses, offered by both the Barristers’ Admission Board and the Solicitors’ Admission Board. These bodies then had an annual intake of nearly 1,000 students nationwide, with a total enrolment of between 2,000 and 3,000 students. They graduated

³ *United Kingdom, Report of the Committee on Legal Education (Ormrod Report)*, CMND. 4595, 1971, pars. 88ff.

approximately 200 lawyers each year. A large proportion of the graduates were public servants.

This professional system of admission to legal practice had begun in 1848, although it was not until 1966 that systematic courses were offered. The creation of university law schools in Australia did not occur until the latter part of the nineteenth century. The traditional way for the training of future barristers in Australia was part of the large legal heritage from England. In that country, for centuries, barristers did not receive their instruction at universities. They attended Inns of Court where they received a mixture of formal instruction and apprentice-like opportunities to observe experienced practitioners at work with their professional tasks. This was still a feature of my years as a student and articulated clerk.

With the advent of university instruction in law came competing models for legal training. From the United States of America and Canada was presented the North American model that envisaged a wholly post-graduate law degree, completed as a second degree. From Britain came a model involving an undergraduate law degree, sometimes (as in my own case) combined with two years of an otherwise uncompleted undergraduate degree in a generalist discipline. Australia, for more than a century, followed the British model, in legal education as in so many other things. But now, the University of Melbourne has adopted the North American pattern, obliging its law students first to complete a generalist degree and to undertake legal studies as a graduate student for the *Juris Doctor* degree.

Self-evidently, the introduction of this new requirement provides competition in the professional market, where alternative preparation for a life in the law is now offered. Obviously, a longer period of training is involved when law becomes a post-graduate degree. Not all students, or potential lawyers, can afford these extra requirements. The added expense has a special significance in the law because of the fact that repeated studies of the composition of undergraduate law students have showed that they tended to come in greater numbers from particular backgrounds and not to reflect the diversity of the Australian population.

Thus, in studies of the educational background of law students undertaken in 1965, it was shown that only 32% had attended public schools. This was despite the fact that, at that time, 70% of all students were educated in such schools. In 1965, 29% of law students had attended Roman Catholic schools and 34% had attended other private schools⁴. These figures contrasted with the intake of university students intending to enter the teaching profession. Of these, 64% received their school education in public schools; 17% were from Roman Catholic schools; and 15% from other private schools. Professor John Goldring's survey of law students in 1976 found that 42% of law students had a relative or family friend who was a solicitor; 24%, a barrister; and 15%, a judge⁵. Allowing for overlaps in these groups, the social cohort entering law certainly did not then match of society at large. In my own case, although I attained very good results in the school leaving certificate and attended selective public schools, I found it next to impossible to secure

⁴ Julian Disney, John Basten, Paul Redmond and Stan Ross (Eds), *Lawyers*, Lawbook Co., Sydney, 1977, 141.

⁵ J. Goldring, "Admissions Policy" in *Legal Education in Australia* (1976), 30. In Disney et al, above n4, 140-141.

articles of clerkship. In 1958, without family connections, this was very difficult⁶.

It is because law is not an ordinary occupation, but one in which the values of practitioners can influence the rules by which society lives, that the intake of lawyers is a matter of legitimate concern to society and to fellow citizens. For most of my service on the High Court of Australia, I was the only Justice whose entire education had been received in public schools⁷. Although more than 65% of Australians are still so educated, most of Australia's judges and nearly all of the Justices of the High Court of Australia, have been educated elsewhere. Such disparity could not but influence the values that are reflected in judicial decision-making. Some lawyers might contest this assertion. However, in my opinion, those who dispute it need to go back and read the instruction of Professor Julius Stone about the "leeways for choice"⁸ that are enjoyed by judicial decision-makers in the common law system.

Legal education is in a constant state of development and change. Sometimes the changes are dramatic. The shift of legal education from the case book method, pioneered in the nineteenth century by Professor C.C. Langdell at Harvard Law School, closer attention to the task of textual interpretation, simply follows the shift in the relative importance from judge-made law and enacted law. It is a shift that can only continue⁹. We must constantly ask, what are the other shifts that are

⁶ A.J. Brown, *Michael Kirby: Paradoxes/Principles*, Federation Press, Sydney, 2011, 46ff.

⁷ *Ibid*, 206-207.

⁸ J. Stone, *Social Dimensions of Law and Justice*, Maitland Publications, Sydney, 1977, 149. The expression was adapted from the writings of Karl Llewellyn.

⁹ Anthony T. Kronman, *The Lost Lawyer: Failing Ideals of the Legal Profession* (Belknap Press, Harvard, Cambridge, 1993), 169, 183.

occurring, which need to be reflected in a contemporary Australian law course.

It is against the background of this understanding of the purposes of legal education and its traditions, as well as recent developments affecting course content, that I welcome the creation of this new law course at Central Queensland University (CQU). Just as earlier, I welcomed (and participated in) the new JD course at the University of Melbourne Law School. Within the contours set by the applicable accreditation standards, it is desirable that diversity should feature strongly in contemporary Australian legal education. Innovation and multiple options are desirable. Sticking unquestioningly to the past or present models is not necessarily in the best interests of the legal profession or of the citizens and future clients and users of legal services. The market place will respond as it chooses the new options.

ADVANTAGES OF THE NEW CQU COURSE

As it has been envisaged, I see a number of advantages in the new CQU law course with its special feature of online instruction:

- 1) *Serving regional and rural needs:* It is designed to respond to several particular demands which arise in regional and rural Australia. In the vast physical distances of Australia, especially the State of Queensland, the need for law courses to cater for government employees, such as police, requires acknowledgement of the particular difficulties that can arise in attending physically at a distant location to undertake lectures. The fact that the CQU course will provide its instruction online makes enrolment and participation possible for undergraduates

who would otherwise find it difficult or impossible to enrol in a law course;

- 2) *Importance of supports for students:* Apart from employment impediments, there are other difficulties that some students face in living away from family and friends, generally at a young stage in their lives. Many students will perform better if they are surrounded by family and other supporters. Performing well in places remote from home and friends will frequently ordinarily add considerable emotional burdens. These, at least, will be missing if a course can be undertaken online and effectively brought to the student rather than vice versa;
- 3) *Retaining regional and rural talent:* One hope of the CQU degree is that, by catering online to students in regional and rural districts, in the vast outback regions of our continental nation, it will prove easier to retain skilled, talented and qualified employees in regional and rural Australia. There is always a risk, if a student is forced, for study reasons, to move to a metropolitan centre, that his or her link with a place of origin will be lost. To some extent, bringing the university to the student may prove a way to overcome this drift to the cities which is a serious problem for professionals in remote communities, anxious to retain local talent;
- 4) *Utilising new information technology:* The basic concept behind the online undergraduate course in law is to use technological facilities that are now available and increasingly familiar to younger generations of students. I have myself participated in webcam lectures from my chambers in Sydney to students of the Charles Darwin University in the Northern Territory. The undergraduate law course in that university is offered overseas to many students, physically present in Asia and the Gulf region. Immediate contact

is provided visually by camera and Skype. Oral and text links are instantaneous. They permit questions to be asked in real time, which can be subject to an expectation of a 24 hour response at a maximum, which is to be the norm at CQU;

5) *Catering for special cultural needs:* Particular categories of students may also find online courses more attractive to them and congenial to their cultures. Indigenous students and students from backgrounds that otherwise lack connection with tertiary education may, it is hoped, respond well to a technology of instruction that does not require them to speak up in class where they may feel intimidated. There is something about the democracy of online communications that may make them more suitable for disadvantaged students. Anything that can contribute to increasing the numbers of law students and practitioners from less privileged social and educational backgrounds is, in my view, to be encouraged. We have not graduated many lawyers from these backgrounds in Australia. At least the CQU course will constitute a nationwide experiment to reach out to ethnic and social groups that have not so far been well represented in university law courses and consequently in the legal profession;

6) *Continuity and change in curricula:* It is reassuring to see that a course in Jurisprudence (or Legal Values) is a compulsory core subject in the CQU curriculum. This is not one of the Priestley eleven compulsory core subjects – although why my distinguished former colleague in the New South Wales Court of Appeal, Justice Bill Priestley, omitted it, I cannot tell. Gaining instruction in the theory and application of value choices in the law, in my view, is an essential ingredient in preparing the ethical lawyer of the future. Such a course demands of its students that they reflect upon the

choices that fall to be made in judicial and legal decisions, constitutional and statutory interpretation and everyday administration of the law. Only those who are aware of the choices, and of the theories that inform selection of the applicable values, will approach this vital part of the legal discipline with eyes open to the obligations and opportunities that often face lawyers. Although Legal History is not presently offered in the course at CQU, any more than in most Australian law schools today, I make an appeal for its introduction into the law course, or at least as an identifiable component of the teaching of other legal subjects¹⁰. It is impossible, for example, to understand Australian constitutional law, or the operation of our constitutional documents, without a thorough grounding in the constitutional history of Australia and the United Kingdom. This provides the backdrop against which our law has been written and without which it is impossible to understand the constitutional text¹¹; and

7. Supplementing online with practical outreach: Although students pursuing the CQU course online will lose the considerable advantage of physical propinquity with teachers and other students, I have been reassured that steps will be taken to provide other forms of actual contact that can supplement the online instruction. Thus, mentors in country and regional Queensland will be sought out to provide support and supplementary professional experience opportunities so as to allow practical insights into the operation of law and environments in which the emotions and challenges of legal practice can be shared, experienced, discussed and understood. The training

¹⁰ M.D. Kirby, "Is Legal History Now Ancient History" (2009) 83 ALJ 31 at 39-41.

¹¹ A good illustration is *Combet v The Commonwealth* (2005) 224 CLR 494 where the history of the appropriations power was traced. See also *White v Director of Military Prosecutions* (2007) 231 CLR 570 (courts martial) and *New South Wales v The Commonwealth* (Work Choices Case) (2006) 229 CLR 1 (industrial arbitration). See (2009) 83 ALJ 31 at 41.

of future lawyers, at least those who will participate in the daily work of the legal profession, requires not only instruction in laws and rules, but also in the conventions, traditions, courtesies and ethics of the legal profession. These require a measure of subtlety, dialogue and full explanation and examples if they are to be successfully imparted¹².

I am pleased to see the values which CQU claims to embrace for itself. These include good communications; an emphasis on problem solving; experience in critical thinking; capacity in information literacy; exposure to team work; engagement with cross-cultural experiences; and commitment to ethical practice. No doubt, on occasion, the University, like any institution and individual, will fail to attain perfect scores on these and other values. But it is to be welcomed that these are the standards it sets for itself and propounds to the world. By setting such standards, the University exposes its teachers, administrators, support staff and leaders to criteria by which they can be judged, and to which they can be held accountable.

CHALLENGES FOR THE CQU COURSE

Launching a new law course obviously presents many fresh and novel challenges. They include:

1) *Upholding participation:* In a physical class, it is possible for a vigilant teacher to observe non-participation and to seek to remedy this and to engage the student in dialogue and responsiveness. It will be important that this facility is not lost by online instruction. Through the

¹² Gino Dal Pont, "Respect in Trying Circumstances: Maintaining Civility and Respect in Dealings Between Lawyers Can Be A Challenging Necessity", *Law Institute Journal (Vic)*, April 2011, 76; cf. K.A. Nagorney, "A Noble Profession? A Discussion of Civility Among Lawyers" 12 *Georgia Journal of Legal Ethics* 815 at 816-7 (1999); *Garrard v Email Furniture Pty Ltd* (1993) 32 NSWLR 662 at 667, per Kirby ACJ.

University's "Moodle" software, the participation of individual students can be assessed. Through webcam links, mootings and professional role play can be introduced and assessed. In the High Court of Australia, from the 1980s, special leave hearings in distant cities of the Commonwealth were undertaken with the aid of telecommunications. The technology is fully functional, instantaneous and virtually equivalent to the presence of the Court in a distant courtroom. The same technology is becoming cheaper and more accessible for educational purposes. Already, such linkages are established in law schools, for example in the James Cook University connections between different campuses in Queensland, the most decentralised State in the nation;

2) *Student feedback:* It will be essential to secure student feedback on any teething problems that arise in the introduction of such an intensive online course in the law. In the theory of things, so long as standard time limits are observed in lecturers' responses to students' queries, the online technique should be even more interactive than much classroom dialogue, at least when I recall how that dialogue was conducted in my time. Still, it is inevitable that particular problems will arise. The Law School and the University should make it their business to seek consumer comments and regularly to discuss consumer satisfaction with the course so that problems and difficulties can be ironed out and quickly addressed in the protocols of the school. User friendly mechanisms should be put in place to permit complaints or suggestions to be monitored and followed up, without actual or apprehended risks of adverse consequences for a student making such communications. Success in the new technique of instruction will depend upon an interactive dialogue between the providers and recipients;

3) *Mentors and chat rooms:* To repair as far as possible, the lack of physical interaction with teachers and other students, thought will need to be given to providing supplementary opportunities for electronic and physical interaction and dialogue. It is difficult online and at long distance to replace the vibrant, exciting and often emotional contacts provided by participation in student societies. This is part of the “entire university experience” for undergraduates who physically attend for instruction at a university campus. This feature of university life should not be exaggerated. Many students (including myself) never availed themselves of sporting facilities provided on the campus. Many never join student societies. It is not compulsory. I myself failed to do so until, by chance, I became involved in the activities of the Student Law Society and Representative Council¹³. Imaginative thought should be given to ways in which students, receiving their instruction online, can be involved in a wider range of student services and activities, so as to avoid a course which is wholly de-personalised. Sometimes it is a matter of knowing whom to approach and where to go that makes the difference between comfortable assurance and blundering and blustering for fear of admitting ignorance. Nevertheless, many especially young people, today conduct intense emotional relationships through the range of social networks that are now in place. A lot of attention should be paid by the Law School and the University to enhancing this aspect of the university experience and to providing more than electronic communications between the students and the teachers in the institution;

4) *Equity and outreach:* If the CQU law course is simply viewed by its students as a shorter and quicker way to obtain professional legal qualifications, in a minimum of time and at a cheaper

¹³ A.J. Brown, above n6, 50ff.

cost, it will have failed to attain the objectives of social equity and broader outreach that it has set for itself. The background and aspirations of enrolees should be studied so as to monitor the success of the course in attracting participants from indigenous communities and from minority ethnic and social groups who have so far generally been omitted from the catchment of many Australian law schools. Results should be reported, monitored and followed up. The University should remember that equity cuts both ways. Although government subventions for legal education are at the very bottom end of federal contributions, this has meant significant cost burdens on would-be law students, including those who make relatively low demands upon university costs and facilities¹⁴;

5) *Staff selection and development.* Just as the experience of students will need to be evaluated, so will the selection of staff and their experiences in relating to online students. Maintaining enthusiasm for legal education may, in some ways, be easier in circumstances of regular interaction with the well-known personalities of students and teachers. The response of students to their instruction is one of the emotional rewards of being a teacher. Those who are required to teach online and who are deprived of direct special interaction with students may need special skills, possibly additional training, and strong protocols for online communications so as to maintain the interactive and personal character of the engagement. Because the new course is so innovative and different from traditional law teaching, it should be constantly evaluated and checked, including by feedback from the teachers themselves. It should be reported to that the national legal profession will be waiting;

¹⁴ Clair Chaffey, "The Fight for Funding", *Lawyers Weekly*, 29 April 2011, 10.

6) *Library resources:* Although it may be expected that most of the materials used in instruction in the new course will be afforded online, there will be needs from time to time for access to legal materials that are only available in libraries in hard copy. For the provision of these materials, appropriate arrangements for inter-library loan facilities will be needed, under proper and easy conditions, that are made known to the students and involve reasonable costs and minimal bureaucracy;

7) *Physical interaction:* CQU intends that invigilated examinations will be conducted in regional centres to ensure the integrity of grading outcomes and for the maintenance of high standards in the new course. It is often a source of jest at university graduation ceremonies that they constitute the sole time that many students come physically to the one place and meet each other at the end of their studies. Some consideration might be given, in the particular case of an online course, to supplementing physical interactions of students and staff in appropriate ways at regional functions, including at student functions, in which the engagement of the students with the University can be experienced, otherwise than on a screen or at a final graduation ceremony. In a State as large as Queensland, that might necessitate regional events which students in the vicinity could be invited to attend, perhaps with partners or friends. Especially where young law students are completing their formal studies and approaching the rude shocks of professional training and initial responsibilities, the provision of opportunities for exchanging experiences amongst novitiates is an important aspect of effective education¹⁵. It will be in the University's

¹⁵ K. McGuicken, "Bursting the 'Ally McBeal' Bubble: The Realities of Your First Year in Practice", *Proctor* (Qld), March 2011, 23.

own interest, in building up a substantial and active base of *alumni*, to encourage occasional physical involvement of this kind;

8) *Student health and wellbeing*: One new consideration that needs to be taken into account is the growing evidence of the stress levels to which university students, particularly law students, are susceptible in contemporary Australia. Stress amongst law students appear to be much higher than amongst other tertiary students, including those pursuing professional courses in medicine. Sometimes, exceptionally, the stress can lead to instances of breakdown and even suicide. However, imperfectly, physical proximity to other students and teachers can sometimes disclose evidence of stress which can be followed up and addressed with special assistance and support. This may prove more difficult in a case where direct communications are limited to impersonal online engagement. Isolation and lack of immediate or proximate supports may add to the pressures facing students unless special initiatives are pursued¹⁶; and

9) *Overseas outreach*: Although the CQU degree will, at the outset, be available only to Australian resident students, I see no reason why, in due course, it should not, when fully trialled, be offered (with or without modifications) to international students. The Charles Darwin University degree is offered offshore. Increasingly, Australian law degrees have included international and transnational components. The common law system prevails in many of the countries that surround Australia, including in the Gulf States, the Indian subcontinent, South-East Asia and the Pacific Islands. Instruction in the medium of the English language and ready access to teachers online, may provide an

¹⁶ Anthony Lester, Lloyd England and Natalia Antolak-Saper, "Health and Wellbeing in the First Year: The Law School Experience" (2011) 36 *Alternative Law Journal* 47. Cf. Martin Seligman et al, "Why Lawyers Are Unhappy" 23 *Cardozo Law Review* 33 (2001); Judy Allen and Paula Baron, "Buttercup Goes to Law School: Student Wellbeing in Stressed Law Schools" (2004) 29 *Alternative Law Journal* 135 at 141.

educational product that is attractive. It may become another excellent export of services where Australia has a comparative economic advantage. There is a huge and growing market for lawyers in Australia's region. Increasingly, legal work for Australian firms is performed offshore at cheaper rates than can be offered by Australian firms to their clients. Australian tertiary institutions should be working imaginatively to tap these significant potential markets for legal services.

No doubt, there are other tests and trials that will need to be undertaken as this new course is introduced and perfected. I do not have to tell the CQU that, in a conservative profession, such as Law, critics of innovation are easier to find than supporters. And supporters will be needed if the course is to flourish. In a sense, the innovator has to be more successful than the compliant who merely copies the well-worn techniques that are 'tried and true'. With heightened enthusiasm and strong commitments to ethnicity, equity and outreach and to regional and rural communities, the CQU course can appeal to a market that is presently not effectively served in legal education.

The market to be pursued is not merely that of the would-be lawyer who regards a law course as an irksome necessity before the cash registers begin to chime their agreeable harmony. The CQU law course will be counted a success if it attracts a cohort of students who are presently, effectively, put outside the realistic reach of current legal education in Australia. And particularly if it attracts students from indigenous, ethnic and other minority or disadvantaged communities who are not presently well represented in the Australian legal profession.

CONTRIBUTING TO LAW'S SPECIAL MISSION

Law is a special vocation. Potentially, it is a noble one. Necessarily, it is concerned with order and justice in society. The alternative to law is the rule of brute power, force or the uncontrolled influence of money or birth. It is in the hope and belief that this new law course will fill a space in Australia in the preparation of fine lawyers for the future, that I have pleasure in launching it. I wish the students and faculty well in the challenges that lie ahead of them. Those challenges include building on the strengths of legal education offered elsewhere. But adding new ingredients, so that the lawyers of the future in Australia will serve their communities in new and better ways.
