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SPEECH MADE BY SIR LAURENCE STREET AC
KCMG QC AT LAUNCH OF DOCUMENTARY
FILM "MICHAEL KIRBY – DON'T FORGET THE
JUSTICE BIT"

NSW Parliamentary Theatre
29 April 2010.

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Sir Laurence Street AC KCMG QC

When I was invited to launch this documentary about the life of Michael Kirby I was conscious of the compliment being extended to me. Michael Kirby occupies a respected and richly deserved place on the world stage as a great Australian, Jurist and Humanist. His international stature is widely acclaimed and he has added lustre to the reputation of Australian legal institutions. I assumed that this documentary film would trace some of his many achievements as he mounted up the ladder to reach the Australian judicial pinnacle of the High Court of Australia. This it does – but how much more does this film achieve!

It is not just an account of a glitteringly successful legal career. It is a profoundly moving account of a man who rose above the narrow prejudices and bigotry of others that have destroyed many great men in the past – a man of uncompromising integrity and courage who, with his life-long partner Johan van Vloten, exposed the hypocrisy of those who criticise the sexual preferences of others. His life – both their lives – as the film unfolds are a testament to the integrity and morality of their relationship, and of the relationships of many others of both sexes whose preferences do not conform with what is falsely dubbed “the norm”. It is a testament to the courage and success with what Michael, by the example of his own humanism, demonstrated that love and morality are not the exclusive province of heterosexuals – be they male or female. The human condition requires us to accept unquestioningly the choices of those whose emotions take them along paths (conventional and unconventional) of peace, tranquillity and fulfilment wherever they might lead – in Michael’s case to a lifelong relationship with his soul mate, Johan, at the same time to a seat in the highest Court in the land and, I use the phrase again, international stature as a great jurist and humanist.

This is not the occasion to discuss Michael's contribution to judicial philosophy. I must however acknowledge the skill with which he gently accommodated principles of legal justice to the ideals of social justice – an accommodation explicitly in the chosen sub-title of the film “Don't forget the justice bit”. It has been rightly said that justice is not a cloistered virtue. It has many facets and responds to many shades of meaning. As the texture and quality of our legal system has evolved over many decades, legal justice has moved ever closer to ideals of social justice. But there is always a time lag. *Festina lente* is the maxim for social justice, lest it go too far too fast, and outstrip the strength and stability of legal justice. But the adverb is *lente* – not *lentissime*. Social justice is the sprite dancing dazzlingly in the lead as the machinery of legal justice adapts its own mould in a never-to-be consummated attempt to catch up. Michael's work exemplifies the genius of the law in combining recognition of the aspirations of social justice whilst at the same time accepting the discipline inherent in legal justice.

Ladies and Gentlemen, you will find the film you are about to see deeply moving. And I believe it will stimulate within you, as it did for me, a sense of empathy and humility as it traces some facets of Michael's life. It is truly a valuable social document and I am grateful for the opportunity to make these short observations as I formally launch it.
